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Estate File No.: 31-2747949

**IN THE MATTER OF THE BANKRUPTCY OF
GROSS CAPITAL INC.
OF THE CITY OF TORONTO, IN THE PROVINCE OF ONTARIO**

**NOTICE OF BANKRUPTCY AND FIRST MEETING OF CREDITORS
(Subsection 102(1))**

Take notice that:

1. Gross Capital Inc. (the "Company") made an assignment in bankruptcy on June 25, 2021 and KSV Restructuring Inc. ("Trustee") was appointed as Licensed Insolvency Trustee of the Company's estate by the Office of the Superintendent of Bankruptcy ("OSB"), subject to affirmation by the creditors of the Trustee's appointment, or the substitution of it, by the creditors. A Certificate of Appointment was issued by the OSB on June 25, 2021.
2. The first meeting of creditors of the bankrupt will be held on the 15th day of July, 2021 at 2:00 p.m. (EST), to be convened via Zoom at: <https://zoom.us/j/92258061115?pwd=eDZJNXZUZG9NVXVhejcrb0RKcG9xUT09>, Meeting ID: 922 5806 1115, Passcode: tzHVT7.
3. To be entitled to vote at the meeting, creditors must lodge with the Trustee, prior to the meeting, proofs of claim and, where necessary, proxies.
4. Enclosed with this notice is a form of proof of claim, a form of general proxy, and a list of creditors with claims of twenty-five dollars (\$25) or more, showing the amounts of their claims. Creditors can email their claims and proxy forms to info@ksvadvisory.com.
5. Creditors must prove their claims against the Company to receive dividends, if any, in the bankruptcy proceedings.

DATED at Toronto, Ontario, this 28th day of June, 2021.

KSV Restructuring Inc.

**KSV RESTRUCTURING INC.
LICENSED INSOLVENCY TRUSTEE OF
GROSS CAPITAL INC.,
AND NOT IN ITS PERSONAL OR CORPORATE CAPACITIES**



Industry Canada
Office of the Superintendent
of Bankruptcy Canada

Industrie Canada
Bureau du surintendant
des faillites Canada

District of: Ontario
Division No.: 09 - Toronto
Court No.: 31-2747949
Estate No.: 31-2747949

In the Matter of the Bankruptcy of:

Gross Capital Inc.

Debtor

KSV RESTRUCTURING INC.

Licensed Insolvency Trustee

Ordinary Administration

Date and time of bankruptcy:	June 25, 2021, 13:25	Security:	\$0.00
Date of trustee appointment:	June 25, 2021		
Meeting of creditors:	July 15, 2021, 14:00 Meeting to be held by Zoom Meeting ID: 922 5806 1115 Passcode #: tzHVT7, Ontario Canada,		
Chair:	Trustee		

CERTIFICATE OF APPOINTMENT - Section 49 of the Act; Rule 85

I, the undersigned, official receiver in and for this bankruptcy district, do hereby certify that:

- the aforementioned debtor filed an assignment under section 49 of the *Bankruptcy and Insolvency Act*;
- the aforementioned trustee was duly appointed trustee of the estate of the debtor.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable, to call in the prescribed manner a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the official receiver.

Date: June 25, 2021, 13:29

E-File/Dépôt Electronique

Official Receiver

151 Yonge Street, 4th Floor, Toronto, Ontario, Canada, M5C2W7, (877)376-9902

Canada

District of: Ontario
Division No. 09 - Toronto
Court No.
Estate No.

☒ Original ☐ Amended

— Form 78 —

Statement of Affairs (Business Bankruptcy) made by an entity
(Subsection 49(2) and Paragraph 158(d) of the Act / Subsections 50(2) and 62(1) of the Act)

In the Matter of the Bankruptcy of
Gross Capital Inc.
of the City of Toronto, in the Province of Ontario

To the bankrupt:

You are required to carefully and accurately complete this form and the applicable attachments showing the state of your affairs on the date of the bankruptcy, on the 25th day of June 2021. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration.

