

<i>SUMMARY OF CURRENT DOCUMENT</i>	
Name of Issuing Party or Person:	John Deere Limited ("JDL") and John Deere Credit Inc. ("JDCP")
Date of Document:	7 March 2003
Summary of Order/Relief Sought or Statement of Purpose in filing:	Directions concerning PWC's interest in 29 pieces of Equipment which had been rented to it by United Rentals (Canada) Limited
Court Sub-File Number:	7:54

2002 01T 0352

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADeR

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

AND IN THE MATTER OF Rule 25 of the *Rules of the Supreme Court*,
1986 under the *Judicature Act*, R.S.N. 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

AND

District of Newfoundland
Court No. 9733
Estate No. 100813

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADeR
IN BANKRUPTCY AND INSOLVENCY**

**IN THE MATTER OF THE BANKRUPTCY OF HICKMAN
EQUIPMENT (1985) LIMITED**, carrying on business at 1269 Topsail Road,
in the City of St. John's, in the Province of Newfoundland and Labrador

RESPONSE

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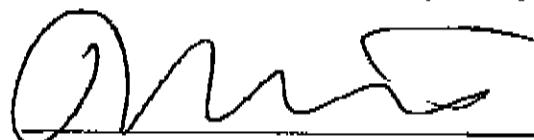
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3- 7- 3 ; 5:51PM : STEWART McKELVEY →

- 2 -

1. John Deere Limited ("JDL") and John Deere Credit Inc. ("JDCI") file this response to the Application of PricewaterhouseCoopers Inc., in its capacities as Receiver and Trustee of Hickman Equipment (1985) Limited ("PWC"), seeking directions as to PWC's interest in 29 pieces of equipment which had been rented to Hickman Equipment (1985) Limited ("HEI") by United Rentals (Canada) Limited ("United"), stating as follows:
 - (a) That they have received sufficient information from the report of PWC setting out information assembled to date in the within Application; JDL and JDCI would request this Honourable Court to direct PWC to "...take no further steps and leave it to interested parties to pursue the matter if and as they see fit";
 - (b) That JDL and JDCI are concerned with the additional costs of further investigation to assemble information as same will be a duplication as the matter may ultimately come on before this Honourable Court for a determination as a dispute amongst creditors; and,
 - (c) That JDL and JDCI are concerned that costs of further investigation become "costs of the Receivership to be paid in accordance with the Cost Allocation Plan". The position of JDL and JDCI is that these costs should be born solely by any Interested Parties who may benefit from such further investigation, upon such basis as this Honourable Court may determine upon a final resolution of the matter.

DATED AT St. John's, in the Province of Newfoundland and Labrador, this *27* day of March 2003.



 Bruce C. Grant
 Stewart McElveen Stirling Scales
 Solicitors for John Deere Limited and
 John Deere Credit Inc.
 Whose address for service is:
 P.O. Box 5038
 Suite 1100, Cabot Place
 100 New Gower Street
 St. John's, NL A1C 5V3

TO: See Attached Distribution List

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S- 7- 3 ; 5:51PM : STEWART McKELVEY →

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MAR-07-2003 14:32

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AFFIDAVIT

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MAR-07-2003 14:32

3- 7- 3 : 5:51PM : STEWART McKELVEY →

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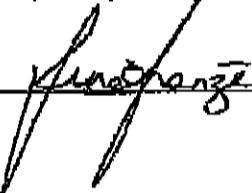
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I, David Bugaresti, of the City of Toronto, in the Province of Ontario, make oath and say as follows:

1. That I am Chief Counsel and Secretary of John Deere Credit Inc., and as such have personal knowledge of the matters herein deposed.
2. That John Deere Credit Inc. ("JDCI") is concerned with the costs of further investigation of matters which it believes will ultimately come on for hearing before this Honourable Court.
3. That JDCI is satisfied that Interested Parties can take their own steps and proceedings to obtain information and to now take conduct of the matter and that costs associated with litigating their own individual interests should not be part of the Cost Allocation Plan.
4. That I make this Affidavit in support of the position that PricewaterhouseCoopers Inc. ("PWC") "take no further steps and leave it to Interested Parties to pursue the matter if and as they see fit".

SWORN TO at Burlington,
In the Province of Ontario, this 7th
Day of March, 2003, before me:



DAVID BUGARESTI

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TOTAL P.07