

May 3, 2024

To The Creditors of 793085 Alberta Ltd. o/a the 49th Street Grill (the “Company”)

Re: First Meeting of Creditors

On May 1, 2024, the Company made an assignment in bankruptcy and MNP Ltd. was appointed as the Licensed Insolvency Trustee (the “Trustee”) of the bankrupt estate subject to affirmation at the first meeting of creditors (the “FMOOC”). The FMOOC is being held on May 17, 2024, at 10:00 a.m.

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/793085-alberta-ltd>.

In addition, attached for your information are the following documents:

1. Notice of bankruptcy and FMOOC;
2. Statement of affairs;
3. Proof of claim/ proxy and related instructions.

It is not mandatory to attend the FMOOC. Creditors can file proofs of claim with the Trustee's office electronically at the following email address: Temitope.muraina@mnp.ca.

The FMOOC will be convened only by Microsoft Teams. The link to join the FMOOC is <https://tinyurl.com/49th-Street-Grill-FMOOC> (Meeting ID: 287270183315 / Passcode: APcD5E). Call in details are also provided below.

Should you wish to attend the FMOOC, please review the following procedures:

Additional Meeting Details

1. Date: May 17, 2024
2. Time: 10:00 a.m. Mountain Time
3. Call in Details: (877) 252-9279
4. Conference Code: 444 624 504#

Requirements Prior to FMOOC

1. Should you wish to file a proof of claim/ proxy prior to the FMOOC, please do so no later than 12:00 p.m. Mountain Time on May 16, 2024, to permit reasonable time for review by the Trustee. The Trustee will use its best efforts to review and register proof of claim forms and proxies for the FMOOC that are filed after this time.

2. Filing a proof of claim/ proxy and having it admitted by the Trustee prior to the FMOC permits creditors to vote at the FMOC. Matters that are typically voted upon at the FMOC include affirmation or substitution of the Trustee and the appointment of inspectors (creditor representatives).

Registration

1. The Trustee will open the conference line 15 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) Identify yourself by the creditor number listed beside your name in the Form 78 statement of affairs, a copy of which is attached;
 - b) Identify any additional individuals attending with you;
 - c) Confirm the amount of your claim;
 - d) Confirm any proxies that you may hold for other creditors; and
 - e) Confirm whether you want your name to stand as a potential inspector to the estate (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 Temitope Muraina directly at (403) 537-8393 or at Temitope.muraina@mnp.ca.

MNP Ltd.

In its capacity as Licensed Insolvency Trustee
In the Bankruptcy of 793085 Alberta Ltd.
and not in its personal capacity



Per: Vanessa Allen, CIRP, LIT
Senior Vice President

District of: Alberta
Division No. 01 - Edmonton
Court No. 24-3075406
Estate No. 24-3075406

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

Original Amended

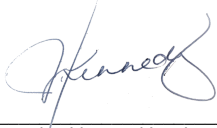
In the Matter of the Bankruptcy of
793085 Alberta Ltd.
of the town of Athabasca, in the Province of Alberta

Take notice that:

1. 793085 Alberta Ltd. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against 793085 Alberta Ltd.) on the 1st day of May 2024 and the undersigned, MNP Ltd., was appointed as trustee of the estate of the bankrupt by the official receiver (or the Court); 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 17th day of May 2024 at 10:00 AM at Virtual Meeting or Meeting ID: 287 270 183 315 Passcode: APcD5E, (877) 252-9279 Phone conference ID: 444 624 504#.
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 Calgary in the Province of Alberta, this 3rd day of May 2024.

MNP Ltd. - Licensed Insolvency Trustee
Per:



Julie Kennedy - Licensed Insolvency Trustee
2000, 112 - 4 Avenue SW
Calgary AB T2P 0H3
Phone: (403) 538-3187 Fax: (403) 537-8437

District of: Alberta
 Division No. 01 - Edmonton
 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
 793085 Alberta Ltd.
 of the town of Athabasca, in the Province of Alberta

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 30th day of April 2024. 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"	71,789.19	1. Inventory	0.00
Balance of secured claims as per list "B"	380,739.67	2. Trade fixtures, etc.	0.00
Total unsecured creditors	452,528.86	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B"	420,000.00	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" estimated to be reclaimable for	0.00	Bad	0.00
Total liabilities	872,528.86	Estimated to produce	0.00
Surplus	NIL	4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
		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"	400,000.00
		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"	20,000.00
		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	420,000.00
		Deficiency	452,528.86

I, Shauna Milner, of the city of Athabasca 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 30th day of April 2024 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 Shauna Milner stated as being located in the town of Athabasca in the Province of Alberta before me at the city of Calgary in the Province of Alberta, on this 29th day of April 2024 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.

