

August 15, 2023

To: 10452424 Canada Inc.

Re: First Meeting of Creditors

On August 14, 2023, 10452424 Canada Inc. filed an assignment in bankruptcy, which was accepted by the Office of the Superintendent of Bankruptcy and became effective on August 15, 2023. MNP Ltd. was appointed as the Licensed Insolvency Trustee (the “**Trustee**”) of the bankrupt estate subject to affirmation by the creditors at the First Meeting of Creditors (the “**FMOC**”). The FMOC will be held on September 5, 2023, at 11:00 AM Eastern Standard Time (“**EST**”) on MS Teams call.

The Trustee will maintain a website for these proceedings, which will be updated to include notices, reports, and Court documents. The website can be found at: <https://mnpdebt.ca/en/corporate/corporate-engagements/10452424-canada-inc>

It is not mandatory to attend the FMOC. Creditors can complete the proof of claim and email it with Schedule A to Chahna Nathwani at Chahna.Nathwani@mnp.ca or by fax or mail to the fax number or address found at the bottom of the page.

The FMOC will be convened by MS Teams conference call. Should you wish to attend the FMOC, please review the following procedures:

Meeting Details:

Date: September 5, 2023

Time: 11:00 AM EST

To attend via audio call:

Toll-Free Call-in Details: 877-252-9279

Phone Conference ID: 877 660 251#

To attend via video call:

<https://shorturl.at/gxJOX>

Requirements Prior to FMOC

1. Should you wish to file a proof of claim prior to the FMOC, please do so **no later than 5:00 PM on September 4, 2023**, to permit a reasonable review by the Trustee. The Trustee will use its best efforts to review and register proof of claim forms and proxies for the FMOC that are filed after this time.
2. Filing a claim and having it admitted by the Trustee prior to the FMOC permits creditors to vote at the FMOC. Matters typically voted upon at the FMOC include affirmation or substitution of the Trustee and the appointment of Inspectors.
3. Creditors filing a valid claim after the convening of the FMOC will still be eligible to receive any dividends should funds become available for distribution to creditors.

Registration

1. The Trustee will open the conference line 10 minutes in advance of the appointed meeting time. We encourage creditors to call in earlier than the appointed time to permit registration and attendance to be completed and to avoid a delay in proceeding with the FMOC.
2. Callers will be acknowledged on a “first come, first served” basis, and registration will include the following:
 - a) Please identify yourself by the creditor number beside your creditor name listed in the Form 78 Statement of Affairs which is attached;
 - b) Identify any additional individuals attending with you and their capacity in attending;
 - c) Confirmation of claim amount;
 - d) Confirmation of any proxies that you may hold for other creditors; and
 - e) Whether you want your name to stand as a potential Inspector to the estate when a vote is taken during the FMOC to appoint Inspectors (details of this role will be provided during the FMOC).

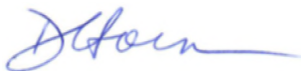
Procedure at the FMOC

1. Please have your phone on mute unless you are speaking to prevent background noise that will interfere with properly conducting the FMOC.
2. The Trustee will act as Chair of the FMOC.
3. The Chair will call the FMOC to order and may need to immediately adjourn the meeting for a period of time to allow the registration process to be completed.
4. The Chair will reconvene the FMOC as soon as possible and resume with the agenda set for the FMOC.

If you have any questions, please contact Chahna Nathwani at (647) 475-8331 or at Chahna.Nathwani@mnp.ca.

MNP Ltd.

In its capacity as a Licensed Insolvency Trustee
In the Bankruptcy of 10452424 Canada Inc.
and not in its personal capacity



Per: Deborah Hornbostel CPA, CA, CIRP, LIT, CFE
Senior Vice-President

District of:
 Division No. -
 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
 10452424 Canada Inc.
 of the City of Peterborough
 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 14th day of August 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"	43,216.55	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	43,216.55	3. Accounts receivable and other receivables, as per list "E"	
		Good	0.00
2. Secured creditors as per list "B"	0.00	Doubtful	0.00
3. Preferred creditors as per list "C"	0.00	Bad	12,145.00
		Estimated to produce	0.00
4. Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for	0.00	4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
Total liabilities	43,216.55	5. Deposits in financial institutions	0.00
Surplus	NIL	6. Cash	6,505.00
		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	6,505.00
		Deficiency	36,711.55

I, Hillary Scanlon, of the City of Peterborough in the Province of Ontario, 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 14th day of August 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)
 before me at the City of Toronto in the Province of Ontario, on this 14th day of August 2023.