LIABILITIES (as stated and estimated by the officer)		ASSETS (as stated and estimated by the officer)	
1. Unsecured creditors as per list "A"	43,127,504.00	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	43,127,504.00	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B"	11.00	Good	100,000.00
3. Preferred creditors as per list "C"	0.00	Doubtful	0.00
4. Contingent, trust claims or other liabilities as per list "D"		Bad	492,000.00
estimated to be reclaimable for	0.00	Estimated to produce	100,000.00
Total liabilities	43,127,515.00	4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
Surplus	NIL	5. Deposits in financial institutions	0.00
		6. Cash	0.00
		7. Livestock	0.00
		8. Machinery, equipment and plant	0.00
		9. Real property or immovable as per list "G"	1,810,000.00
		10. Furniture	1,000.00
		11. RRSPs, RRIFs, life insurance, etc.	0.00
		12. Securities (shares, bonds, debentures, etc.)	50,000.00
		13. Interests under wills	0.00
		14. Vehicles	0.00
		15. Other property, as per list "H"	0.00
		If bankrupt is a corporation, add:	
		Amount of subscribed capital	0.00
		Amount paid on capital	0.00
		Balance subscribed and unpaid	0.00
		Estimated to produce	0.00
		Total assets	1,961,000.00
		Deficiency	41,166,515.00

I, Mark Craig Gross, of the City of Toronto in the Province of Ontario, do swear (or solemnly declare) that the above statement and the attached lists are to the best of my knowledge, based on the information available to me, a full, true and complete statement of the affairs of Gross Capital Inc. on June 25, 2021, and fully disclose all of its property of every description in its possession or that may devolve on it in accordance with Section 67 of the Bankruptcy and Insolvency Act.

Sworn (or solemnly declared) before me at
the City of Toronto, in the Province of Ontario,
this 25th day of June, 2021.


A Commissioner, etc.


Mark Craig Gross

Rajinder Kashyap, a Commissioner, etc.,
Province of Ontario, for KSV Restructuring Inc.
Expires January 27, 2024.

**IN THE MATTER OF THE BANKRUPTCY OF
GROSS CAPITAL INC., OF THE CITY OF TORONTO,
IN THE PROVINCE OF ONTARIO**

**Preliminary list of creditors as at June 25, 2021, as per records of Gross Capital Inc.
without admission as to any liability or privilege herein shown.**

