

CANADA  
District of ONTARIO  
Division of 09-Toronto  
Court No.: 31-2941791  
Estate No.: 31-2941791

**AFFIDAVIT OF MAILING**

**IN THE MATTER OF THE BANKRUPTCY OF  
1883686 ONTARIO INC.  
OF THE CITY OF RICHMOND HILL  
IN THE PROVINCE OF ONTARIO**


I, Chahna Nathwani, of the city of Toronto, in the province of Ontario, hereby make oath and say:

That on the 9<sup>th</sup> day of May 2023, I did cause to be mailed by prepaid, ordinary mail to the creditors of the above-named Debtor, whose names and addresses appear on the paper-writing marked as Exhibit "A", attached hereto, a copy of the Notice of Bankruptcy and First Meeting of Creditors (the "**Notice**"), marked as Exhibit "B", Cover Letter, a copy of the Statement of Affairs, Proof of Claim and Proxy in blank, and Checklist for Proof of Claim (collectively the "**Bankruptcy Package**") marked as Exhibit "C", attached hereto.

And on the same day, I did also cause to be mailed to the officer of the bankrupt corporation by prepaid ordinary mail a copy of the Notice to Bankrupt of the meeting of creditors (the "**Notice to Bankrupt**") and Bankruptcy Package, marked as Exhibit "D" attached hereto.

And on the same day, I did also cause to electronically file the Notice and the Notice to Bankrupt with the Office of the Superintendent of Bankruptcy. Copies of confirmations of the filing are marked as Exhibit "E" attached hereto.

SWORN BEFORE ME in the City of Toronto  
In the Province of Ontario, on this 23<sup>rd</sup> day of  
May 2023

  
\_\_\_\_\_  
Commissioner for Taking Affidavits

**Matthew Erlo Lem, a Commissioner, etc.,**  
Province of Ontario, for MNP Ltd. and MNP LLP,  
Expires February 21, 2026.

)  
)  
)  
)  
)  
)  
\_\_\_\_\_  
Chahna Nathwani

Attached is Exhibit "A"

Referred to in the

AFFIDAVIT OF CHAHNA NATHWANI

Sworn before me in the City of Toronto, in the Province of Ontario

This 23<sup>rd</sup> day of May, 2023

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by 'h' and 'a', written over a horizontal line.

Commissioner for taking Affidavits, etc.

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## *Creditor Mailing List*

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario

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| Creditor Type | Name                                 | Attention          | Address   |
|---------------|--------------------------------------|--------------------|---|
| Director      | Sam D'Uva                            |                    | 16 Langdon Drive<br>Toronto ON L7B 1C9  |
| Preferred     | Emshih Developments Inc.             |                    | Landlord - 380 Brant St<br>895 Brant St. Suite 7<br>Burlington ON L7R 2J6   |
| Secured       | TD Canada Trust                      | Michael Kestenberg | HASCAP Loan<br>C/O Kestenberg Litigation 1600-2300<br>Yonge St<br>Toronto ON M4P 1E4  |
| Unsecured     | CRA - Tax - Ontario                  |                    | 839753845 RP0001, RC0001, RT0001<br>Shawinigan-Sud National Verification and<br>Collection Centre<br>4695 Shawinigan-Sud Blvd<br>Shawinigan-Sud QC G9P 5H9<br>Fax: (833) 697-2390 |
|               | D'uva Suppa Corp                     |                    | 16 Langdon Drive<br>Scarborough ON L7B 1C9  |
|               | Guild Inn Management Inc.            |                    | 201 Guildwood Parkway<br>Toronto ON M1E 1P5   |
|               | TD Canada Trust                      | Michael Kestenberg | HASCAP Loan<br>C/O Kestenberg Litigation 1600-2300<br>Yonge St<br>Toronto ON M4P 1E4  |
|               | TD Canada Trust                      | Michael Kestenberg | CEBA<br>C/O Kestenberg Litigation 1600-2300<br>Yonge St<br>Toronto ON M4P 1E4   |
|               | Workplace Safety and Insurance Board | Eric Kupka         | 200 Front St W, 22nd Floor<br>Toronto ON M5V 3J1<br>Fax: (416) 344-3160<br>employeraccounts@wsib.on.ca  |

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Attached is Exhibit "B"

Referred to in the

AFFIDAVIT OF CHAHNA NATHWANI

Sworn before me in the City of Toronto, in the Province of Ontario

This 23<sup>rd</sup> day of May, 2023

A handwritten signature in blue ink, consisting of a stylized 'A' followed by 'N' and 'W', is written over a horizontal line.

