

SUMMARY OF CURRENT DOCUMENT	
Name of Issuing Party or Person	PricewaterhouseCoopers Inc., Receiver
Date of Document:	18 <sup>th</sup> day of December 2002
Summary of Order/Relief Sought or statement of purpose in filing:	Order of Hall J. re service of documents and website posting, and setting down the parts application
Court Sub-File Number:	<del>7:25</del> 8:18 (re 7:28)

2002 01T 0352  
IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR

**IN THE MATTER OF** a Court ordered Receivership of Hickman Equipment (1985) Limited ("Hickman Equipment") pursuant to Rule 25 of the *Rules of the Supreme Court*, 1986 under the *Judicature Act*, R.S.N.L. 1990, c. J-4, as amended

**AND IN THE MATTER OF** the *Bankruptcy and Insolvency Act*, Chapter B-3 of the Revised Statutes of Canada, 1985, as amended (the "BIA")

## ORDER

**BEFORE THE HONOURABLE Mr. Justice Hall**

**WHEREAS** this matter having come on for hearing on the 18<sup>th</sup> day of December 2002;

**AND WHEREAS** the parties listed in Schedule "A" to this Order having been served with notice of this application in the manner ordered by this Court on March 28, 2002;

**AND WHEREAS** the parties listed in Schedule "B" to this Order having appeared and having been heard;

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**IT IS THIS DAY ORDERED AS FOLLOWS:**

1. The Receiver is granted leave to file its Interlocutory Application (Inter Partes) and draft Order with respect to the sale of an inventory of parts held by it as the Receiver of Hickman Equipment. This Application shall be heard on Thursday, December 30, 2002 at 10:00 a.m. with service to be effected in accordance with the terms of this order, at least 2 clear days prior to the hearing.
2. Service of any Applications and related documentation with respect to the matter of the Court Ordered Receivership and/ or bankruptcy of Hickman Equipment may be henceforth effected by forwarding such documents to the Receiver with a request for posting on the PricewaterhouseCoopers website, located on the world wide web at [www.pwcglobal.com/brs-hel](http://www.pwcglobal.com/brs-hel). The Receiver shall advise any Interested Party exercising this option if it is unable to meet the request. The Interested Party exercising this option for service shall:
  - (a) serve notice of the posting on all other secured creditors via fax and electronic correspondence; and
  - (b) allow the Receiver a minimum of 1 business day for posting.

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3. Service shall be deemed to have been effected as of the later of (1) notice to all other secured creditors as set out in paragraph 2 (a) herein and (2) the actual posting on the PricewaterhouseCoopers website.

**DATED** at St. John's, in the Province of Newfoundland and Labrador this 18<sup>th</sup> day of December, 2002.

*Asst. Deputy*

*Elaine Burke*

REGISTRAR

722-4201# 1

AmR gb

**Schedule "A"**  
**Parties who have been Served**

ABN Amro Bank Canada/ ABN Amro Leasing & Tramac Equipment Ltd.	Aubrey L. Bonnell, Q.C./ Brian Winsor David Timms Brent Keenan	722-7521  905-331-2020
Bombardier Capital Leasing & Culease Financial Services	John French	754-2701
Caterpillar Equipment	Colin D. Grant	905-849-5512
CAT Finance	James Smyth, Q.C./ Philip Warren	754-5662
Cedarrapids	Nathan Mixdorf/ Francoise Belzil	319-399-4760 780-413-3152
CIBC	R. Wayne Myles/ Geoffrey Spencer	579-2647
CIBC Equipment Finance Ltd./CIT Financial Ltd./	Gregory W. Dickle	722-9210
Contract Funding Group Inc.	Mark G. Klar	416-218-1831
Daimler Chrysler Financial Services/ Daimler Chrysler Capital Services/ Mercedes- Benz of Canada Inc.	Phillip Buckingham/ Peter O'Flaherty Elaine Gray	722-4720 416-863-3527
Fabtek Corp.	Linc A. Rogers Rhodie E. Mercer, Q.C.	416-863-2653 726-5705
GE Capital	Harvey Chaiton Frederic Scalabrini	416-218-1849 905-319-4855
GMAC	Thomas R. Kendell, Q.C.	722-1763
Group Holdings Ltd./ Hickman Equipment/ Hickman Holdings Ltd.	Robert Stack/ Griffith D. Roberts	726-2992

Ingersoll-Rand Canada Inc.

R. Barry Learmonth, Q.C.  
Jonathan Wigley

739-8151  
416-863-6275

John Deere Ltd./  
John Deere Credit Inc.

Nell L. Jacobs /  
Bruce Grant/ Maureen Ryan

722-4565

MTC Leasing Inc./  
National Leasing Group Inc.

R. Paul Burgess

754-0915

ORIX Financial Services  
Canada Ltd.

Donald Yaeck

416-236-3010

Goodman Associates

Paul G. Goodman

902-425-3777

Royal Bank of Canada

Thomas O. Boyne, Q.C.

902-463-7500

TD Asset Finance Corp.

D. Bradford L. Wicks

753-5221

Wells Fargo Equipment  
Finance Co.

Richard B. Jones

416-361-6303

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**Schedule "B"**  
**Parties who have been heard**

Frederick J. Constantine, Anna Locke	Counsel for PricewaterhouseCoopers Inc.,
Tom Kendall, Q.C.	Counsel for GMAC & GMAC Leasco
Michael Harrington Q.C., Bruce Grant, Maureen Ryan	Counsel for John Deere Limited & John Deere Credit Inc.
Geoffrey Spencer	CIBC
Greg Smith, Brian Winsor, Amy Crosbie	Counsel for ABN-AMRO Bank Canada / ABN Amro Leasing and Royal Bank of Canada
Gregory Dickle	CIT Financial Ltd./ CIBC Equipment Finance Ltd.
Barry Learmonth, Q.C.	Counsel for Wells Fargo Equipment Finance Co./ Ingersoll-Rand Canada Inc.
John French	Counsel for Bombardier Capital Leasing and Culease Financial Services
Griffith Roberts	Counsel for Group Holdings Ltd./ Hickman Equipment/ Hickman Holdings Ltd.
Christopher Fox	Daimler Chrysler Financial Services/ Daimler Chrysler Capital Services/ Mercedes-Benz of Canada Inc.