Creditor	Address				Amount Due (\$)*
Secured					
1592106 ONTARIO INC.	83 NAVY WHARF COURT	Toronto	ON	M5V 3S3	1.00
ADD CAPITAL CORP.	500 COCHRANE DRIVE, UNIT 2	Markham	ON	L3R 8E2	1.00
BUSINESS DEVELOPMENT BANK OF CANADA	121 KING STREET WEST, SUITE 1200	Toronto	ON	M5H 3T9	1.00
CANADIAN IMPERIAL BANK OF COMMERCE	305 MILNER 6TH FLOOR	Scarborough	ON	M1B 3V4	1.00
COMPUTERSHARE TRUST COMPANY OF CANADA	100 UNIVERSITY AVENUE, SOUTH TOWER 8 TH FLOOR	Toronto	ON	M5J 2Y1	1.00
IRINA GROSS	110 KILBARRY ROAD	Toronto	ON	M5P 1K9	1.00
MERIDIAN ONECAP CREDIT CORP.	SUITE 1500, 4710 KINGSWAY	Burnaby	BC	V5H 4M2	1.00
MGZ HOLDINGS INC.	200 RONSON DRIVE, SUITE 103	Toronto	ON	M9W 5Z9	1.00
NIKOLAS ANTROPOV	29 JUNEWOOD CRESCENT	North York	ON	M2L 2C3	1.00
SGZ HOLDINGS INC.	200 RONSON DRIVE, SUITE 103	Toronto	ON	M9W 5Z9	1.00
WS LEASING LTD	1900 13450 102 AVE	Surrey	BC	V3T 5Y1	1.00
					11.00
Unsecured					
1068014 ON	3 Nathan Court	Thornhill	ON	L4J 6Z7	150,000.00
1442927 ON INC.	46 Dufflaw Road	Toronto	ON	M6A 2W1	350,000.00
1593401 ON Ltd.	7050 Weston Road. Suite 501	Vaughan	ON	L4L 8G7	150,000.00
1649750 ON INC	853 Main St. East	Hamilton	ON	L8M 1L8	325,000.00
1818019 ON Limited	236 Glen Park Ave.	Toronto	ON	M6B 2E3	50,000.00
1884340 ON	853 Main St E.	Hamilton	ON	L8M 1L8	740,000.00
1984121 ON INC.	853 Main St. East	Hamilton	ON	L8M 1L8	450,000.00
2543209 ON	74 Walterscot Crescent	Markham	ON	L6C 0E7	200,000.00
4539591 Canada Inc.	255 Duncan Mill Road Suite 408	Toronto	ON	M3B 3H9	1,000,000.00
497227 ON LTD.	853 Main St. East	Hamilton	ON	L8M 1L8	250,000.00
783305 ON LTD.	853 Main St. East	Hamilton	ON	L8M 1L8	550,000.00
9556290 CANADA INC	51 Dove Lane	Thornhill	ON	L3T 1W1	2,500,000.00
AITCO LIMITED	10 Glen Edyth Dr.	Toronto	ON	M4V 2V7	430,000.00
Allan Gross	600 University Ave.Suite 476A	Toronto	ON	M5G 1X5	597,500.00
ANDREA AND ERROL YIM	1288 Ala Moana BLVD#17G	Honolulu	HI	96814	200,000.00
Ava Gross	PH18-3800 Yonge St	Toronto	ON	M4N 3P7	650,000.00
Avery Gobbo	376 Meadow Wood Lane	Mississauga	ON	L5J 2S9	10,000.00
AVI BARBALAT	74 Brickstone Circle	Thornhill	ON	L4J 6M4	100,000.00
AWEI LIU AND YI JIN	3310 Alpaca Ave	Mississauga	ON	L5M 7V3	225,000.00
Bace Holdings Inc.	18 Napa Hill CRT	Thornhill	ON	L4J 8S1	200,000.00
BING YANG	73 Ava Crescent	Richmond Hill	ON	L4B 2X5	200,000.00
BMW CANADA INC	50 ULTIMATE DRIVE	Richmond Hill	ON	L4S 0C8	1.00
Brownlor Ltd.	100-1 Evergreen Place	Winnipeg	MB	R3L 0E9	300,000.00
BRUCE BUCKY	60 Poipu Drive	Honolulu	HI	96825	400,000.00
Bruce Yanagihara	3312 Ala Ilima St.	Honolulu	HI	96818	120,000.00
Carmela Spadafora	7 Madron Cres	Downsview	ON	M3J 1H8	125,000.00
Charlyn Masini	828 Moaniala ST.	Honolulu	HI	96821	365,000.00
Christopher John Valenzano	87 Bell Harbour Place.	Woodbridge	ON	L4L 6W6	150,000.00
CHUL WAN PARK	132 Clarendon Drive	Richmond Hill	ON	L4B 3W1	120,000.00
CHWALKA/EVELEIGH	38 Duplex Avenue	Toronto	ON	M5P 2A3	100,000.00
CHWALKA/OVERHOLT	38 Duplex Avenue	Toronto	ON	M5P 2A3	650,000.00
CITY DRILL	138 Teefy Ave.	Richmond Hill	ON	L4C 8C4	100,000.00
CKO IRA LLC	1118 Ala Moana Blvd. Suite 606	Honolulu	HI	96814	100,000.00
Daniel Strasser/Julianna Strasser	2183 Hikino Street	Honolulu	HI	96821	100,000.00
DAVID DI IORIO	324 Hillsdale Avenue East	Toronto	ON	M4S 1T8	287,500.00
DAVID LAVINE	120 Ava Rd	Toronto	ON	M6C 1W1	500,000.00
DU SHA/ 4539591 CAN	255 Duncan Mill Road Suite 408	Toronto	ON	M3B 3H9	1,500,000.00
EARL LEVY	10 Glen Edyth Drive	Toronto	ON	M4V 2V7	100,000.00
EARL LEVY HOLDINGS	10 Glen Edyth Drive	Toronto	ON	M4V 2V7	200,000.00
Ellen K. Fleishman	100-1 Evergreen Place	Winnipeg	MB	R3L 0E9	250,000.00
Employees	Various				1.00
Eric Cravit	97 St. Germain	Toronto	ON	M5M 1V9	1.00
EVELEIGH	38 Duplex Avenue	Toronto	ON	M5P 2A3	100,000.00
Fabrizio Toni and Sandra Toni	19 Torvista Lane	Maple	ON	L6A 0C7	200,000.00
Feng Li	1442 Edenrose St.	Mississauga	ON	L5V 1H3	50,000.00
Fibex Window Coverings Ltd.	23 Hinda Lane	Thornhill	ON	L4J 6S1	300,000.00
Gabriel Joseph Valenzano	87 Bell Harbour Place	Woodbridge	ON	L4L 6W6	150,000.00
Giuseppe Pace/Barbara Pace	1211 West Shore Dr	Mississauga	ON	L5E 3H8	95,000.00
GLOBAL GATEWAY HOLDINGS	73 Ava Crescent	Richmond Hill	ON	L4B 2X5	650,000.00