Commissioner for taking Affidavits, etc.

District of: Ontario  
Division 09 - Toronto  
Court No. 31-2941791  
Estate No. 31-2941791

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

Original  Amended


In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario

Take notice that:

1. 1883686 Ontario Inc. filed an assignment on the 8th day of May 2023 and the undersigned, MNP Ltd., was appointed as trustee of the estate of the bankrupt by the official receiver; 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 24th day of May 2023 at 11:00 AM at MS Teams - Video and / or Telephone Conference Call (877) 252-9279 (Toll-free in Canada), Audio Conference ID: 488535701#.
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 8th day of May 2023.

MNP Ltd. - Licensed Insolvency Trustee



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

Attached is Exhibit "C"

Referred to in the

AFFIDAVIT OF CHAHNA NATHWANI

Sworn before me in the City of Toronto, in the Province of Ontario

This 23<sup>rd</sup> day of May, 2023

A handwritten signature in blue ink, appearing to be 'A. L.', is written over a horizontal line.

Commissioner for taking Affidavits, etc.

May 9, 2023

**To: The Creditors of 1883686 Ontario Inc.**

**Re: The First Meeting of Creditors for the Estate of 1883686 Ontario Inc. o/a Wendel Clark's Classic Grill & Bar (Burlington)**

On May 5, 2023, 1883686 Ontario Inc. (the "**Bankrupt**") filed an assignment in bankruptcy, which was accepted by the Office of the Superintendent of Bankruptcy Canada and became effective on May 8, 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 purpose of the FMOC is to:

- Consider the affairs of the Bankrupt;
- Affirm the appointment of the Trustee;
- Appoint inspectors of the estate of the Bankrupt; and
- Give such direction to the Trustee as the creditors may see fit with reference to the administration of the estate.

Please find enclosed the following:

1. The Notice of Bankruptcy, First Meeting of Creditors (Form 68) (the "**Notice**");
2. The Company's Statement of Affairs (Form 78) (the "**SOA**"), virtually sworn on May 5, 2023, which details the Company's assets and liabilities and the list of creditors related thereto;
3. A blank Proof of Claim form (Form 31) ("**PoC**") in order to submit/file a claim in the estate to be able to vote at the FMOC and/or to be entitled to receive dividend distribution(s), if any, issued from the estate;
4. A blank proxy form (Form 36) ("**Proxy**") in order to appoint an individual/a person to be your representative at the FMOC if you are an incorporated business or if you are an individual/a person and are unable to attend yourself; and
5. Instructions for completing the PoC.

The Trustee is maintaining a website for these proceedings, which will be updated to include notices, reports, Court documents, and other publicly available documents, as appropriate. The website can be found at: <https://mnpdebt.ca/en/corporate/corporate-engagements/1883686-ontario-inc>

As noted in the Notice, the FMOC is being held **virtually** on **Wednesday, May 24, 2023, at 11:00 AM (Toronto time) via Microsoft Teams**. It is not mandatory to attend the FMOC, but should you wish to attend/join the meeting, please review the following procedures:

