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Estate File No.: 24-2887527

**IN THE MATTER OF THE BANKRUPTCY OF
NILEX USA INC.
OF THE CITY OF CENTENNIAL IN THE STATE OF COLORADO**

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

Take notice that:

1. Nilex USA Inc. ("Nilex USA") was deemed to have filed an assignment in bankruptcy on April 27, 2023, and KSV Restructuring Inc. was appointed as Licensed Insolvency Trustee (the "Trustee") of Nilex USA by the Office of the Superintendent of Bankruptcy, subject to affirmation by the creditors of the Trustee's appointment.
2. The first meeting of creditors of the bankrupt will be held on the 18th day of May, 2023 at 2:30 p.m. (EDT), to be convened via Zoom at:

<https://us05web.zoom.us/j/85747513700?pwd=VnFXUXM4Ykl3aGNFODIwTdadCtGUT09>
Meeting ID: 857 4751 3700
Passcode: TKZc1U
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 according to Nilex USA's books and records. Creditors can email their claims and proxy to info@ksvadvisory.com.
5. Creditors must prove their claims against Nilex USA to receive dividends, if any, in the bankruptcy proceedings.

DATED at Toronto, Ontario, this 1st day of May, 2023

KSV Restructuring Inc.

**KSV RESTRUCTURING INC.
LICENSED INSOLVENCY TRUSTEE OF
NILEX USA 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: Alberta
Division No.: 01 - Edmonton
Court No.: 24-2887527
Estate No.: 24-2887527

In the Matter of the Bankruptcy of:

Nilex USA Inc.

Debtor

KSV RESTRUCTURING INC.

Licensed Insolvency Trustee

Ordinary Administration

Date of bankruptcy:	April 27, 2023	Security:	\$0.00
Meeting of creditors:	May 18, 2023, 14:30 Meeting to be held by Zoom Meeting ID: 857 4751 3700 Pswd: TKZc1U Toronto, Ontario Canada,		
Chair:	Trustee	Designated person:	Trevor Derksen

CERTIFICATE OF ASSIGNMENT - Paragraph 50.4(8)(b.1) of the Act

-- AMENDED --

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

- a notice of intention in respect of the aforementioned debtor was filed under section 50.4 of the *Bankruptcy and Insolvency Act*;
- the debtor has failed to file a cash-flow statement or a proposal within the provided period following the filing of the notice of intention or within any Court-granted extension and is thereupon deemed to have made an assignment.

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: May 01, 2023

E-File/Dépôt Electronique

Official Receiver

Canada Place Building, 9700 Jasper Avenue NW, Suite 725, Edmonton, Alberta, Canada, T5J4C3, (877)376-9902

Canada

District of: Alberta
 Division No. 01 - Edmonton
 Court No. 24-2887527
 Estate No. 24-2887527

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
 Nilix USA Inc.
 of the City of Centennial, in the State of Colorado

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 27th day of April 2023. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration.

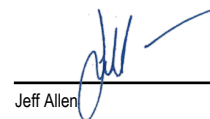
LIABILITIES (as stated and estimated by the officer)		ASSETS (as stated and estimated by the officer)	
1. Unsecured creditors as per list "A"	6,145,227.16	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	6,145,227.16	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B"	0.00	Good	0.00
3. Preferred creditors as per list "C"	0.00	Doubtful	0.00
4. Contingent, trust claims or other liabilities as per list "D"	0.00	Bad	0.00
estimated to be reclaimable for		Estimated to produce	0.00
Total liabilities	6,145,227.16	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"	0.00
		10. Furniture	0.00
		11. RRSPs, RRIFs, life insurance, etc.	0.00
		12. Securities (shares, bonds, debentures, etc.)	0.00
		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	0.00
		Deficiency	6,145,227.16

I, Jeff Allen, of the City of Edmonton in the Province of Alberta, do swear (or solemnly declare) that this statement and the attached lists are to the best of my knowledge, a full, true and complete statement of the affairs of the Corporation on the 1st day of May 2023 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with the Act.

SWORN (or SOLEMNLY DECLARED) remotely by Jeff Allen stated as being located in the City of Edmonton in the Province of Alberta before me at the City of Toronto in the Province of Ontario, on this 1st day of May 2023 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.



Catherine Theriault, Commissioner of Oaths
 For the Province of Ontario
 Expires February 19, 2025



Jeff Allen

**IN THE MATTER OF THE BANKRUPTCY OF
NILEX USA INC.
OF THE MUNICIPALITY OF CENTENNIAL IN THE STATE OF COLORADO
Preliminary list of creditors as at April 27, 2023 as submitted by Nilex USA Inc.
without admission as to any liability or privilege herein shown
(Unaudited)**