e-Signed by Temi Muraina
 2024-04-30 15:50:22:22 MDT

e-Signed by Shauna Milner
 2024-04-30 15:49:02:02 MDT

Temi Muraina, Commissioner of Oaths
 For the Province of Alberta
 Expires February 13, 2026

Shauna Milner

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
 793085 Alberta Ltd.
 of the town of Athabasca, in the Province of Alberta
 List "A"
 Unsecured Creditors
 793085 Alberta Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Alberta Blue Cross	10009 - 108 Street NW Edmonton AB T5J 3C5	3,491.83	0.00	3,491.83
2	Alberta Treasury Board & Finance Attn: Hazel Trombley	9811 - 109 Street Edmonton AB T5K 2L5	1.00	0.00	1.00
3	Apex Utilities Inc.	5509 - 45 Street Leduc AB T9E 6T6	1,221.72	0.00	1,221.72
4	Athabasca Home Hardware	5102 - 43 Street Athabasca AB T9S 1M1	366.63	0.00	366.63
5	Athabasca Landing Business Services	4915 - 53 Street Athabasca AB T9S 1L1	528.73	0.00	528.73
6	Athabasca Regional Waste Management	Box 90 Athabasca AB T9S 2A2	1,282.95	0.00	1,282.95
7	Athabasca Value Drug Mart	4911 - 50 Street Athabasca AB T9S 1E1	1,852.95	0.00	1,852.95
8	Bell TV	PO Box 3017, Station Terminal Vancouver BC V6B 6L1	1.00	0.00	1.00
9	Buy Low Foods	4919 - 48 Street Athabasca AB T9S 1B9	1.00	0.00	1.00
10	CIBC c/o Gowling WLG (Canada) LLP Attn: Mr. Eric Rockefeller	793085 Alberta Ltd. c/o Gowling WLG (Canada) LLP, One Main Street West Hamilton ON L8P 4Z5	0.00	130,161.24	130,161.24
11	CRA - Tax - Prairies 88918 7225 RP0001	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	0.00	250,577.43	250,577.43
12	CRA - Tax - Prairies 88918 7225 RT0001	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	19,760.04	0.00	19,760.04
13	Ecolab Co.	Lockbox 917130, PO Box 2090 STN A Toronto ON M5W 0E9	5,525.34	0.00	5,525.34
14	Entandem	1235 Bay Street, Suite 900 Toronto ON M5R 3K4	138.13	0.00	138.13
15	Epcor	PO Box 500 Edmonton AB T5J 3Y3	9,178.40	0.00	9,178.40
16	Estate of Donna Burger Attn: Ryan Quinlan	c/o Duncan Craig LLP 10060 Jasper Ave Edmonton AB T5J 3V9	1.00	0.00	1.00
17	Gordon Food Service Canada Ltd.	Edmonton Division, 13511 - 163 Street NW Edmonton AB T5V 0B5	18,136.45	0.00	18,136.45
18	Great West Media	Box 263, St. Albert St. Albert AB T8N 1N3	21.00	0.00	21.00
19	Landing Liquor Store	4921 - 50 Street Athabasca AB T9S 1E1	1,700.08	0.00	1,700.08
20	Merchant Growth	171 Water St #200 Vancouver AB V6B 1A7	1.00	0.00	1.00

e-Signed by Shauna Milner
 2024-04-30 15:49:09:09 MDT

30-Apr-2024

Date

Shauna Milner

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
 793085 Alberta Ltd.
 of the town of Athabasca, in the Province of Alberta
 List "A"
 Unsecured Creditors
 793085 Alberta Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
21	Merchant Opportunities Fund Limited Partnership	658-1500 West Georgia Street Vancouver BC V6G 2Z6	0.00	1.00	1.00
22	Pegasus Edmonton	2004 - 80 Avenue Edmonton AB T6P 1N2	3,046.12	0.00	3,046.12
23	Stillman LLP Barristers and Solicitors	100, 17420 Stony Plain Road NW Edmonton AB T5S 1K6	392.30	0.00	392.30
24	Sysco Edmonton	26210 Township Road 531 A Edmonton AB T7X 5A4	1,190.67	0.00	1,190.67
25	Telus Communications	PO Box 7575 Vancouver BC V6B 8N9	547.93	0.00	547.93
26	Telus Mobility	PO Box 8950, Stn Terminal Vancouver BC V6B 3C3	1.00	0.00	1.00
27	Town of Athabasca	4705 - 49 Avenue Athabasca AB T9S 1B7	577.35	0.00	577.35
28	Westkey Graphics	8315 Riverbend Court Burnaby BC V3N 5E7	1,493.10	0.00	1,493.10
29	Workers' Compensation Board	9912 - 107 Street NW Edmonton AB T5K 1G5	1,331.47	0.00	1,331.47
Total:			71,789.19	380,739.67	452,528.86