## **Meeting Details**

### **Microsoft Teams App or Web Browser (video conference):**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YilmMjU0NTctMzllYy00MTA0LWJkMDAtYTFhNjQ3ZGJINDI2%40thread.v2/0?context=%7b%22Tid%22%3a%22cb3b0d1e-24fb-4847-ba48-2f5e7c2b9b23%22%2c%22Oid%22%3a%223827c590-7b10-4cf2-add0-c5f88a9b1b7a%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YilmMjU0NTctMzllYy00MTA0LWJkMDAtYTFhNjQ3ZGJINDI2%40thread.v2/0?context=%7b%22Tid%22%3a%22cb3b0d1e-24fb-4847-ba48-2f5e7c2b9b23%22%2c%22Oid%22%3a%223827c590-7b10-4cf2-add0-c5f88a9b1b7a%22%7d)

or

<https://shorturl.at/aglMT>

### **Telephone (audio only):**

Dial-in number (Toll-free Canada) – (877) 252-9279

Phone Conference ID: 488 535 701#

## **Requirements Prior to FMOc**

To be entitled to vote at the FMOc, you must file/submit to the Trustee your PoC with supporting documentation and having it admitted/accepted by the Trustee prior to the FMOc (plus your completed Proxy, if you are an incorporated business).


The Trustee encourages creditors to file/submit their PoC by no later than 5:00 PM (Toronto time) on May 23, 2023, in order to permit a reasonable review period by the Trustee. For creditors who wish to attend the FMOc but file/submit their PoC after this time and up to the appointed time of the meeting, the Trustee will use its best efforts to review and admit/accept same. Any creditor whose PoC is received by the Trustee after the appointed time of the meeting or has not provided a completed Proxy (if necessary), can still attend the meeting but may not be entitled to vote.

## **Registration**

The Trustee will open the virtual meeting thirty (30) minutes in advance of the appointed meeting time. We encourage all creditors attending to enter the virtual meeting earlier than the appointed time to permit registration and attendance to be completed.

Attendees will be acknowledged and registered on a “first come first serve” basis. We ask for the purpose of registration and recording your attendance you follow the below procedures:

If attending by **video conference**:

1. Click on the Chat button  ;
2. The Meeting Chat window will open to the right of the main screen;
3. In the Meeting Chat window please enter in the “Type a new message” box the following:
  - i. Identify yourself by the creditor number beside your creditor name listed in the Statement of Affairs (Form 78), which is attached;
  - ii. Identify the names of all of the individuals attending with you and their capacity in attending (e.g., legal counsel);
  - iii. Identify the amount you have claimed as per the PoC you filed; and



- iv. Whether you want your name to stand as a potential inspector of the estate of the Bankrupt.

If attending by **telephone/audio only**:

1. When solicited by the Trustee, you provide the following details:
  - i. Identify yourself by the creditor number beside your creditor name listed in the Statement of Affairs (Form 78), which is attached;
  - ii. Identify the names of all of the individuals attending with you and their capacity in attending (e.g., legal counsel);
  - iii. Identify the amount you have claimed as per the PoC you filed; and
  - iv. Whether you want your name to stand as a potential inspector of the estate of the Bankrupt.

Please note that the meeting may be recorded.

If you have any questions or for submitting the proof of claim with Schedule A, please contact Chahna Nathwani at (647) 475-8331 or at [Chahna.Nathwani@mnp.ca](mailto:Chahna.Nathwani@mnp.ca).

**MNP LTD.,**

In its capacity as a Licensed Insolvency Trustee

In the Bankruptcy of 1883686 Ontario Inc

and not in its personal capacity

Per:



Matthew Lem, CIRP

Licensed Insolvency Trustee

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  
 1883686 Ontario Inc.  
 of the City of Toronto  
 in the Province of Ontario


To the bankrupt:

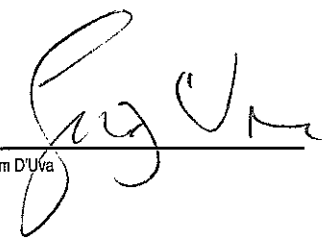
You are required to carefully and accurately complete this form and the applicable attachments showing the state of your affairs on the date of the bankruptcy, on the 5th day of May 2023. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration.