Creditor	Address				Amount Due (\$)*
Global Shutter Investments Ltd.	502 - 383 Sorauren Ave.	Toronto	ON	M6R 0A4	500,000.00
GM FINANCIAL CANADA LEASING LTD.	2001 SHEPPARD AVE. STE 600	Toronto	ON	M2J 4Z8	1.00
Hongwei Su	2291 Robin Drive	Mississauga	ON	L5K 1S7	50,000.00
Huiwen Corp.	7 Tiglio Road	Woodbridge	ON	L4H 0M1	150,000.00
Igor Favelyukis/Eleonora Favelyukis	23 Hinda Lane	Thornhill	ON	L4J 6S1	150,000.00
Iosif Freyger	104 Durie Lane	Thornhill	ON	L3T 5H5	100,000.00
ISR Management Inc.	11322 La Madre Ridge Drive	Las Vegas	NV	89135	250,000.00
J. Jones	4096 Piedmont Avenue #166	Oakland	CA	94611	250,000.00
Jasen Takei	1080 S Beretania St, Apt 803	Honolulu	HI	96814	75,000.00
JEAN MOREL	4999 Kahala Ave. Unit 432	Honolulu	HI	96816	420,000.00
Jeff Herszkowicz	19 Foxwood Rd	Thornill	ON	L4J 9C4	1.00
Jeff Layton	41 McKenzie Ave	Toronto	ON	M4W 1K1	100,000.00
JERRY AND LOUISE DI IORIO	92 McClure DR	King City	ON	L7B 1C3	2,100,000.00
Jian Zhang	513 Tyrone Cres	Milton	ON	L9T 8J5	75,000.00
Jianzhong Xing	2556 Advent Court	Mississauga	ON	L5M 5L4	100,000.00
Jill Lavine	120 Ava Road	Toronto	ON	M6C 1W1	100,000.00
Jing Miao	950 Drysdale Cres	Milton	ON	L9T 8J2	100,000.00
JJ DICIANO HOLDINGS	32 Thistle Ridge Drive	Vaughan	ON	L4L 3K4	300,000.00
Johann Strasser	1314 S. King St. Suite 1261	Honolulu	HI	96814	500,000.00
JONATHAN GROSS	2500 Bathurst Apr 608	Toronto	ON	M6B 2Y8	400,000.00
Jules Gross Limited	268 Ridley BlvdSte 1712	Toronto	ON	M5M 4N3	2,550,000.00
Junhua Huang	916 Seventh St.	Mississauga	ON	L5E 1P3	100,000.00
Ka Heng Carline Au	1038 Sherman Brock Circle	Newmarket	ON	L3X 0B4	100,000.00
Kathryn Ann Chesler Revocable Trust	6000 Island Blvd. Apt. 2402	Aventura	FL	33160	200,000.00
KAZIMIRSKI #2	2505 Aha Aina Place	Honolulu	HI	96821	100,000.00
Lino Di Iorio/Lynne Di Iorio	138 Teefy Ave.	Richmond Hill	ON	L4C 8C4	700,000.00
LINODI INVESTMENTS	138 Teefy Ave.	Richmond Hill	ON	L4C 8C4	400,000.00
MADELEINE GROSS	1815 Yonge street Unit 503	Toronto	ON	M4T 2A4	300,000.00
MARGIE DUNCAN	48 Sutherland Street	Lane Cove	NSW	2066	100,000.00
MARIA MIAO	457 Dalmuir Mews	Mississauga	ON	L4Z 3W2	250,000.00
Martin Unger	2181 Yonge St.Suite #3103	Toronto	ON	M4S 3H7	400,000.00
MARTY KELMAN	38 Avenue Rd. Apt 414, North	Toronto	ON	M5R 2G2	250,000.00
Melvin Shigeta Revocable Living Trust/Jane Shigeta	1204 Kahili St	Kailua	HI	96734	100,000.00
MICHAEL DI IORIO	81 Sutherland Drive	Toronto	ON	M4G 1H6	487,500.00
Michael Steirman Medicine Professional Corporation	22 Wentworth Court	Markham	ON	L3R 7N7	50,000.00
MICHELE ATLIN	10 Glen Edyth Drive	Toronto	ON	M4V 2V7	1,700,000.00
