

07-Apr-2003 16:34

From-

T-884 P.002/006 F-816

1/21/03
SCJD FEB25 03PM12:02

SUMMARY OF CURRENT DOCUMENT	
Name of Issuing Party	John Deere Limited and John Deere Credit Inc.
Date of Document	__ February 2003
Summary of Order/ Relief Sought or Statement of Purpose in Filing	Interlocutory Application of John Deere Limited and John Deere Credit Inc. for an Order that the hearing of the appeal of Final Determination by Canadian Imperial Bank of Commerce be expanded to include a hearing on the Transition Issue.
Court Sub-File Number	7:28A and 7:36

2002 01 T0352

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

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*, R.S.C., c. B-3, as amended (the "BIA")

ORDER ON INTERLOCUTORY APPLICATION (Inter Partes)

**UPON THE APPLICATION OF JOHN DEERE LIMITED AND JOHN DEERE CREDIT
INC. (COLLECTIVELY, "DEERE")**

BEFORE THE HONOURABLE Mr. Justice Hall:

WHEREAS the matter has come for hearing on the 3rd day of February, 2003;

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

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

AND UPON READING the Affidavit of Maureen E. Ryan, Partner in the law firm Stewart McKelvey Stirling Scales, dated January 16, 2003;

IT IS THIS DAY ORDERED as follows:

1. The time for service of the Application herein be and it is hereby abridged and validated such that 5 clear days notice of this Application upon the various Interested Parties be deemed adequate notice of the Application for the purposes of hearing this matter by this Honourable Court.
2. That:
 - (i) the hearing of the appeal of the Final Determination by Canadian Imperial Bank of Commerce ("CIBC") is expanded to include the issue of transitioning the CIBC Security (described and referred to in the within application as the "Transition Issue"); and
 - (ii) the Transition Issue will be heard contemporaneously with the matters appealed by CIBC in Court Sub-File 7:28A commencing on the 3rd day of March, 2003.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 3rd day of February, 2003.


Deputy REGISTRAR

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SCHEDULE "A"

TO: ABN Amro Bank Canada/ ABN Amro Leasing & Tramac Equipment Ltd.	Aubrey L. Bonnell, Q.C. Brian Winsor David Timms Brent Keenan	709-722-7521 905-331-2020
Bombardier Capital Leasing & Culease Financial Services	John French	709-754-2701
Caterpillar Equipment	Colin D. Grant	905-849-5512
CAT Finance	James Smyth, Q.C. Phillip Warren	709-754-5662
Cedarrapids	Nathan Mixdorf Francoise Belzil	319-399-4760 780-413-3152
CIBC	R. Wayne Myles Geoffrey Spencer	709-579-2647
CIBC Equipment Finance Ltd./ CIT Financial Ltd.	Gregory W. Dickie	709-722-9210
Contract Funding Group Inc.	Mark G. Klar	416-218-1831
DaimlerChrysler Financial Services/ DaimlerChrysler Capital Services/ Mercedes-Benz of Canada Inc.	Philip Buckingham Peter O'Flaherty Elaine Gray	709-722-4720 416-863-3527
Fabtek Corp.	Linc A. Rodgers Rhodie E. Mercer, Q.C.	416-863-2653 709-726-5705
GE Capital	Harvey Chaiton Frederic Scalabrini	416-218-1849 905-319-4855
GMAC	Thomas R. Kendell, Q.C.	709-722-1763
Group Holdings Ltd./Hickman Equipment/Hickman Holdings Ltd.	Robert Stack Griffith D. Roberts	709-726-2992

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Ingersoll-Rand Canada Inc.	R. Barry Learmonth Jonathan Wigley	709-739-8151 416-863-6275
MTC Leasing Inc./ National Leasing Group Inc.	R. Paul Burgess	709-754-0915
ORIX Financial Services Canada Ltd.	Donald Yaeck	416-236-3010
Goodman Associates	Paul G. Goodman	902-425-3777
Merrick Holm	Carl Holm, Q.C.	902-429-8215
Royal Bank of Canada	Thomas O. Boyne, Q.C.	902-463-7500
TD Asset Financial Corp.	D. Bradford L. Wicks	709-753-5221
Wells Fargo Equipment Finance Co.	Richard Jones	416-361-6303
PricewaterhouseCoopers Trustee in Bankruptcy	Frederick J. Constantine James Kirby	709-722-0483 709-722-5874

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**SCHEDULE "B"**

CIBC

Geoffrey Spencer

PricewaterhouseCoopers, Inc., Receiver

Frederick J. Constantine

John Deere Limited/ John Deere Credit Inc.

Michael F. Harrington, Q.C.

Neil L. Jacobs