

RECORDATION NO. 23368 FILED

FEB 1 '01 12-16 PM
TS
SURFACE TRANSPORTATION BOARD

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ELIAS C. ALVORD (1942)
ELLSWORTH C. ALVORD (1964)

OF COUNSEL
URBAN A. LESTER

February 1, 2001

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are three (3) copies of an Ex Parte Order Approving Attachment and Trustee Process dated as of January 29, 2001, a primary document as defined in the Board's Rule for the Recordation of Documents.

The names and addresses of the parties to the enclosed document are:

Plaintiff: Helm Financial Corporation
One Embarcadero Center
San Francisco, CA 94111

Defendant: Canadian American
Railroad Company
(a/k/a Canadian America
Company)
RR2, Box 45
Bangor, Maine

A description of the railroad equipment covered by the enclosed schedule is:

All property of Defendant

Mr. Vernon A. Williams
February 1, 2001
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A short summary of the document to appear in the index follows:

Ex Parte Order of the Superior Court for the State of Maine, County of Penobscot, on behalf of Helm Financial Corporation, Plaintiff, against Canadian American Railroad Company, Defendant, covering all property of Defendant.

Also enclosed is a check in the amount of \$27.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Alvord", with a long horizontal flourish extending to the right.

Robert W. Alvord

RWA/anm
Enclosures

STATE OF MAINE
PENOBSCOT, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. *CV-2001-19*

HELM FINANCIAL CORPORATION,
One Embarcadero Center, San Francisco
California

Plaintiff

v.

CANADIAN AMERICAN RAILROAD
COMPANY, A/K/A CANADIAN
AMERICAN COMPANY
RR 2, Box 45, Bangor, Maine

Defendant

FILED AND ENTERED
SUPERIOR COURT

JAN 30 2001

EX PARTE ORDER APPROVING ATTACHMENT
AND TRUSTEE PROCESS
PENOBSCOT COUNTY

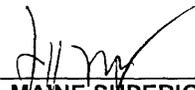
Upon written motion, and upon testimony by affidavit the court finds:

There is a clear danger Canadian American Railroad Company, a/k/a Canadian American Company will remove the property from the state or conceal it or otherwise make it unavailable to satisfy a judgment if notified in advance of attachment; and

It is more likely than not that the Plaintiff will recover judgment, including interest and costs, in an amount not less than ~~\$1,254,059.31~~ ^{\$302,742.31} over and above the amount of available liability insurance or other security as certified by the Plaintiff's attorney; and therefore:

IT IS ORDERED *ex parte* that attachment, including attachment on trustee process, may be made against the Defendant's property in the amount of \$ 302,742.31; provided, however, that the first \$100.00 of demand bank accounts held by any one trustee shall be exempt from Trustee Process issued pursuant to this Ex Parte Order.

Dated: 1/25/01



JUSTICE, MAINE SUPERIOR COURT
Jeffrey L. Hjelm

*Plaintiff's submission are insufficient as basis
to conclude that Defendant will be liable
for repairs of \$451,317.00.*

JH

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A TRUE COPY
ATTEST:

