

District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No. 11-2674770

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

Original Amended

In the matter of the bankruptcy of
Elco Fine Foods Ltd.
of the City of Vancouver, in the Province of British Columbia

Take notice that:

1. Elco Fine Foods Ltd. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Elco Fine Foods Ltd.) on the 24th day of September 2020 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 14th day of October 2020 at 2:00 PM.

The meeting will be convened solely via teleconference.

To attend the meeting please call the number below to register 20 minutes prior to the appointed time:

North America: 1 (866) 206-0336

Overseas: 0808 101 1668

Conference Code: 9334091539

Please see the attached correspondence in relation to meeting details, requirements prior to the meeting and conduct at the meeting.

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 Vancouver in the Province of British Columbia, this 1st day of October 2020.

MNP Ltd. - Licensed Insolvency Trustee

MNP LTD.

Suite 1600, MNP Tower, 1021 West Hastings Street
Vancouver BC V6E 0C3
Phone: (604) 639-0001 Fax: (604) 904-8628

October 1, 2020



To: Creditors of Elco Fine Foods Ltd. (“Elco”)

Re: First Meeting of Creditors

On September 24, 2020, Elco was assigned into bankruptcy, and MNP Ltd. was appointed as the Licensed Insolvency Trustee (the “**Trustee**”) of the bankrupt estate subject to creditor affirmation at the first meeting of creditors. The First Meeting of Creditors (“**FMOC**”) will be held on October 14, 2020 at 2:00 pm Pacific Time.

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/elco-fine-foods-ltd>.

In order to practice and maintain social distancing guidelines which are currently recommended during the COVID-19 pandemic, **the FMOC will be convened only by teleconference.**

It is not mandatory to attend the FMOC. Creditors can file proofs of claim with the Trustee’s office electronically at the following email address: vancouverpbmail@mnp.ca.

Should you wish to attend the FMOC via teleconference, please review the following procedures:

Meeting Details

1. Date: October 14, 2020
2. Time: 2:00 pm Pacific Time
3. Call in Details: (866) 206-0336 (North America) or 0808 101 1668 (overseas)
4. Conference Code: 9334091539

Requirements Prior to FMOC

1. Should you wish to file a proof of claim prior to the FMOC, please do so not later than 11:00 am Pacific Time on the date of the FMOC to permit a reasonable review by the Trustee. The Trustee will use its best efforts to review and register proof of claim forms and proxies for the FMOC that are filed after this time.
2. Filing a claim and having it admitted by the Trustee prior to the FMOC permits creditors to vote at the FMOC. Matters that are typically voted upon at the FMOC include: affirmation or substitution of the Trustee and the appointment of Inspectors.
3. Creditors filing a claim within a reasonable period after the convening of the FMOC will still be eligible to receive any dividends should funds become available for distribution to creditors.

Registration

1. The Trustee will open the conference line 20 minutes in advance of the appointed meeting time. We encourage creditors to call in earlier than the appointed time to permit registration and attendance to be completed and to avoid a delay in proceeding with the FMOC.

2. Callers will be acknowledged on a “first come first served” basis and registration will include the following:
 - a) Please identify yourself by the creditor number beside your creditor name listed in the Form 78 Statement of Affairs which is attached;
 - b) Identify any additional individuals attending with you and their capacity in attending;
 - c) Confirmation of claim amount;
 - d) Confirmation of any proxies that you may hold for other creditors; and
 - e) Whether you want your name to stand as a potential Inspector to the estate when a vote is taken during the FMOC to appoint Inspectors (details of this role will be provided during the FMOC).

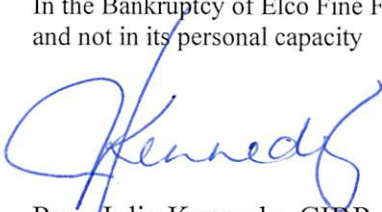
Procedure at the FMOC

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

If you have any questions, please contact Julie Kennedy directly at (778) 374-2175 or at julie.kennedy@mnp.ca

MNP Ltd.

