

August 27, 2024

**To: Creditors of Amma Custom Fabrication and Railing Inc.**

**Re: ESTATE OF AMMA CUSTOM FABRICATION AND RAILING INC. – FIRST MEETING OF CREDITORS**

On August 23, 2024, Amma Custom Fabrication and Railing Inc. (the “**Bankrupt**”) filed an assignment in bankruptcy, which was accepted by the Office of the Superintendent of Bankruptcy Canada and became effective on August 26, 2024. MNP Ltd. was appointed as Licensed Insolvency Trustee (the “**Trustee**”) of the Bankrupt’s estate subject to creditor affirmation at the First Meeting of Creditors (“**FMOC**”). The FMOC will be held on September 12, 2024, at 1:00 PM Eastern Daylight Time (“**EDT**”) on MS Teams call.

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 Bankrupt’s Statement of Affairs (Form 78), sworn on August 23, 2024, which details the Bankrupt’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 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/amma-custom-fabrication-and-railing-inc>

As noted in the Notice, the FMOC is being held **virtually** on **Thursday, September 12 at 01:00 PM (EDT)** 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://tinyurl.com/Amma-FMOC>

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

Toll-free in Canada: 877-252-9279 /Outside Canada 1 (587) 747-4334

Phone Conference ID: 751 045 818#

## **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 have 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 12:00 PM (EDT) on September 11, 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 ten (10) 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:
  - a. Identify yourself by the creditor number beside your creditor name listed in the Statement of Affairs (Form 78), which is attached;
  - b. Identify the names of all of the individuals attending with you and their capacity in attending (e.g., legal counsel);
  - c. Identify the amount you have claimed as per the PoC you filed; and
  - d. Whether you want your name to stand as a potential inspector of the estate of the Bankrupt

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

When solicited by the Trustee, you provide the following details:

- a. Identify yourself by the creditor number beside your creditor name listed in the statement of Affairs (Form 78), which is attached;
- b. Identify the names of all of the individuals attending with you and their capacity in attending (e.g., legal counsel);
- c. Identify the amount you have claimed as per the PoC you filed; and
- d. Whether you want your name to stand as a potential inspector of the estate of the Bankrupt.

Please note that this meeting may be recorded for meeting minutes purposes.

If you have any questions, please contact Akhil Kapoor at (647)-475-4573 or email at [akhil.kapoor@mnp.ca](mailto:akhil.kapoor@mnp.ca).

**MNP Ltd.**

In its capacity as Licensed Insolvency Trustee  
of the Estate of Amma Custom Fabrication and Railing Inc.  
and not in its personal capacity

Per:



Julie Kennedy, CIRP, LIT  
Vice President

District of: Ontario  
Division No. 09 - Toronto  
Court No. 32-3120376  
Estate No. 32-3120376

\_FORM 68\_  
Notice of Bankruptcy, First Meeting of Creditors  
(Subsection 102(1) of the Act)

Original  Amended

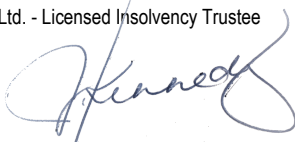
In the Matter of the Bankruptcy of  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
in the Province of Ontario

Take notice that:

1. Amma Custom Fabrication & Railing Inc. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Amma Custom Fabrication & Railing Inc.) on the 23rd day of August 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 12th day of September 2024 at 1:00 PM at Virtual meeting via Microsoft Teams, Toronto, ON or Meeting ID: 294 408 083 352 Passcode: tLhAam, (877) 252-9279 Phone conference ID: 751 045 818#.
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 27th day of August 2024.

MNP Ltd. - Licensed Insolvency Trustee



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1900 - 1 Adelaide Street East  
Toronto ON M5C 2V9  
Phone: (416) 596-1711 Fax: (416) 323-5240

District of: Ontario  
 Division No. 09 - Toronto  
 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  
 Amma Custom Fabrication & Railing Inc.  
 of the City of Brampton  
 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 23rd day of August 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" .....	1. Inventory .....
129,081.92	0.00
Balance of secured claims as per list "B" .....	2. Trade fixtures, etc. ....
1.00	0.00
Total unsecured creditors .....	3. Accounts receivable and other receivables, as per list "E"
129,082.92	Good .....
2. Secured creditors as per list "B" .....	0.00
218,206.43	Doubtful .....
3. Preferred creditors as per list "C" .....	0.00
0.00	Bad .....
4. Contingent, trust claims or other liabilities as per list "D"	0.00
estimated to be reclaimable for .....	Estimated to produce .....
0.00	0.00
Total liabilities .....	4. Bills of exchange, promissory note, etc., as per list "F" ...
347,289.35	0.00
Surplus .....	5. Deposits in financial institutions .....
NIL	0.00
	6. Cash .....
	6,839.45
	7. Livestock .....
	0.00
	8. Machinery, equipment and plant .....
	176,009.00
	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 .....
	81,900.00
	15. Other property, as per list "H" .....
	14,965.00
	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 .....
	279,713.45
	Deficiency .....
	67,575.90