| LIABILITIES<br>(as stated and estimated by the officer)          |              | ASSETS<br>(as stated and estimated by the officer)               |              |
|--|--------------|--|--------------|
| 1. Unsecured creditors as per list "A" .....                     | 776,404.49   | 1. Inventory .....   | 0.00         |
| Balance of secured claims as per list "B" .....                  | 469,604.89   | 2. Trade fixtures, etc. ....                                     | 0.00         |
| Total unsecured creditors .....                                  | 1,246,209.38 | 3. Accounts receivable and other receivables, as per list "E"    |              |
|  |              | Good .....   | 0.00         |
| 2. Secured creditors as per list "B" .....                       | 18,527.00    | Doubtful .....   | 0.00         |
| 3. Preferred creditors as per list "C" .....                     | 5,064.00     | Bad .....  | 0.00         |
| 4. Contingent, trust claims or other liabilities as per list "D" |              | Estimated to produce .....                                       | 0.00         |
| estimated to be reclaimable for .....                            | 0.00         | 4. Bills of exchange, promissory note, etc., as per list "F" ... | 0.00         |
| Total liabilities .....  | 1,269,800.38 | 5. Deposits in financial institutions .....                      | 1,257.75     |
| Surplus .....  | NIL          | 6. Cash .....  | 16,269.25    |
|  |              | 7. Livestock .....   | 0.00         |
|  |              | 8. Machinery, equipment and plant .....                          | 1,000.00     |
|  |              | 9. Real property or immovable as per list "G" .....              | 0.00         |
|  |              | 10. Furniture .....  | 0.00         |
|  |              | 11. RRSPs, RRFs, 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 .....   | 18,527.00    |
|  |              | Deficiency .....   | 1,251,273.38 |

I, Sam D'Uva, of the City of Toronto 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 5th 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 Sam D'Uva stated as being located in the City of Toronto in the Province of Ontario before me at the City of Mississauga in the Province of Ontario, on this 5th day of May 2023 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.

  
 Matthew Lem, Commissioner of Oaths  
 For the Province of Ontario  
 MNP Ltd.  
 Expires February 21, 2026

  
 Sam D'Uva

Matthew Eric Lem, a Commissioner, etc.,  
 Province of Ontario, for MNP Ltd. and MNP LLP.  
 Expires February 21, 2026.

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

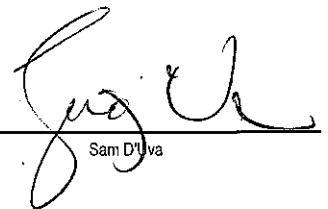
FORM 78 – Continued

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario  
List "A"  
Unsecured Creditors  
1883686 Ontario Inc.

| No.           | Name of creditor   | Address  | Unsecured claim   | Balance of claim  | Total claim         |
|---------------|--|--|-------------------|-------------------|---------------------|
| 1             | CRA - Tax - Ontario<br>839753845 RP0001, RC0001, RT0001    | Shawinigan-Sud National Verification and Collection<br>Centre<br>4695 Shawinigan-Sud Blvd<br>Shawinigan-Sud QC G9P 5H9 | 1.00              | 0.00              | 1.00                |
| 2             | D'uva Suppa Corp   | 16 Langdon Drive<br>Scarborough ON L7B 1C9   | 619,380.00        | 0.00              | 619,380.00          |
| 3             | Guild Inn Management Inc.                                  | 201 Guildwood Parkway<br>Toronto ON M1E 1P5  | 97,022.49         | 0.00              | 97,022.49           |
| 4             | TD Canada Trust<br>Attn: Michael Kestenberg<br>CEBA        | C/O Kestenberg Litigation 1600-2300 Yonge St<br>Toronto ON M4P 1E4   | 60,000.00         | 0.00              | 60,000.00           |
| 5             | TD Canada Trust<br>Attn: Michael Kestenberg<br>HASCAP Loan | C/O Kestenberg Litigation 1600-2300 Yonge St<br>Toronto ON M4P 1E4   | 0.00              | 469,804.89        | 469,804.89          |
| 6             | Workplace Safety and Insurance Board<br>Attn: Eric Kupka   | 200 Front St W, 22nd Floor<br>Toronto ON M5V 3J1   | 1.00              | 0.00              | 1.00                |
| <b>Total:</b> |  |  | <b>776,404.49</b> | <b>469,804.89</b> | <b>1,246,209.38</b> |