Creditor	Address	Amount due (CDN\$)*
Nilex Inc	9304 39th Avenue, Edmonton, AB,	5,487,969.21
Tencate Mirafi	PO Box 100288, Atlanta, GA, 30384-0288	158,057.18
Hilfiker Retaining Walls	1902 Hilfiker Lane, Eureka, CA, 95503-5711	78,875.39
CENTENARY POLYTEX PVT LTD	241 New Cloth Market, Raipur, Ahmedabad, India	73,740.98
Cherokee Manufacturing	150 Bridgepoint Drive Ste 200, South St Paul, MN, 55075	50,526.35
Prime Source	2517 Paysphere Circle, Chicago, IL, 60674-0025	33,680.24
Caldon Commodities, LLC	PO Box 35, Sanford, CO, 81151	25,762.59
APPLEGATE MULCH	PO BOX 778849, CHICAGO, IL, 60677-8849	24,189.68
Prinsco	NW 6387, PO Box 1450, Minneapolis, MN, 55485-6387	22,980.84
Pioneer Lumber Company	PO Box 172, Labadie, MO, 63055	21,898.20
Enviro Straw LLC	PO Box 406, Rigby, ID, 83442	17,791.28
Bowman Construction	6620 NW Toni Drive, Des Moines, IA, 50313	14,798.75
Solmax International Inc.	2801 Marie Victorin Blvd, Varennes, Quebec, J3X 0J4	12,715.00
Wire Products Supply Company	PO Box 1568, Sherman, TX, 75091	11,886.52
Rubberosion Inc.	12311 CR 41, Hudson, CO, 80642	11,396.20
Northstar Impex Corporation	655 Stoney Creek Circle, Corona, CA, 92879	10,354.11
Rueser Seam, LLC	7975 E. Harvard Ave. Unit F, Denver, CO, 80231	8,933.76
R&R EXPRESS	PO BOX 72124, CLEVELAND, OH, 44192	8,144.52
Basic Industries, LLC	Attn: Andrew Patterson, PO Box 5279, Buena Vista, CO, 21211	7,266.69
Seven Oaks Capital Associates, LLC	PO BOX 669130, DALLAS, TX, 75266	7,088.12
Elastec American Marine	1309 W. Main St, Carni, IL, 62821	6,976.69
Colorado Wattles/PSI	903 Lucas Road, Lodi, CA, 95242	6,702.36
GaLex Pallets, LLC	9613 W. Girton Dr., Lakewood, CO, 80227	5,568.26
England Logistics Inc.	PO Box 953776, St Louis, MO, 63195	5,452.40
Cultec, Inc	878 Federal Road, Brookfield, CT, 06804	4,787.21
UFP, LLC	PO Box 596, Windsor, CO, 80550	3,988.80
Merit Transport	6567 S. 1300 W., Salt Lake City, UT, 84123	3,482.72
All Copy Products	PO BOX 660831, DALLAS, TX, 75266-0831	3,141.55
DP Inc.	PO Box 406, Rigby, ID, 83442	2,862.51
Clearwater	23595 CR 62, Greeley, CO, 80631	2,249.12
ULINE	ATTN: Accounts Receivable, PO Box 88741, Chicago, IL, 60680-1741	2,114.41
Jalux Americas Inc DBA Aqua Patch Road Materials	390 N. Supulveda Blvd., Ste 2000, El Sugundo, CA, 90245	1,932.36
Lucas Lumber	PO Box 445, Ogden, UT, 84402	1,570.29
Integrity Express Logistics, LLC	62488 Collections Center Drive, Chicago, IL, 60693	1,564.16
Johnson Controls Security Solutions	PO Box 371967, Pittsburgh, PA, 15250-7967	701.87
Associate Business Tech.	PO Box 660831, Dallas, TX, 75266-0831	604.11
Colorado Mechanical Systems, LLC	7094 S. Revere Pkwy, Centennial, CO, 80112	545.24
Declare it Clean	1521 S. Ventura Street, Aurora, CO, 80017	470.68
DC Landscaping	4495 Crystal Street, Denver, CO, 80239	470.27
Whitmore Pest & Wildlife Control, Inc	PO Box 456, Sedalia, CO, 80135	422.56
Caliber Cleaning Services	2732 S 3600 W, STE E, West Valley City, UT, 84119	306.70
UniFirst	3499 Rider Trail South, St. Louis, MO, 63045	289.81
Sonitrol, Pacific West Security, Inc.	1587 Schallenberger Road, San Jose, CA, 95131	275.35
Staples Advantage	PO Box 660409, Dallas, TX, 75266-0409	267.67

Creditor	Address	Amount due (CDN\$)*
Denver Propane Exchange	PO Box 807, Commerce City, CO, 80037	247.33
Associated Business Technologies	360 N 700 W, Ste F, North Salt Lake City, UT, 84054	83.39
Welch Equipment Company	5025 Nome Street, Denver, CO, 80239	63.74
FUELMAN	PO Box 70887, Charlotte, NC, 28272-0887	29.99
TOTAL		6,145,227.16

*US dollars were converted to CDN at a rate of \$1.3631 as of April 27, 2023.



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: If an affidavit is attached, it must have been made before a person qualified to take affidavits.
WARNINGS: 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
Per: _____
Witness _____ 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.