30-Apr-2024

Date

e-Signed by Shauna Milner
 2024-04-30 15:49:12:12 MDT

Shauna Milner

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
 793085 Alberta Ltd.
 of the town of Athabasca, in the Province of Alberta
 List "B"
 Secured Creditors

793085 Alberta Ltd.

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	CIBC c/o Gowling WLG (Canada) LLP Attn: Mr. Eric Rockefeller	793085 Alberta Ltd. c/o Gowling WLG (Canada) LLP, One Main Street West Hamilton ON L8P 4Z5	530,161.24	Real Property or Immovable - Building - Athabasca - 4901 49th Street Other - Restaurant furniture and equipment	30-Apr-2024 30-Apr-2024	400,000.00 0.00		130,161.24
2	CRA - Tax - Prairies 88918 7225 RP0001	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	270,577.43	Other - Restaurant furniture and equipment	30-Apr-2024	20,000.00		250,577.43
3	Merchant Opportunities Fund Limited Partnership	658-1500 West Georgia Street Vancouver BC V6G 2Z6	1.00	Other - Restaurant furniture and equipment	30-Apr-2024	0.00		1.00
Total:			800,739.67			420,000.00	0.00	380,739.67

30-Apr-2024

Date

e-Signed by Shauna Milner
 2024-04-30 15:49:15:15 MDT

Shauna Milner

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
793085 Alberta Ltd.
of the town of Athabasca, in the Province of Alberta
List "C"
Preferred Creditors for Wages, Rent, etc.

793085 Alberta Ltd.

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

30-Apr-2024

Date

e-Signed by Shauna Milner
2024-04-30 15:49:19 MDT

Shauna Milner

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
793085 Alberta Ltd.
of the town of Athabasca, in the Province of Alberta
List "D"
Contingent or Other Liabilities

793085 Alberta Ltd.

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	

30-Apr-2024

Date

e-Signed by Shauna Milner
2024-04-30 15:49:22:22 MDT

Shauna Milner

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
793085 Alberta Ltd.
of the town of Athabasca, in the Province of Alberta
List "E"
Debts Due to the Bankrupt
793085 Alberta Ltd.

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				

30-Apr-2024

Date

e-Signed by Shauna Milner
2024-04-30 15:49:25:25 MDT

Shauna Milner

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
793085 Alberta Ltd.
of the town of Athabasca, in the Province of Alberta
List "F"

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

793085 Alberta Ltd.

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	

30-Apr-2024

Date

e-Signed by Shauna Milner
2024-04-30 15:49:30:30 MDT

Shauna Milner

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
 793085 Alberta Ltd.
 of the town of Athabasca, in the Province of Alberta
 List "G"
 Real Property or Immovables Owned by Bankrupt
 793085 Alberta Ltd.

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
Building - Athabasca - 4901 49th Street	Owner of Subject Lands	793085 Alberta Ltd.	400,000.00	CIBC c/o Gowling WLG (Canada) LLP Attn: Mr. Eric Rockefeller 793085 Alberta Ltd. c/o Gowling WLG (Canada) LLP, One Main Street West Hamilton ON L8P 4Z5 530,161.24	0.00
Total:			400,000.00		0.00

30-Apr-2024

Date

e-Signed by Shauna Milner
 2024-04-30 15:49:33:33 MDT

Shauna Milner

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

FORM 78 – Concluded

In the Matter of the Bankruptcy of
 793085 Alberta Ltd.
 of the town of Athabasca, in the Province of Alberta
 List "H"
 Property

793085 Alberta Ltd.

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			0.00	0.00
(d) Cash on hand			0.00	0.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant			0.00	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		Restaurant furniture and equipment	0.00	20,000.00
			Total:	20,000.00

30-Apr-2024

Date

e-Signed by Shauna Milner
 2024-04-30 15:49:37:37 MDT

Shauna Milner

District of: Alberta
Division No. 01 - Edmonton
Court No. 24-3075406
Estate No. 24-3075406

FORM 31 / 36
Proof of Claim / Proxy
In the Matter of the Bankruptcy of
793085 Alberta Ltd.
of the town of Athabasca, in the Province of Alberta

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

In the matter of the bankruptcy of 793085 Alberta Ltd. of the town of Athabasca in the Province of Alberta and the claim of _____, creditor.

I, _____, of the city 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.

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 1st day of May 2024, and still is, indebted to the creditor in the sum of \$ _____, as specified in the statement of account (or affidavit or solemn declaration) 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.)