05-May-2023

Date

  
Sam D'uva

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

FORM 78 – Continued

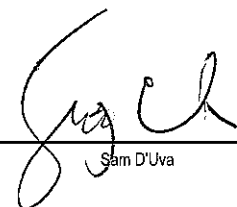
In the Matter of the Bankruptcy of  
 1883686 Ontario Inc.  
 of the City of Toronto  
 in the Province of Ontario  
 List "B"  
 Secured Creditors

1883686 Ontario 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  |
|---------------|--|---|-------------------|---|--|---|---------------------------------|-------------------|
| 1             | TD Canada Trust<br>Attn: Michael Kestenberg<br>HASCAP Loan | C/O Kestenberg Litigation<br>1600-2300 Yonge St<br>Toronto ON M4P 1E4 | 488,331.89        | Cash on Hand -<br>Funds held in a trust<br>account<br>Cash in Bank -<br>1482 xxxxx1 - TD<br>Bank<br>Cash on Hand - Petty Cash<br>Business Assets - Machinery<br>- Various | 04-May-2023<br><br>04-May-2023<br><br>04-May-2023<br><br>04-May-2023 | 15,243.57<br><br>1,257.75<br><br>1,025.68<br><br>1,000.00 |                                 | 469,804.89        |
| <b>Total:</b> |  |   | <b>488,331.89</b> |   |  | <b>18,527.00</b>  | <b>0.00</b>                     | <b>469,804.89</b> |

05-May-2023

Date



Sam D'Uva

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario  
List "C"  
Preferred Creditors for Wages, Rent, etc.

1883686 Ontario 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 |
|---------------|---|--|-----------------|-----------------------------------|-----------------|------------------------|---------------------------------|
| 1             | Emshih Developments Inc.<br>Landlord - 380 Brant St | 895 Brant St. Suite 7<br>Burlington ON L7R 2J6 |                 | -                                 | 5,064.00        | 0.00                   | 5,064.00                        |
| <b>Total:</b> |   |  |                 |                                   | <b>5,064.00</b> | <b>0.00</b>            | <b>5,064.00</b>                 |

05-May-2023

Date

  
Sam D'Uva

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario  
List "D"  
Contingent or Other Liabilities

1883686 Ontario 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                                 |                              |                     |

05-May-2023

Date



Sam D'Uva

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

FORM 78 - Continued

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario  
List "E"  
Debts Due to the Bankrupt  
1883686 Ontario 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 |
|-----|----------------|------------------------|----------------|--------------------------------------|--|-----------------|----------------------|---|
|     |                |                        |                | 0.00                                 |  |                 |                      |   |
|     |                |                        | Total:         | 0.00                                 |  |                 | 0.00                 |   |
|     |                |                        |                | 0.00                                 |  |                 |                      |   |

05-May-2023

Date

  
Sam D'Uva

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario  
List "F"

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

1883686 Ontario 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                 |  |

05-May-2023

Date

  
Sam D'Uva



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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario  
List "G"  
Real Property or Immovables Owned by Bankrupt  
1883686 Ontario 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              |

05-May-2023

Date

  
Sam D'Uva

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

FORM 78 -- Concluded

In the Matter of the Bankruptcy of  
 1883686 Ontario Inc.  
 of the City of Toronto  
 in the Province of Ontario  
 List "H"  
 Property

1883686 Ontario Inc.

FULL STATEMENT OF PROPERTY

| Nature of property                       | Location  | Details of property                           | Original cost         | Estimated to produce  |
|--|---|---|-----------------------|-----------------------|
| (a) Stock-in-trade                       |   |   | 0.00                  | 0.00                  |
| (b) Trade fixtures, etc.                 |   |   | 0.00                  | 0.00                  |
| (c) Cash in financial institutions       | TD Bank<br>2300 Steels Ave. W., Suite 100<br>Vaughan ON L4K 5X6 | 1482 xxxxx1                                   | 1,257.75              | 1,257.75              |
| (d) Cash on hand                         |   | Cash on hand<br>Funds held in a trust account | 1,025.68<br>15,243.57 | 1,025.68<br>15,243.57 |
| (e) Livestock                            |   |   | 0.00                  | 0.00                  |
| (f) Machinery, equipment and plant       |   | Various                                       | 579,578.05            | 1,000.00              |
| (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                  |
|  |   |   | <b>Total:</b>         | <b>18,527.00</b>      |

05-May-2023

Date

  
 Sam D'Uva

Court No.

