



2002 01 T 0352

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADeR
TRIAL DIVISION

IN THE MATTER OF the *Companies' Creditors
Arrangement Act*, Chapter C-36 of the Revised
Statutes of Canada, 1985, as amended

AND IN THE MATTER OF the plan of compromise
or arrangement of Hickman Equipment (1985)
Limited

ORDER

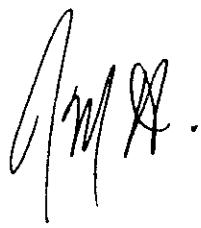
UPON Application made by Deloitte & Touche Inc. (the "Applicant") for an Order granting protection to members of the Creditors' Committee in relation to decisions made and/or actions taken by members of the Creditors' Committee constituted pursuant to paragraph 14 of the Order of Mr. Justice R. Hall dated and filed February 22, 2002 (the "February 22 Order");

AND UPON HEARING Mr. Bernard Coffey, Q.C. of counsel for Deloitte & Touche Inc., Mr. Richard B. Jones of counsel for Wells Fargo, Mr. Geoffrey Spencer of counsel for Canadian Imperial Bank of Commerce, and Mr. Thomas R. Kendell, Q.C. of counsel for General Motors Acceptance Corporation, and other counsel appearing;

AND UPON READING the Interlocutory Application (inter partes) of Deloitte & Touche, Inc. and the Affidavit of Mr. Greg MacLeod filed in support thereof;

AND UPON the Court reserving the right to file written reasons for granting the within Order at a subsequent date;

Filed May 18/02
mrs



AND HAVING DETERMINED that the members of the Creditors' Committee constituted pursuant to paragraph 14 of the February 22 Order are individuals acting as officers of the Court and not as agents, employees or representatives of the Corporate Creditors who nominated or appointed them to the Creditors' Committee;

IT IS HEREBY ORDERED THAT the time for service of the Interlocutory Application herein be and it is hereby abridged and validated such that this Interlocutory Application is properly returnable today;

AND IT IS FURTHER ORDERED that service of the Interlocutory Application herein upon persons other than those persons served be and is hereby dispensed with;

AND IT IS FURTHER ORDERED that the members of the Creditors' Committee constituted pursuant to paragraph 14 of the Order of Mr. Justice R. Hall dated and filed February 22, 2002 (the "February 22 Order") shall incur no liability or obligation as a result of the appointment of a member, or as a result of any decision or action which is in good faith taken or declined to be taken for the purposes of the fulfillment of the duties by a member in the carrying out of the provisions of paragraph 14 of the February 22 Order, save and except for gross negligence or wilful misconduct on the part of a member, and no action or other proceeding shall be commenced against a member of the Creditors' Committee as a result of or relating in any way to the appointment as a member of the Creditors' Committee, the attempted fulfillment of the duties as a member of the Creditors' Committee, or the carrying out of any of the Orders of the Court, except with prior leave of the Court.

DATED at St. John's in the Province of Newfoundland and Labrador this 13th day of March, 2002.



Senior Deputy Louise King
REGISTRAR