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

Individual Creditor

Witness

Name of Corporate Creditor

Per _____
Name and Title of Signing Officer

Return To:

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

MNP Ltd. - Licensed Insolvency Trustee
Per:

Vanessa Allen - Licensed Insolvency Trustee
2000, 112 - 4 Avenue SW
Calgary AB T2P 0H3
Fax: (403) 537-8437
E-mail: calgary.insolvency@mnp.ca

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.

CHECKLIST FOR COMPLETING A PROOF OF CLAIM FORM

This checklist is provided to assist you in preparing a complete and accurate Proof of Claim form and, where required, a Proxy. A creditor who does not prove their claim is not entitled to vote or share in any distribution. Please check each requirement.

GENERAL

- The form must be signed by the person completing the Proof of Claim and that person must be an authorized signatory.
- The signature of a witness is required.
- Give the complete address, including postal code, where any notice or correspondence is to be forwarded.
- The amount on the Statement of Account must correspond with the amount indicated on the Proof of Claim.

PARAGRAPH 1

- The creditor must state the full and complete legal name of the company or firm.
- If the individual completing the Proof of Claim is not the creditor himself, he must state his position or title.

PARAGRAPH 3

- A Schedule A or Statement of Account must be attached.
- The Schedule A or Statement of Account must be complete and detailed, showing the date, number and amount of all invoices or charges, together with the date, number and amount of all creditors or payments. A Statement of Account is not complete if it begins with an amount brought forward.
- If the claim is for a guarantee of a debt, a copy of the guarantee must be attached.

PARAGRAPH 4

- An unsecured creditor must strike out sub-paragraphs B, C, D and E.
- A secured creditor must attach proof of registration of the security, including the date on which the security was given and the value at which you assess the security.
- A claim by a farmer, fisherman or aqua culturist must attach a copy of the sales agreement and delivery documents.
- Details of Section 136 are listed below.

PARAGRAPH 5

- All claimants must indicate if they are or are not related to the debtor, as defined in Section 4 of the Bankruptcy and Insolvency Act.

PARAGRAPH 6

- All claimants must attach a detailed list of all payments or credits received or granted as follows:
 - Within the three (3) months preceding the bankruptcy/proposal, in the case where the claimant and debtor are not related;
 - Within the twelve (12) months preceding the bankruptcy/proposal, in the case where the claimant and debtor are related.

PROXY

The *Bankruptcy and Insolvency Act* permits a Proof of Claim to be made by a duly authorized agent of a creditor, however, this does not give such a person power to vote at the First Meeting of Creditors or to act as the proxy of the creditors unless the proxy form is completed by the creditor appointing the authorized agent as proxy.

- A creditor may vote either in person or by proxy.
- The Trustee may be appointed as a proxy for any creditor.
- A Corporation may vote by an authorized agent at a meeting of creditors.
- Debtors may not be appointed a proxy to vote at any meeting of their creditors.
- In order for a duly authorized person to have a right to vote, they must be a creditor themselves or be the holder of a property executed proxy, showing the name of the creditor.

SECTION 136 (Condensed Priority of Claims)

Subject to the rights of secured creditors, the proceeds realized from the property of a bankrupt shall be applied in priority of payment as follows:

- The cost of administration of the estate in the following order:
 - Expenses and fees of the trustee
 - Legal costs
- Wages, salaries, commissions or compensation for services rendered in the six months immediately preceding the date of bankruptcy, to a maximum of \$2,000 per person together with, in the case of a travelling salesman, disbursements incurred by the salesman during this same period to a maximum of \$1,000;
- Alimony, support or maintenance for a spouse or child for periodic amounts accrued in the year before the date of bankruptcy plus any lump sum amount;
- Municipal taxes assessed or levied within the two years immediately preceding the bankruptcy which do not constitute a lien or charge on real property of the bankrupt but this claim is restricted to the interest in the property held by the bankrupt;
- Landlord for rent arrears in the three months immediately preceding the date of bankruptcy and accelerated rent for three months following the bankruptcy if provided for in the lease but this claim is restricted to the realization from the property and any accelerated rent paid by the Trustee must be credited against the amount payable by the Trustee for occupation rent;
- A solicitor's bill of costs, including sheriff's and land registration fees, for the first creditor to attach or execute against the property of the bankrupt but this claim is restricted to the amount realized from the applicable property;
- Claims resulting from injuries to employees of the bankrupt in which the *Workers' Compensation Act* does not apply but this claim is restricted to the amount of moneys received from persons guaranteeing the bankrupt against damages for those claims.

A creditor whose rights are restricted by this section are entitled to rank as an unsecured creditor for any balance remaining on their claim.