

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

IN THE MATTER OF: THE APPOINTMENT OF A RECEIVER PURSUANT TO
SECTION 243 OF THE *BANKRUPTCY AND INSOLVENCY*
ACT, R.S.C. 1985, c. B-3, AS AMENDED

BETWEEN:

GE CANADA FINANCE HOLDING COMPANY

Applicant,

- and -

PARAMOUNT TRUCK LINES LTD.

Respondent.

ORDER

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File No. 1101040

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

THE HONOURABLE MR.)
)
JUSTICE DEWAR) Wednesday, the 10th day of October, 2012

IN THE MATTER OF: TO THE APPOINTMENT OF A RECEIVER PURSUANT
 SECTION 243 OF THE *BANKRUPTCY AND INSOLVENCY*
 ACT, R.S.C. 1985, c. B-3, AS AMENDED

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THIS MOTION, made by the Applicant, GE Canada Finance Holding Company ("GE"), for *inter alia* an Order dismissing the claim of Sunrise Equipment Ltd. ("Sunrise") was heard the 9th day of October, 2012 at the Law Courts Building, 408 York Avenue, in The City of Winnipeg, in the Province of Manitoba.

ON READING, the Reports of the Receiver, Ernst & Young (the "Receiver") and the Affidavit of Corrine Smorhay sworn October 5, 2012 and on hearing the submissions of counsel for the Applicant, counsel for Sunrise Equipment Ltd. ("Sunrise") and counsel for the Receiver.

1. **THIS COURT ORDERS** that the claim of Sunrise to priority over GE respecting the proceeds of sale of the lands commonly known as 1196, 1200, 1214 and 1216 Fife Street, Winnipeg, Manitoba be dismissed as if heard on the merits and this Honourable Court's Order of August 15, 2012 directing a trial of the issues between GE and Sunrise be set aside.
2. **THIS COURT ORDERS** that the Statement of Claim issued by Sunrise against the Receiver in Suit No. CI-11-01-74800 be struck out, with prejudice.
3. **THIS COURT ORDERS** that leave is given to the Receiver to bring on its motion approving the proposed distribution of the remaining proceeds of the Estate of Paramount Truck Lines Ltd., upon the expiration of the appeal period pertaining to this decision.
4. **THIS COURT ORDERS** costs may be spoken to.

October ^{22nd}, 2012

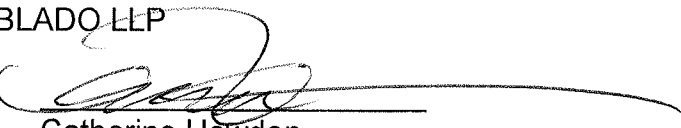
R.A. DEWAR

DEWAR, J.

APPROVAL AS TO FORM:

PITBLADO LLP

Per:


Catherine Howden
Ernst & Young Inc., Receiver

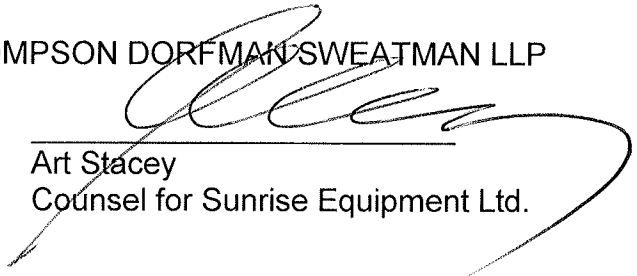
APPROVAL AS TO FORM:

THOMPSON DORFMAN SWEATMAN LLP

Per: _____

Art Stacey

Counsel for Sunrise Equipment Ltd.

A large, stylized handwritten signature in black ink is written over the signature line and extends to the right, looping back under the text "Counsel for Sunrise Equipment Ltd.".