



**ksv advisory inc.**

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November 15, 2023

**To: Creditors of AMI Silica Inc. (“Silica”)**

On November 13, 2023, Silica commenced restructuring proceedings by filing a Notice of Intention to Make a Proposal (“**NOI**”) pursuant to Section 50.4(1) the *Bankruptcy and Insolvency Act* (Canada), R.S.C. 1985, c. B-3 (“**BIA**”) and KSV Restructuring Inc. was appointed as Proposal Trustee. A copy of the NOI and a preliminary listing of creditors is attached. All information pertaining to the proceedings will be posted to the Proposal Trustee’s website at <https://www.ksvadvisory.com/experience/insolvency-cases>.

Although the NOI proceeding is pursuant to the BIA, it is important to note that Silica is not bankrupt. The principal purpose of the NOI proceeding is to allow for a stay of proceedings to allow Silica to consider various restructuring options.

At present, creditors are not required to file a proof of claim. The Proposal Trustee will provide you with further information and a proof of claim form at a later date.

During the restructuring proceedings:

- no person may terminate or amend any agreement with Silica, or claim an accelerated payment, or a forfeiture of the term, under any agreement with Silica, by reason only that Silica is insolvent or by reason of the filing of the NOI, pursuant to Section 65.1(1) of the BIA;
- no creditor has any remedy against Silica or its property or shall commence or continue any action, execution, or other proceedings against Silica, pursuant to Section 69.1(1) of the BIA; and
- to the extent applicable, suppliers should discuss directly with their usual Silica representative the terms of payment for goods and/or services that they provide to Silica.

If you have any questions after speaking with your contact at Silica, please contact Maha Shah from the Proposal Trustee’s office at [mshah@ksvadvisory.com](mailto:mshah@ksvadvisory.com) or visit the Proposal Trustee’s website at <https://www.ksvadvisory.com/experience/insolvency-cases>.

Yours very truly,

*KSV Restructuring Inc.*

**KSV RESTRUCTURING INC.  
TRUSTEE UNDER THE NOTICE OF INTENTION  
TO MAKE A PROPOSAL OF AMI SILICA INC.**

Encl.

FORM 33

**Notice of Intention to Make a Proposal**  
*[Subsection 50.4(1)]*

**IN THE MATTER OF THE PROPOSAL OF  
AMI SILICA INC.**

**TAKE NOTICE THAT:**

1. AMI Silica Inc., an insolvent company, pursuant to subsection 50.4(1) of the *Bankruptcy and Insolvency Act*, intends to make a proposal to its creditors.
2. **KSV Restructuring Inc.** of 324 8<sup>th</sup> Avenue S.W., Suite 1165, Calgary, Alberta, T2P 2Z2, a licensed insolvency trustee, has consented to act as trustee under the proposal and a copy of the consent is attached hereto.
3. A list of the names of the known creditors with claims amounting to \$250 or more and the amounts of their claims is attached.
4. Pursuant to Section 69 of the *Bankruptcy and Insolvency Act*, all proceedings against AMI Silica Inc. are stayed as of the date of filing this notice with the Official Receiver in its locality.

**DATED** at Edmonton, Alberta this 13th day of November, 2023.

**AMI SILICA INC.**

Per:   
Name: Dana Archibald  
Title: Director

**IN THE MATTER OF THE PROPOSAL OF  
AMI SILICA INC.**

**CONSENT**

**KSV RESTRUCTURING INC.** hereby consents to act as Trustee under the Notice of Intention to Make a Proposal and/or Proposal to be filed by AMI Silica Inc.

**DATED** at Calgary, Alberta this 13<sup>th</sup> day of November 2023.

**KSV RESTRUCTURING INC.**



Per: \_\_\_\_\_

Name: Jason Knight

Title: Authorized Signing Officer



Industry Canada  
Office of the Superintendent  
of Bankruptcy Canada

Industrie Canada  
Bureau du surintendant  
des faillites Canada

District of Alberta  
Division No. 02 - Calgary  
Court No. 25-3009384  
Estate No. 25-3009384

In the Matter of the Notice of Intention to make a proposal of:

**AMI Silica Inc.**

Insolvent Person

**KSV RESTRUCTURING INC.**

Licensed Insolvency Trustee

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Date of the Notice of Intention:

November 13, 2023

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CERTIFICATE OF FILING OF A NOTICE OF INTENTION TO MAKE A PROPOSAL  
Subsection 50.4 (1)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that the aforementioned insolvent person filed a Notice of Intention to Make a Proposal under subsection 50.4 (1) of the Bankruptcy and Insolvency Act;

Pursuant to subsection 69. (1) of the Act, all proceedings against the aforementioned insolvent person are stayed as of the date of filing of the Notice of Intention.

Date: November 14, 2023, 10:37

E-File/Dépôt Electronique

Official Receiver

Harry Hays Building, 220 - 4th Ave SE, Suite 478, Calgary, Alberta, Canada, T2G4X3, (877)376-9902

**Canada**

IN THE MATTER OF THE NOTICE OF INTENTION TO FILE A PROPOSAL OF  
**AMI SILICA INC.**

Preliminary list of creditors as at November 13, 2023  
as submitted by AMI Silica Inc.  
without admission as to any liability or privilege herein shown

<b>Creditor</b>	<b>Address</b>	<b>Amount due (CDN\$)*</b>	
<b>Secured</b>			
JMAC Energy Services LLC c/o Field LLP	400-444 7 Avenue SW	Calgary AB T2P 0X8	2,000,000.00
<b>Total Secured Creditors</b>			<u>2,000,000.00</u>
<b>Unsecured</b>			
Department of Finance Canada	90 Elgin Street	Ottawa ON K1A 0G5	60,000.00
<b>Total Unsecured Creditors</b>			<u>60,000.00</u>
<b>TOTAL SECURED AND UNSECURED CREDITORS</b>			<u><u>2,060,000.00</u></u>