

**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

PITBLADO LLP
Barristers and Solicitors
2500 – 350 Main Street
Winnipeg, Manitoba R3C 4H6

Catherine E. Howden

Phone No. 956-0560
Fax No. 957-0227
(File No. 3992/6)

2. THIS COURT ORDERS and authorizes the Receiver to make an interim distribution of the proceeds in the Receivership Estate in the sum of \$175,000.00 to the Applicant, GE Canada Finance Holding Company.
3. THIS COURT ORDERS that a trial of the following issues (the "Trial") be heard:
 - a. Whether Sunrise Equipment Ltd. ("Sunrise") has a valid equitable mortgage against the Respondent.
 - b. Whether any funds were advanced by Sunrise under the equitable mortgage and what amount (if any) is owing under the said equitable mortgage to Sunrise by the Respondent.
 - c. Whether Sunrise or the Applicant has priority over the proceeds of sale of the Respondent's real property.
4. THIS COURT ORDERS that the Applicant has a valid equitable mortgage and security interest against the proceeds of sale of the Respondent's real property, and the amount owing to the Applicant is not controverted, and shall not form part of the Trial.
5. THIS COURT ORDERS that either the Applicant or Sunrise may obtain a trial date from the trial coordinator, and the Honourable Mr. Justice Dewar is not seized of the Trial.
6. THIS COURT ORDERS that the Receiver is entitled to attend but is not obliged to participate in the Trial.
7. THIS COURT ORDERS that:
 - (a) Sunrise shall provide the Applicant with an affidavit of documents by Friday, September 14, 2012;
 - (b) the Applicant shall be entitled to examine for discovery John Loewen as a representative of Sunrise, said examination to take place by November 9, 2012;
 - (c) Sunrise shall file and serve any additional evidence on the Applicant by October 16, 2012;
 - (d) the Applicant shall file and serve any evidence on Sunrise by November 2, 2012;
 - (e) a pre-trial conference hearing is hereby dispensed with.

8. THIS COURT ORDERS that upon the resolution of the Trial, Sunrise shall discontinue its claim against the Receiver in Suit No. CI 11-01-74800.
9. THIS COURT ORDERS that the Receiver's motion for discharge and other ancillary relief shall be adjourned *sine die*.
10. THIS COURT ORDERS that the costs of this appearance, and the appearance of June 6, 2012 may be spoken to, upon the request of the Receiver.

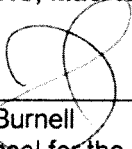
October 9th
September, 2012

R.A. DEWAR

DEWAR, J.

CONSENT AS TO FORM

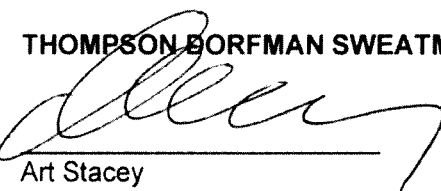
AIKINS, MacAULAY & THORVALDSON LLP



J.J. Burnell
Counsel for the Applicant

CONSENT AS TO FORM

THOMPSON BORFMAN SWEATMAN LLP



Art Stacey
Counsel for Sunrise Equipment Inc.