MIN HONG MAO	170 Petworth Cres.	Scarborough	ON	M1S 3M5	460,000.00
MWU HOLDINGS INC	30A Oriole Road	Toronto	ON	M4V 2E8	1,000,000.00
Nahum Scheide	4266 Bathurst St. Apt. 516	Toronto	ON	M3H 5Y7	50,000.00
Oshawa Holdings LLC	10064 Clifton Forge Ave	Las Vegas	NV	89148	250,000.00
Pia Gobbo	376 Meadow Wood Lane	Mississauga	ON	L5J 2S9	100,000.00
QUI PING CHEN	457 Dalmuir Mews	Mississauga	ON	L4Z 3W2	70,000.00
Randall Ho	3876 Nikolo St.	Honolulu	HI	96815	200,000.00
Revenue Canada Agency	4695 Shawinigan-Sud Boulevard	Shawinigan	QC	G9P 5H9	1.00
RMK IRA LLC	1027 Haalilo Street #95	Mililani	HI	96789	100,000.00
Robert Atkinson	603 Ahakea St	Honolulu	HI	96816	100,000.00
Roberta Sunahara/Paul Sunahara	1388 Ala Moana Blvd. #2703	Honolulu	HI	96814	100,000.00
Ronald B. Jones	16 Lehman CR	Markham	ON	L3P 5X1	100,000.00
Ronald Gagel	2260 Chancery Lane West	Oakville	ON	L6J 6A3	300,000.00
SANLIN SHAO	2556 Advent Court	Mississauga	ON	L5M 5L4	210,000.00
Scott Taylor/Bonnie Taylor	25 Hambly Court	Barrie	ON	L4N 5J6	200,000.00
SEYMOUR KAZIMIRSKI	2505 Aha Aina Place	Honolulu	HI	96821	240,000.00
SHELBY MINOR	56 Portsmouth Drive	Scarborough	ON	M1C 5C9	100,000.00
SHELDON GROSS LTD	1610 Ladywood Way	Innisfil	ON	L9S 2T7	1,000,000.00
Sonya Lederer	3201 Northeast 183rd StApt: 1401	Aventura	FL	33160	100,000.00
SSI INC	243 Lonsdale Rd	Toronto	ON	M4V 1W9	1,000,000.00
STEPHAN STRASSER	16600 N Thompson Peak PkwyUnit 1072	Scottsdale	AZ	85260	700,000.00
Tanview Investments Limited	101-10 Director Court	Woodbridge	ON	L4L 7E8	400,000.00
The Dr. Harold And Mrs. Brownie Fleishman Family	1100-1 Evergreen Place	Winnipeg	MB	R3L 0E9	650,000.00
The Xuezhang Family Trust	62 Great Lakes Blvd.	Oakville	ON	L6L 0A3	300,000.00
THOMAS PITTS	6825 Windy Hill Way	Reno	NV	89511	145,000.00
TINA TCHAPLIA	3 Nathan Court	Thornhill	ON	L4J 6Z7	250,000.00
Tovit Fortinsky	243 Yorkhill Blvd.	Thornhill	ON	L4J 3L5	125,000.00
Tricia Kamikawa	95-1027 Haalilo St	Mililani	HI	96789	100,000.00
Urban-Line Enterprises Inc.	86 Grand Vista Cres.	Woodbridge	ON	L4H 3J6	120,000.00
VICKI HO RLT	3876 Nikolo St.	Honolulu	HI	96815	200,000.00
VINCE NAPOLITANO	53-6 Leonard St.	Richmond Hill	ON	L4C 0L6	100,000.00
Vishwanath Ramkissoon/Sabrina Ramkissoon	16 Janessa Court	Maple	ON	L6A 0C8	200,000.00
Wallace K. Tsuha Trust of Oct. 14, 1991 as Amended	146 S Kalaheo Ave	Kailua	HI	96734	2,000,000.00
Wen Xue/Yan Peng	6134 Red Willows Dr	Gloucester	ON	K1C 7J8	250,000.00
Wen Yao Zhang/Zhenhua Lu	1 Amanda Court	Richmond Hill	ON	L4B 3C2	50,000.00
West Psychology Professional Corporation	300 Earl Grey Drive, Suite 459	Kanata	ON	K2T 1C1	120,000.00

