

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF ALASKA

In re TERCON INVESTMENTS LTD., Debtors in Foreign Proceedings.	CASE NO. A13-00015-HAR In Chapter 15 [Lead Case of Jointly Administered Cases A13-00015 through A13-00025-HAR] ORDER FOR RECEIVER TO IDENTIFY ALASKAN EQUIPMENT, LIENORS, AND LESSORS WITH PARTICULARITY
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At a hearing on February 19, 2013, the court will be asked to: (a) recognize the Canadian proceedings as a foreign main proceedings under Chapter 15 of the bankruptcy code; (b) approve a Vesting Order entered on January 15, 2013 in the Canadian proceeding; and (c) approved a Distribution Order entered on January 21, 2013 in the Canadian proceeding.

As part of the process, the bankruptcy court will be asked to adopt the authorization by the Canadian court for the sale free and clear of various equipment to Richie Bros. Part of equipment is located in Alaska and subject to the Alaskan liens of secured creditors and/or the rights of lessors and financiers.

Some of the Alaskan liens have been identified by the Canadian Receiver in his Second Report to the British Columbia court,¹ but the Alaskan bankruptcy court would like

¹See, *Second Report to Court Submitted by FTI Consulting Canada Inc., In Its Capacity as Court-Appointed Receiver*. ECF No. 9, at page 103, and Appendix A - Lien Summary, at pages 112-116. The lienors identified are N.C. Machinery, Co. and Rainer Equipment, Inc.

to know, in advance of the February 19, 2013 hearings, the identity of all of the secured creditors, lessors, and financiers of Alaskan equipment to be effected by the Richie Bros. transaction, as well as an individualized description of the equipment, its value (if the creditor is not to receive a full payoff), the amount of the creditor's claim, and which of the Tercon debtors is responsible for the claim. Therefore,

IT IS ORDERED, that

1. **LIST OF EQUIPMENT IN ALASKA TO BE TRANSFERED TO RICHIE BROS.**- By ***FRIDAY, FEBRUARY 15, 2013***, the Receiver shall file with this court the following information in concise tabular form:

- a- the name and addresses of each secured creditor, lessor, or financier of equipment located in Alaska which is intended to be transferred to Richie Bros. under the Vesting Order;
- b- a description of the make, model and year of the equipment, including serial no.;
- c- the amount of the claim owed to the creditor;
- d- the payoff value of the equipment, if the full amount of the creditor's claim is not being offered for release of its interest, but only the value of the equipment; and,
- e- which Tercon debtor is responsible for the claim.

2. **SERVICE OF THIS ORDER BY DEBTORS**- Cabot Christianson, the Receiver's Alaskan attorney, shall serve a copy of this order on any Alaskan secured equipment

