

IN THE MATTER OF  
THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF  
FIRST WASTE UTILITIES CANADA LIMITED *et al*

Estate File Nos. 31-455620  
31-455619  
31-455613  
31-1118466

28 NOV 2008

Nov 21/08

ONTARIO  
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT TORONTO

*On consent, hearing held  
for motion & left stay  
& possible class-motion,*

MOTION RECORD OF AMERICAN RAILCAR LEASING LLP

Nov. 28/08 (2 hrs)

*[Signature]*

DAVIS LLP  
Barristers & Solicitors  
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Lawyers for the Secured Creditor and Lessor,  
American Railcar Leasing LLC

*On consent of all parties,  
I am withdrawing signed, & voice.*

*I remain seized of this  
matter. Nothing made re  
Nov 18 CRO Addendum  
Says source of CRO.  
Susan E. Friedman*