Creditor	Address				Amount Due (\$)*
Xie 2018 Family Trust	880 Centre Road	Hamilton	ON	L8N 2Z7	450,000.00
Yicun Du	1405 - 608 Richmond Street West	Toronto	ON	M5V 0N9	100,000.00
Yuchuan Shao/Sanlin Shao	2556 Advent Court	Mississauga	ON	L5M 5L4	100,000.00
YUDEL HOLDINGS LTD	2 Car WestmountApt: 902	Westmount	QC	H3Z 2S4	500,000.00
YUN ZUO	62 Great Lakes Boulevard	Oakville	ON	L6L 0A3	100,000.00
Zhengyi Miao	457 Dalmuir Mews	Mississauga	ON	L4Z 3W2	370,000.00
ZHIWEI LU AND LUPING SHAO	39 Gloxinia Cres.	Scarborough	ON	M1W 2C5	200,000.00
Zhongxia Cheng/Zhengchu Miao	950 Drysdale Cres	Milton	ON	L9T 8J2	70,000.00
					<u>43,127,506.00</u>
Total					<u><u>43,127,517.00</u></u>

* An amount of \$1.00 indicates that the amount due is undetermined or unknown.



Bankruptcy and Insolvency Act ("Act")

Proof of Claim

(Section 50.1, 81.5, 81.6, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 102(2), 124(2), 128(1),
and Paragraphs 51(1)(e) and 66.14(b) of the Act)

All notices or correspondence regarding this claim must be forwarded to the following address:

Creditor Name:	_____	Telephone:	_____
Address:	_____	Fax:	_____
	_____	Email:	_____
Account No.:	_____		

In the matter of the bankruptcy (or the proposal, or the receivership) of _____ (name of debtor)
of _____ (city and province) and the claim of _____, creditor.

I, _____ (name of creditor or representative of the creditor), of _____ (city and province), do
hereby certify:

1. That I am a creditor of the above-named debtor (or that I am _____ (state position or title)
of _____ (name of creditor)).
2. That I have knowledge of all the circumstances connected with the claim referred to below.
3. That the debtor was, at the date of bankruptcy, (or the date of the receivership, or in the case of a proposal, the date of
the notice of intention or of the proposal, *if no notice of intention was filed*), namely the _____ day of
_____, _____, and still is, indebted to the creditor in the sum of \$ _____,
as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any
counterclaims to which the debtor is entitled. *(The attached statement of account or affidavit must specify the vouchers or other evidence in
support of the claim.)*

4. *(Check and complete appropriate category.)*

☐ **A. UNSECURED CLAIM OF \$ _____**

(other than as a customer contemplated by Section 262 of the Act)

That in respect of this debt, I do not hold any assets of the debtor as security and

(Check appropriate description.)

☐ Regarding the amount of \$ _____, I do not claim a right to a priority.

☐ Regarding the amount of \$ _____, I claim a right to a priority under Section 136 of the Act.

(Set out on an attached sheet details to support priority claim.)

☐ **B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$ _____**

That I hereby make a claim under Subsection 65.2(4) of the Act, particulars of which are as follows:

(Give full particulars of the claim, including the calculations upon which the claim is based.)