I, Dwarka Nauth Dhari, of the City of Innisfil 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 23rd day of August 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 Dwarka Nauth Dhari stated as being located in the City of Toronto in the Province of Ontario before me at the City of Toronto in the Province of Ontario, on this 23rd day of August 2024 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.

e-Signed by Matthew Lem  
 2024-08-23 09:49:28:28 MDT

e-Signed by Dwarka Dhari  
 2024-08-23 09:49:24:24 MDT

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

Dwarka Nauth Dhari

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
 Amma Custom Fabrication & Railing Inc.  
 of the City of Brampton  
 in the Province of Ontario  
 List "A"  
 Unsecured Creditors

Amma Custom Fabrication & Railing Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Alectra Utilities formerly Horizon Utilities Corporation Attn: Payments and Collections 5081822836	55 John St N, 2nd Fl Hamilton ON L8R 3M8	1.00	0.00	1.00
2	Bell Canada F-88 - Business Attn: Insolvency Department 9057901144(757)	1 Carrefour Alexandre-Graham-Bell, Aile E3 Verdun QC H3E 3B3	1.00	0.00	1.00
3	C&S Associates Inc	PO Box 24101 Cleveland OH 44124	0.00	1.00	1.00
4	CRA - GST/HST - Shawinigan-Sud Attn: Quebec Insolvency Intake Centre 746526490	Shawinigan - Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-sud QC G9P 5H9	16,929.42	0.00	16,929.42
5	Dwarka Dhari	74 Copeland Crescent Cookstown ON L0L 1L0	40,000.00	0.00	40,000.00
6	Enbridge Gas Distribution - Ontario Attn: Back Office Collections Department 910025186993	PO Box 10 Brantford ON N3T 5M4	1.00	0.00	1.00
7	Gregory Dhari Attn: Gregory Dhari	998 Unsworth ave Burlington ON L7T 1R4	30,000.00	0.00	30,000.00
8	MC Machinery Systems Attn: Teresa Positano	85 NW Point Blvd Elk Grove Village IL 60007 USA	2,146.50	0.00	2,146.50
9	Ministry of Finance - ON PST, EHT & Other Taxes Attn: Mrs. Asta Albery	Ministry of Revenue 33 King Street West 6th Floor Oshawa ON L1H 8H5	1.00	0.00	1.00
10	Takol Steelton Inc. Attn: Daniel Kolber	Unit 6, 2074 Steeles Ave E Brampton ON L6T 4Z9	1.00	0.00	1.00
11	The Toronto-Dominion Bank - 00892 CEBA Loan	100 Peel Centre Drive Brampton ON L6T 4G8	40,000.00	0.00	40,000.00
12	Workplace Safety and Insurance Board Attn: Eric Kupka	200 Front St W, 22nd Floor Toronto ON M5V 3J1	1.00	0.00	1.00
<b>Total:</b>			<b>129,081.92</b>	<b>1.00</b>	<b>129,082.92</b>

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
 2024-08-23 09:49:33:33 MDT

Dwarka Nauth Dhari

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
 Amma Custom Fabrication & Railing Inc.  
 of the City of Brampton  
 in the Province of Ontario  
 List "B"  
 Secured Creditors

