



ksv advisory inc.

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November 25, 2022

To: Creditors of Nilex USA Inc. (the “Company”)

We are writing to advise you that on November 24, 2022, the Company commenced restructuring proceedings by filing a Notice of Intention to Make a Proposal (“NOI”) pursuant to the *Bankruptcy and Insolvency Act* (“BIA”). A copy of the NOI and a preliminary listing of creditors is attached to this notice. KSV Restructuring Inc. has been appointed as the proposal trustee under the NOI (the “Proposal Trustee”).

Although the NOI proceeding is pursuant to the BIA, it is important to note that the Company is not bankrupt.

The principal purpose of the proceeding is to create a stabilized environment to allow the Company the opportunity to complete a going-concern sale transaction for its business and assets (the “Transaction”). Further information concerning the Transaction is available on the Proposal Trustee’s website.

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 the Company, or claim an accelerated payment, or a forfeiture of the term, under any agreement with the Company, by reason only that the Company 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 the Company or its property or shall commence or continue any action, execution, or other proceedings against the Company, pursuant to Section 69.1(1) of the BIA; and
- to the extent applicable, suppliers should discuss directly with their usual Company representative the terms of payment for goods and/or services that they provide to the Company.

If you have any questions after speaking with your contact at the Company, please contact Christian Vit from the Proposal Trustee’s office at cvit@ksvadvisory.com. Information concerning the NOI proceedings and the Transaction can be found on the Proposal Trustee’s website at: <https://www.ksvadvisory.com/experience/case/nilex-inc>.

Yours very truly,

**KSV RESTRUCTURING INC.
TRUSTEE UNDER THE NOTICE OF INTENTION
TO MAKE A PROPOSAL OF NILEX USA INC.**

Encl.



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 Notice of Intention to make a proposal of:

Nilex USA Inc.

Insolvent Person

KSV RESTRUCTURING INC.

Licensed Insolvency Trustee

Date of the Notice of Intention:

November 24, 2022

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 24, 2022, 10:03

E-File/Dépôt Electronique

Official Receiver

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

Canada 

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


**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
NILEX USA INC. OF THE MUNICIPALITY OF CENTENNIAL, IN THE STATE OF COLORADO**

TAKE NOTICE THAT:

1. **NILEX USA INC.**, an insolvent person, 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 150 King Street West, Suite 2308, Toronto, Ontario, 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 **NILEX USA INC.** are stayed as of the date of filing this notice with the Official Receiver in its locality.

DATED at Toronto, Ontario this 23rd day of November, 2022

NILEX USA INC.

Per: 
Name: Trevor Derksen
Title: President

Filing Date: _____

OFFICIAL RECEIVER

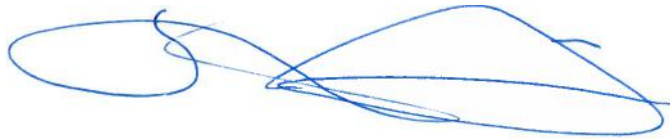
**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
NILEX USA INC.**

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 Nilex USA Inc.

DATED at Toronto, Ontario this 23rd day of November 2022.

KSV RESTRUCTURING INC.

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke, positioned above the signature line.

Per: _____

Name: David Sieradzki

Title: Authorized Signing Officer

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
NILEX USA INC.
OF THE CITY OF CENTENNIAL, IN THE STATE OF COLORADO
Preliminary list of creditors as at November 23, 2022 as submitted by Nilex USA Inc.
without admission as to any liability or privilege herein shown
(Unaudited)**