☐ **C. SECURED CLAIM OF \$ _____**

That in respect of this debt, I hold assets of the debtor valued at \$ _____ as security, particulars of which are
as follows:

*(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the
security documents.)*

☐ **D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$ _____**

That I hereby make a claim under Subsection 81.2(1) of the Act for the unpaid amount of \$ _____ *(Attach a
copy of sales agreement and delivery receipts.)*

☐ **E. CLAIM BY WAGE EARNER OF \$ _____**

☐ That I hereby make a claim under Subsection 81.3(8) of the Act in the amount of \$ _____

☐ That I hereby make a claim under Subsection 81.4(8) of the Act in the amount of \$ _____

☐ **F. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF \$ _____**

☐ That I hereby make a claim under Subsection 81.5 of the Act in the amount of \$ _____

☐ That I hereby make a claim under Subsection 81.6 of the Act in the amount of \$ _____

☐ **G. CLAIM AGAINST DIRECTOR \$ _____**

(To be completed when a proposal provides for the compromise of claims against directors.)

That I hereby make a claim under Subsection 50(13) of the Act, particulars of which are set out on the attached
sheet(s). *(Give full particulars of the claim, including the calculations upon which the claim is based.)*

☐ **H. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$ _____**

That I hereby make a claim as a customer for net equity as contemplated by Section 262 of the Act, particulars of which
are set out on the attached sheet(s).

(Give full particulars of the claim, including the calculations upon which the claim is based.)

Bankruptcy and Insolvency Act ("Act")

Proof of Claim

(Section 50.1, 81.5, 81.6, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 102(2), 124(2), 128(1), and Paragraphs 51(1)(e) and 66.14(b) of the Act)

5. That, to the best of my knowledge, I am (or the above-named creditor is) (or am not or is not) related to the debtor within the meaning of Section 4 of the Act, and have (or has) (or have not or has not) dealt with the debtor in a non-arm's-length manner.
6. That the following are the payments that I have received from, the credits that I have allowed to, and the transfers at undervalue within the meaning of Subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of Section 4 of the Act or were not dealing with each other at arm's length, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of Subsection 2(1) of the Act: (Provide details of payments, credits and transfers at undervalue.)
7. (Applicable only in the case of the bankruptcy of an individual.)
- ☐ Whenever the trustee reviews the financial situation of a bankrupt to redetermine whether or not the bankrupt is required to make payments under Section 68 of the Act, I request to be informed, pursuant to Paragraph 68(4) of the Act, of the new fixed amount or of the fact that there is no longer surplus income.
- ☐ I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to Subsection 170(1) of the Act be sent to the above address.

Dated at _____, this _____ day of _____, _____

Witness

Creditor

NOTE:

WARNINGS:

If an affidavit is attached, it must have been made before a person qualified to take affidavits.

A trustee may, pursuant to Subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

DIRECTIONS FOR COMPLETION OF THIS FORM ARE ON THE REVERSE SIDE

GENERAL PROXY

(Paragraphs 51(1)(e) and 66.15(3)(b) and Subsection 102(2))

In the matter of the bankruptcy) (or proposal) of _____ a bankrupt (or an insolvent)

I (or We), _____ (name of creditor), of _____. (name of city, town or village), a creditor in the above matter, hereby appoint _____, of _____, to be my (or our) general proxy in the above matter except as to the receipt of dividends, with (or without) power to appoint another general proxy in his or her place.

DATED AT _____ this _____ day of _____, _____

Witness

Individual Creditor OR Name of Corporate Creditor

Witness

Per:
Name and Title of Signing Officer

CHECKLIST FOR PROOF OF CLAIM

This checklist is provided to assist you in preparing the accompanying proof of claim form and, where required, proxy form in a complete and accurate manner. Please specifically check each requirement.

Under Section 109 of the Bankruptcy and Insolvency Act only those creditors who have filed their claims in the proper form with the trustee, before the time appointed for the meeting, are entitled to vote at the meeting.

Section 124 states that every creditor shall prove his claim and the creditor who does not prove his claim is not entitled to share in any distribution that may be made.

General

- The signature of a witness is required;
- The claim must be signed personally by the individual completing this declaration;
- Provide the complete address where all notices or correspondence are to be forwarded;
- The amount of the statement of account must correspond to the amount indicated on the proof of claim.

