

**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.NL. 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")

**Supplementary Affidavit**

The Supplementary Affidavit of James A. Kirby, C.A., CIRP, Senior Vice-President of PricewaterhouseCoopers Inc. of St. John's, in the Province of Newfoundland and Labrador says as follows:

1. This Affidavit is supplementary to my Affidavits dated 6 December 2002 and 11 December 2002, and all Affidavits are filed with respect to the Application of PricewaterhouseCoopers Inc. for Court approval of the Final Determinations allowed by the Applicant in their entirety and of the allowed portions of the Final Determinations allowed by the Applicant in part, in accordance with paragraph 16 of the Claims Plan.
2. Subsequent to the Trustee's issuing of the Final Determinations in accordance with the Claims Plan (as is more particularly set out in the Application and in my Affidavit of 6 December 2002) it has come to the attention of the Trustee in each

Final Determination that there is a clerical error in the paragraph entitled "Auction Results". The word "Trustee" was inadvertently used rather than "Receiver" when addressing the Receiver's auction. Therefore, attached hereto as exhibits "A" through "O" are revised versions of the Final Determinations filed as exhibits to my previous 2 affidavits which make this correction. Specifically, these exhibits are:

- a. ABN-AMRO Leasing/ ABN-AMRO Bank Canada
- b. Bombardier Capital Leasing Ltd.
- c. CIT Financial Limited
- d. Cedarapids Inc.
- e. Contract Funding Group Inc.
- f. Culease Financial Services
- g. Daimler Chrysler
- h. General Motors Acceptance Corporation of Canada and GMAC  
Leaseco
- i. Ingersoll Rand
- j. MTC Leasing Inc.
- k. National Leasing Group Inc.
- l. Orix Credit Alliance of Canada
- m. Royal Bank of Canada
- n. TD Asset Finance
- o. Tramac Equipment Limited

3. I have reviewed the Application for which this Affidavit is sworn and request that this Honourable Court consider and adjudicate on these matters at its earliest convenience.

SWORN TO at St. John's, in  
the Province of Newfoundland  
and Labrador, this 13<sup>th</sup> day  
of December, 2002, before me:

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JAMES A. KIRBY, C.A., CIRP