Amma Custom Fabrication & Railing 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	C&S Associates Inc	PO Box 24101 Cleveland OH 44124	1.00	Business Assets - Machinery - Mitsubishi Laser Machine with Accessories	03-Mar-2020	0.00		1.00
2	CRA - Tax - Ontario 746526490	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	22,097.43	Business Assets - Machinery - Miscellaneous shop equipment  Other - Retainer provided to Trustee  Cash on Hand - Cash in Financial Institution - Royal Bank	12-Aug-2024  12-Aug-2024  12-Aug-2024	22,097.43  0.00  0.00	20,802.57  14,965.00  6,839.45	
3	MAC Funding Corporation Attn: Andy Joshi	85 Northwest Point Blvd Elk Grove Village IL 60007 USA	84,514.00	Business Assets - Machinery - Mitsubishi Laser Machine with Accessories	03-Mar-2020	84,514.00		
4	MAC Funding Corporation Attn: Andy Joshi	85 Northwest Point Blvd Elk Grove Village IL 60007 USA	48,595.00	Business Assets - Machinery - Diamond BH Press Brake Machine with Accessories	31-Dec-2020	48,595.00		
5	Mercedes-Benz Financial Services Canada Corporation Attn: Customer Service	500 - 2680 Matheson Blvd E Mississauga ON L4W 0A5	28,000.00	Motor Vehicles - Automobile - 2020 - Mercedes-Benz Financial - A2504M - WDD3F4HB6LJ142754	03-Mar-2020	28,000.00		
6	Toyota Credit Canada Incorporated Attn: Anca, Bankruptcy Desk	200 - 80 Micro Court Markham ON L3R 9Z5	35,000.00	Motor Vehicles - Automobile - 2023 - Toyota - Tundra 4x4 - 5TFJA5EC2PX013772	22-Mar-2023	35,000.00	18,900.00	
<b>Total:</b>			<b>218,207.43</b>			<b>218,206.43</b>	<b>61,507.02</b>	<b>1.00</b>

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
 2024-08-23 09:49:36 MDT

Dwarka Nauth Dhari

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
in the Province of Ontario  
List "C"  
Preferred Creditors for Wages, Rent, etc.

Amma Custom Fabrication & Railing 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

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
2024-08-23 09:49:41:41 MDT

Dwarka Nauth Dhari



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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
in the Province of Ontario  
List "D"  
Contingent or Other Liabilities

Amma Custom Fabrication & Railing 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		

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
2024-08-23 09:49:43 MDT

Dwarka Nauth Dhari

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
 Amma Custom Fabrication & Railing Inc.  
 of the City of Brampton  
 in the Province of Ontario  
 List "E"  
 Debts Due to the Bankrupt  
 Amma Custom Fabrication & Railing 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
			Total:	0.00 0.00 0.00			0.00	

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
 2024-08-23 09:49:46:46 MDT

Dwarka Nauth Dhari

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
in the Province of Ontario  
List "F"

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

Amma Custom Fabrication & Railing 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.
<b>Total:</b>				<b>0.00</b>		<b>0.00</b>	

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
2024-08-23 09:49:48 MDT

Dwarka Nauth Dhari

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
in the Province of Ontario  
List "G"  
Real Property or Immovables Owned by Bankrupt  
Amma Custom Fabrication & Railing 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

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
2024-08-23 09:49:51:51 MDT

Dwarka Nauth Dhari

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

FORM 78 -- Concluded

In the Matter of the Bankruptcy of  
 Amma Custom Fabrication & Railing Inc.  
 of the City of Brampton  
 in the Province of Ontario  
 List "H"  
 Property

Amma Custom Fabrication & Railing 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			0.00	0.00
(d) Cash on hand		Cash on hand	6,839.45	6,839.45
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant	Possession of bankrupt	Diamond BH Press Brake Machine with Accessories	321,500.00	48,595.00
	Possession of bankrupt	Mitsubishi Laser Machine with Accessories	495,600.00	84,514.00
	Possession of bankrupt	Miscellaneous shop equipment	0.00	42,900.00
(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		Automobile - 2023 - Toyota - Tundra 4x4 - 5TFJA5EC2PX013772	0.00	53,900.00
		Automobile - 2020 - Mercedes-Benz Financial - A2504M - WDD3F4HB6LJ142754	0.00	28,000.00
(l) Taxes			0.00	0.00
(m) Other		Retainer provided to Trustee	14,965.00	14,965.00
			<b>Total:</b>	<b>279,713.45</b>

23-Aug-2024

Date

e-Signed by Dwarka Dhari  
 2024-08-23 09:49:53:53 MDT

Dwarka Nauth Dhari

District of: Ontario  
Division No. 09 - Toronto  
Court No. 32-3120376  
Estate No. 32-3120376

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  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
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 Amma Custom Fabrication & Railing Inc. of the City of Brampton 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 23rd day of August 2024, 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. 32-3120376  
Estate No. 32-3120376

FORM 31 --- Concluded  
In the Matter of the Bankruptcy of  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
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.

# 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.



District of: Ontario  
Division No. 09 - Toronto  
Court No. 32-3120376  
Estate No. 32-3120376

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  
Amma Custom Fabrication & Railing Inc.  
of the City of Brampton  
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) 323-5240