Notes:

- It is permissible to file a proof of claim by fax.
- A creditor may vote either in person or by proxy at any meeting of creditors if the proof of claim is filed with the trustee prior to the time appointed for the meeting.
- A quorum at any meeting of creditors consists of at least one creditor with a valid proof of claim in attendance in person or by proxy.
- A corporation may vote through an authorized agent or mandatary at meetings of creditors.
- In order for a duly authorized person to have a right to vote, they must be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy.
- A creditor who is participating in any distribution from an estate must have filed a proof of claim prior to the distribution being declared.
- In the case of an individual bankrupt, by checking the appropriate box or boxes at the bottom of the proof of claim form, you may request that the trustee advise you of any material change in the financial situation of the bankrupt or the amount the bankrupt is required to pay into the bankruptcy, and a copy of the trustee's report on the discharge of the bankrupt.

Paragraph 1

- Creditor must state full and complete legal name of company or firm;
- If the individual completing the proof of claim is not the creditor himself, he/she must state his/her position or title.

Paragraph 3

- The amount owing must be set out in paragraph 3.
- A detailed statement of account must be attached to the proof of claim and must show the date, the number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments. A statement of account is not complete if it begins with an amount brought forward.

Paragraph 4

- **Paragraph A** applies to *ordinary unsecured claims*. In addition to recording the amount of the claim, please indicate whether the claim has a priority pursuant to Section 136 of the Act.
- **Paragraph B** applies to lessor claims in a commercial proposal. Please ensure that the claim applies to a commercial proposal and, if so, include the full particulars of the claim.
- **Paragraph C** applies to *secured claims*. Please indicate the dollar value of the security and attach copies of the security document. In addition, please attach copies of the security registration documents, where appropriate.
- **Paragraph D** applies to *inventory claims of farmers, fishermen and aquaculturists*. Please note that such claims apply only to inventory supplied from farmers, fishermen and aquaculturists within 15 (fifteen) days of the date of bankruptcy. In addition, please attach copies of any applicable sales agreements and delivery slips.
- **Paragraph E** applies to *claims by wage earners*. Please note that such claims apply only for unpaid wages owed upon the bankruptcy of an employer or when the employer becomes subject to a receivership.
- **Paragraph F** applies to *claims by employees for unpaid amounts regarding pension plans*. Please note that such claims apply only to unremitted pension contributions outstanding when the sponsoring employer becomes bankrupt or is subject to a receivership.
- **Paragraph G** applies to *claims against directors*. Please note that such claims apply only to directors of corporations that have filed a commercial proposal to creditors that includes a compromise of statutory claims against directors.
- **Paragraph H** applies to *claims of customers of a bankrupt securities firm*. Please ensure that the claim of the customer is for net equity and, if so, include the full particulars of the claim, including the calculations upon which the claim is based.

Paragraph 5

- All claimants must indicate whether or not they are related to the debtor, as defined in Section 4 of the Act, or dealt with the debtor in a non-arm's-length manner.

Paragraph 6

- All claimants must attach a detailed list of all payments or credits received or granted, as follows:
 - a) Within the three (3) months preceding the initial bankruptcy event (including the bankruptcy or the proposal), in the case where the claimant and the debtor are not related;
 - b) Within the twelve (12) months preceding the initial bankruptcy event (including the bankruptcy or the proposal), in the case where the claimant and the debtor were not dealing at arm's length.

APPOINTING PROXY

Note: The Act permits a proof of claim to be made by a duly authorized representative of a creditor but, in the absence of a properly executed proxy, does not give such an individual the power to vote at the first meeting of creditors nor to act as the proxyholder of the creditors.

General

- In order for duly authorized persons to have a right to vote, they must themselves be creditors or be the holders of a properly executed proxy. The name of the creditor must appear in the proxy.

Notes:

- A creditor may vote either in person or by proxyholder.
- A proxy may be filed at any time prior to a vote at a meeting of creditors.
- A proxy can be filed with the trustee in person, by mail or by any form of telecommunication.
- A proxy does not have to be under the seal of a corporation unless required by its incorporating documents or its bylaws.
- The individual designated in a proxy cannot be substituted unless the proxy provides for a power of substitution.
- Bankrupts/debtors may not be appointed as proxyholders to vote at any meeting of their creditors.
- The trustee may be appointed as a proxyholder for any creditor.
- A corporation cannot be designated as a proxyholder.