 Deborah Hornbostel, Commissioner of Oaths
 For the Province of Ontario
 MNP Ltd.
 Expires February 5, 2025



 Hillary Scanlon

District of:
 Division No. -
 Court No.
 Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
 10452424 Canada Inc.
 of the City of Peterborough
 in the Province of Ontario
 List "A"
 Unsecured Creditors
 10452424 Canada Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	BMO Financial Group c/o BankruptcyHighway.com Attn: Mike Timko 5165 6600 0156 5390	PO Box 57100 Etobicoke ON M8Y 3Y2	11,223.80	0.00	11,223.80
2	Canadian National Institute for the Blind	1929 Bayview Ave Toronto ON M4G 3E8	7,500.00	0.00	7,500.00
3	CRA - GST/HST - Jonquiere Attn: Quebec Insolvency Intake Centre 788843514 RP01, RT01, RC01	Shawinigan - Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-sud QC G9P 5H9	1.00	0.00	1.00
4	Emma Scanlon	1353 Sandalwood Drive Peterborough ON K9K 1Y1	1,500.00	0.00	1,500.00
5	Futurpreneur Canada Attn: Amreet Kaur	1100-33 Yonge St. Toronto ON M5E 1G4	10,991.75	0.00	10,991.75
6	Mark Scanlon and Janice Scanlon	1353 Sandalwood Drive Peterborough ON K9K 1Y1	10,000.00	0.00	10,000.00
7	NaWKaQ O'Keeffe	176 Lock St Peterborough ON K9J 2Y7	2,000.00	0.00	2,000.00
Total:			43,216.55	0.00	43,216.55



14-Aug-2023

Date

Hillary Scanlon

District of:
Division No. -
Court No.
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario
List "B"
Secured Creditors

10452424 Canada Inc.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
			Total:			0.00	0.00	0.00

14-Aug-2023

Date



Hillary Scanlon

District of:
Division No. -
Court No.
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario
List "C"
Preferred Creditors for Wages, Rent, etc.

10452424 Canada Inc.

No.	Name of creditor	Address and occupation	Nature of claim	Period during which claim accrued	Amount of claim	Amount payable in full	Difference ranking for dividend
Total:					0.00	0.00	0.00

14-Aug-2023

Date



Hillary Scanlon

District of:
Division No. -
Court No.
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario
List "D"
Contingent or Other Liabilities

10452424 Canada Inc.

No.	Name of creditor or claimant	Address and occupation	Amount of liability or claim	Amount expected to rank for dividend	Date when liability incurred	Nature of liability
Total:			0.00	0.00		

14-Aug-2023

Date



Hillary Scanlon

District of:
 Division No. -
 Court No.
 Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
 10452424 Canada Inc.
 of the City of Peterborough
 in the Province of Ontario
 List "E"
 Debts Due to the Bankrupt
 10452424 Canada Inc.

No.	Name of debtor	Address and occupation	Nature of debt	Amount of debt (good, doubtful, bad)	Folio of ledgers or other book where particulars to be found	When contracted	Estimated to produce	Particulars of any securities held for debt
1	(Combined)	ON, Canada	Account Receivable	0.00 0.00 12,145.00			0.00	Account Receivable
Total:				0.00 0.00 12,145.00			0.00	

14-Aug-2023

Date



Hillary Scanlon

District of:
Division No. -
Court No.
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario
List "F"

Bills of Exchange, Promissory Notes, Lien Notes, Chattel
Mortgages, etc., Available as Assets

10452424 Canada Inc.

No.	Name of all promissory, acceptors, endorsers, mortgagors, and guarantors	Address	Occupation	Amount of bill or note, etc.	Date when due	Estimated to produce	Particulars of any property held as security for payment of bill or note, etc.
Total:				0.00		0.00	

14-Aug-2023

Date



Hillary Scanlon

District of: -
Division No. -
Court No.
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario
List "G"
Real Property or Immovables Owned by Bankrupt
10452424 Canada Inc.

Description of property	Nature of bankrupt interest	In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances (name, address, amount)	Equity or surplus
Total:			0.00		0.00

14-Aug-2023

Date



Hillary Scanlon

District of:
Division No. -
Court No.
Estate No.

FORM 78 -- Concluded

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario
List "H"
Property

10452424 Canada Inc.

FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade		Inventory	13,600.00	0.00
(b) Trade fixtures, etc.			0.00	0.00
(c) Cash in financial institutions			0.00	0.00
(d) Cash on hand		Cash on hand	6,505.00	6,505.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant		Equipment	21,129.00	0.00
(g) Furniture			0.00	0.00
(h) Life insurance policies, RRSPs, etc.			0.00	0.00
(i) Securities			0.00	0.00
(j) Interests under wills, etc.			0.00	0.00
(k) Vehicles			0.00	0.00
(l) Taxes			0.00	0.00
(m) Other			0.00	0.00
			Total:	6,505.00

14-Aug-2023

Date



Hillary Scanlon

Court No.