Creditor	Address				Amount due (CDN\$)*
Advantage Leasing Associates, LLC	50 Schilling Rd, Ste. 100	Hunt Valley	MD	21031	5,704.37
All Copy Products	PO BOX 660831	Dallas	TX	75266-0831	1,585.81
Applegate Mulch	1000 Highview Dr	Webberville	MI	48892	23,602.29
Associate Business Tech.	PO Box 660831	Dallas	TX	75266-0831	364.02
Bowman Construction	6620 NW Toni Drive	Des Moines	IA	50313	14,439.40
Caldon Commodities, LLC	PO Box 35	Sanford	CO	81151	33,516.00
Caliber Cleaning Services	2732 S 3600 W	West Valley City	UT	84119	598.50
Centenary Polytex PVT Ltd.	241 Now Cloth Market	Raipur	Ahmedabad	India	71,950.34
Cherokee Manufacturing	150 Bridgepoint Drive Ste 200	South St Paul	MN	55075	49,299.43
Clearwater	23595 CR 62	Greeley	CO	80631	2,194.50
Colorado Mechanical Systems, LLC	7094 S. Revere Pkwy	Centennial	CO	80112	532.00
Colorado Wattles/PSI	903 Lucas Road	Lodi	CA	95242	6,539.61
Cultec, Inc	878 Federal Road, PO Box 280	Brookfield	CT	64804	19,122.74
DC Landscaping	4495 Crystal Street	Denver	CO	80239	778.05
Declare it Clean	1521 S. Ventura Street	Aurora	CO	80017	459.25
DP Inc.	PO Box 406	Rigby	ID	83442	2,793.00
Elastec American Marine	1309 W. Main St	Carni	IL	62821	6,807.27
England Logistics Inc.	PO Box 953776	St Louis	MO	63195	5,320.00
Enviro Straw LLC	PO Box 406	Rigby	ID	83442	17,359.25
GaLex Pallets, LLC	9613 W. Girton Dr.	Lakewood	CO	80227	7,328.30
Hilfiker Retaining Walls	1902 Hilfiker Lane	Eureka	CA	95503-5711	51,910.18
Integrity Express Logistics, LLC	62488 Collections Center Drive	Chicago	IL	60693	1,526.18
Jalux Americas Inc DBA Aqua Patch Road Materials	390 N. Supulveda Blvd.	El Sugundo	CA	90245	1,885.43
Johnson Controls Security Solutions	PO Box 371967	Pittsburgh	PA	15250-7967	674.71
Kansas Erosion	3600 Airport Road	SALINA	KS	67401	65,044.98
Lange Containment Systems, LLC	5150 Race Ct	Denver	CO	80216	8,894.75
Lucas Lumber	PO Box 445	Ogden	UT	84402	1,532.16
Merit Transport	6567 S. 1300 W.	Salt Lake City	UT	84123	3,032.40
Nilex Inc.	6810 8th Street North West	Edmonton	AB	T6P 0C5	5,317,459.70
Northstar Impex Corporation	655 Stoney Creek Circle	Corona	CA	92879	10,102.68
Prime Source	2517 Paysphere Circle	Chicago	IL	60674-0025	32,862.38
Prinsco	NW 6387 PO Box 1450	Minneapolis	MN	55485-6387	22,422.80
R&R Express	PO BOX 72124	Cleaveland	OH	44192	7,946.75

Creditor	Address				Amount due (CDN\$)*	
Rubberosion Inc.	12311 CR 41	Hudson	CO	80642	16,583.77	
Rueser Seam, LLC	7975 E. Harvard Ave. Unit F	Denver	CO	80231	11,004.42	
SEMOR, LLC	4510 Orleans St	Denver	CO	80247	8,033.20	
Seven Oaks Capital Associates, LLC	PO BOX 669130	Dallas	TX	75266	6,390.65	
Solmax International Inc.	2801 Marie Victorin Blvd	Varenes	QC	J3X 0J4	113,641.11	
Sonitrol, Pacific West Security, Inc.	1587 Schallenberger Road	San Jose	CA	95131	268.66	
Staples Advantage	PO Box 660409	Dallas	TX	75266-0409	261.17	
Tencate Mirafi	PO Box 100288	Atlanta	GA	30384-0288	154,219.10	
UFP, LLC	PO Box 596	Windsor	CO	80550	3,891.94	
ULINE	PO Box 88741	Chicago	IL	60680-1741	2,063.07	
UniFirst	3499 Rider Trail South	St. Louis	MO	63045	282.77	
Whitmore Pest & Wildlife Control, Inc	PO Box 456	Sedalia	CO	80135	412.30	
Wire Products Supply Company	PO Box 1568	Sherman	TX	75091	11,597.88	
					<u>6,124,239.27</u>	

*US dollars were converted to CDN at a rate of \$1.13 as of November 23, 2022.