File No.

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In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario

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

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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. 09 - Toronto  
Court No. 31-2941791  
Estate No. 31-2941791

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  
1883686 Ontario Inc.  
of the City of Toronto  
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 1883686 Ontario Inc. of the City of Toronto 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 8th day of May 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. 09 - Toronto  
Court No. 31-2941791  
Estate No. 31-2941791

FORM 31 --- Concluded  
In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
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. 09 - Toronto  
Court No. 31-2941791  
Estate No. 31-2941791

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  
1883686 Ontario Inc.  
of the City of Toronto  
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.

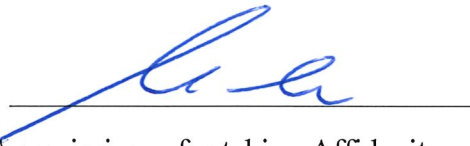
Attached is Exhibit "D"

Referred to in the

AFFIDAVIT OF CHAHNA NATHWANI

Sworn before me in the City of Toronto, in the Province of Ontario

This 23<sup>rd</sup> day of May, 2023

A handwritten signature in blue ink, appearing to be 'C. A.', is written over a horizontal line.

Commissioner for taking Affidavits, etc.

Sam D'Uva  
16 Langdon Drive  
Toronto ON L7B 1C9

District of: Ontario  
Division 09 - Toronto  
Court No. 31-2941791  
Estate No. 31-2941791

FORM 66  
Notice to officer of bankrupt corporation of meeting of creditors  
(subsection 102(1) or paragraph 155(d.1) of the Act)

In the Matter of the Bankruptcy of  
1883686 Ontario Inc.  
of the City of Toronto  
in the Province of Ontario

To: Sam D'Uva, Officer

Take notice that a meeting of your creditors will be held on 24th day of May 2023 at 11:00 AM at MS Teams - Video and / or Telephone Conference Call (877) 252-9279 (Toll-free in Canada), Audio Conference ID: 488535701# and that you are required to attend and to give any information that may be required.

And further take notice that if, without reasonable cause, you fail to comply with the requirements of this notice you are guilty of an offence under the Act and liable to imprisonment for a term not exceeding 3 years.

Dated at the City of Toronto in the Province of Ontario, this 8th day of May 2023.

MNP Ltd. - Licensed Insolvency Trustee



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

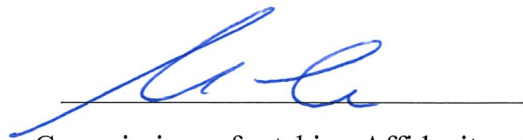
Attached is Exhibit "E"

Referred to in the

AFFIDAVIT OF CHAHNA NATHWANI

Sworn before me in the City of Toronto, in the Province of Ontario

This 23<sup>rd</sup> day of May, 2023

A handwritten signature in blue ink, appearing to be 'A. C.', is written over a horizontal line.

Commissioner for taking Affidavits, etc.



# Update filing - update is confirmed

Welcome [Chahna, Nathwani](#) | [Preferences](#) | [E-Filing helpdesk](#) | [Instructions](#) | [Logout](#)

## Estate Information

Please Note: The following estate(s) were updated:

- **Estate Number:** 31-2941791
- **Estate Name:** 1883686 Ontario Inc.

## Document(s) submitted

The following document(s) have been successfully submitted

- Form 66: Notice to Bankrupt of Meeting of Creditors
- Form 68: Notice of Bankruptcy, First Meeting of Creditors

## Reference

- The Reference Number for this transaction is: **20957040**.
- Submitted by Chahna Nathwani.
- 2023-05-09 17:22 EDT

[Submit another document for this estate.](#)

If you would like to submit a document against a different estate, please click on the **Update** link in the left hand side menu.