File No.

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario

Form 78 (Bill C-12)
Statement of affairs (Business bankruptcy)

MNP Ltd. - Licensed Insolvency Trustee
1900 - 1 Adelaide Street East
Toronto ON M5C 2V9
Phone: (416) 596-1711 Fax: (416) 323-5242

District of: Ontario
Division 10 - Peterborough
Court No. 31-2975493
Estate No. 31-2975493

FORM 68
Notice of Bankruptcy, First Meeting of Creditors
(Subsection 102(1) of the Act)

Original Amended

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario

Take notice that:

1. 10452424 Canada Inc. filed an assignment on the 15th day of August 2023 and the undersigned, MNP Ltd., was appointed as trustee of the estate of the bankrupt by the official; subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.
2. The first meeting of creditors of the bankrupt will be held on the 5th day of September 2023 at 11:00 AM via MS Teams Link: <https://shorturl.at/gxJOX>, Video Conference ID: 116 037 296 2, Toll free:(877) 252-9279; Phone Conference ID:877 660 251#.
3. To be entitled to vote at the meeting, a creditor must file with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice are a proof of claim form, proxy form and list of creditors with claims amounting to \$25 or more showing the amounts of their claims.
5. Creditors must prove their claims against the estate of the bankrupt to share in any distribution of the proceeds realized from the estate.

Dated at the City of Toronto in the Province of Ontario, this 15th day of August 2023.

MNP Ltd. - Licensed Insolvency Trustee



1900 - 1 Adelaide Street East
Toronto ON M5C 2V9
Phone: (416) 596-1711
Fax: (416) 323-5242

District of: Ontario
Division No. 10 - Peterborough
Court No. 31-2975493
Estate No. 31-2975493

FORM 31
Proof of Claim
(Sections 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)

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario

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

In the matter of the bankruptcy of 10452424 Canada Inc. of the City of Peterborough in the Province of Ontario and the claim of _____, creditor.

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

1. That I am a creditor of the above named debtor (or I am _____ (position/title) 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, namely the 15th day of August 2023, 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 claim a right to a priority under section 136 of the Act.

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

(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.)

District of Ontario
Division No. 10 - Peterborough
Court No. 31-2975493
Estate No. 31-2975493

FORM 31 --- Concluded
In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario

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

5. That, to the best of my knowledge, I _____ (am/am not) (or the above-named creditor _____ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and _____ (have/has/have not/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, and 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 Section 2 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

Phone Number: _____
Fax Number : _____
E-mail Address : _____

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.

District of: Ontario
Division No. 10 - Peterborough
Court No. 31-2975493
Estate No. 31-2975493

FORM 36
Proxy
(Subsection 102(2) and paragraphs 51(1)(e) and 66.15(3)(b) of the Act)

In the Matter of the Bankruptcy of
10452424 Canada Inc.
of the City of Peterborough
in the Province of Ontario

I, _____, of _____, a creditor in the above matter, hereby
appoint _____, of _____, to be
my proxyholder in the above matter, except as to the receipt of dividends, _____ (with or without)
power to appoint another proxyholder in his or her place.

Dated at _____, this _____ day of _____, _____.

Witness

Individual Creditor

Witness

Name of Corporate Creditor

Per _____
Name and Title of Signing Officer

Return To:

MNP Ltd. - Licensed Insolvency Trustee

1900 - 1 Adelaide Street East
Toronto ON M5C 2V9
Fax: (416) 323-5242

CHECKLIST FOR PROOF OF CLAIM

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

GENERAL

- The signature of a witness is required.
- The document must be signed by the individual completing the declaration.
- Provide the complete address where all notices or correspondence are to be forwarded along with your phone number, fax number and email address where appropriate.

Notes:

- It is permissible to file a proof of claim by fax or by other electronic means.
- 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.
- Quorum is established at a meeting of creditors by at least one creditor with a valid proof of claim being in attendance in person, or by any other mode of communication, subject to: the practicability and technological capability of the participants, creditors' preference to attend in person, and the chair's ability to validate the identity of participating creditors, or by proxy.
- A corporation may vote by 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 the individual, company or firm.
- If the individual completing the proof of claim is a representative of the creditor, the individual's position or title must be identified.

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 marked “Schedule A” and must show the date, number and amount of all invoices or charges, together with the date, number and amount of all credits or payments. The amount on the statement of account must correspond to the amount indicated on the proof of claim.

PARAGRAPH 4

Notes:

- 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);
 - (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.

- PROXYHOLDER -

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.