In its capacity as Licensed Insolvency Trustee
In the Bankruptcy of Elco Fine Foods Ltd.
and not in its personal capacity



Per: Julie Kennedy, CIRP, LIT
Vice President



Industry Canada
Office of the Superintendent
of Bankruptcy Canada

Industrie Canada
Bureau du surintendant
des faillites Canada

District of: British Columbia
Division No.: 03 - Vancouver
Court No.: 11-2674770
Estate No.: 11-2674770

In the Matter of the Bankruptcy of:

Elco Fine Foods Ltd.
Debtor

MNP LTD / MNP LTÉE
Licensed Insolvency Trustee
Ordinary Administration

Date and time of bankruptcy:	September 24, 2020, 08:59	Security:	\$0.00
Date of trustee appointment:	September 24, 2020		
Meeting of creditors:	October 14, 2020, 14:00 via teleconference Vancouver, British Columbia Canada,		
Chair:	Trustee		

CERTIFICATE OF APPOINTMENT - Section 49 of the Act; Rule 85

I, the undersigned, official receiver in and for this bankruptcy district, do hereby certify that:

- the aforementioned debtor filed an assignment under section 49 of the *Bankruptcy and Insolvency Act*;
- the aforementioned trustee was duly appointed trustee of the estate of the debtor.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable, to call in the prescribed manner a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the official receiver.

Date: October 01, 2020, 16:02

E-File/Dépôt Electronique

Official Receiver

300 Georgia Street W, Suite 2000, Vancouver, British Columbia, Canada, V6B6E1, (877)376-9902



District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No.

-- FORM 21 --

Assignment for the General Benefit of Creditors
(Section 49 of the Act)

In the matter of the bankruptcy of
Elco Fine Foods Ltd.
of the City of Vancouver, in the Province of British Columbia

This indenture made this 23rd day of September 2020

between
Elco Fine Foods Ltd.
1130-400 Burrard Street
Vancouver BC V6C 3A6
hereinafter called "the debtor"
and
MNP Ltd.
hereinafter called "the trustee."

Natural person

Corporate or other legal entity

Whereas the debtor is insolvent and desires to assign and to abandon all his/her property for distribution among his/her creditors, in pursuance of the Act,

This indenture witnesses that the debtor does hereby assign to the trustee all the debtor's property for the uses, intents and purposes provided by the Act.

Signed at the City of Vancouver in the Province of British Columbia, in the presence of Darcy Wray.



Darcy Wray
Witness

23-Sep-2020

Date



Elco Fine Foods Ltd.
Debtor

DARCY L. WRAY
Barrister & Solicitor
Suite 1130, 400 Burrard Street
Vancouver, BC V6C 3A6
Tel: 604.681.5885

District of: British Columbia
 Division No. 03 - Vancouver
 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
 Elco Fine Foods Ltd.
 of the City of Vancouver, in the Province of British Columbia

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 September 2020. 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
2,071,583.42	0.00
Balance of secured claims as per list "B"	2. Trade fixtures, etc.
6,764,279.00	0.00
Total unsecured creditors	3. Accounts receivable and other receivables, as per list "E"
8,835,862.42	Good
2. Secured creditors as per list "B"	74,001.00
529,145.00	Doubtful
3. Preferred creditors as per list "C"	0.00
0.00	Bad
4. Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for	49,500.00
0.00	Estimated to produce
Total liabilities	74,001.00
9,365,007.42	4. Bills of exchange, promissory note, etc., as per list "F" ...
Surplus	0.00
NIL	5. Deposits in financial institutions
	50,000.00
	6. Cash
	0.00
	7. Livestock
	0.00
	8. Machinery, equipment and plant
	0.00
	9. Real property or immovable as per list "G"
	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"
	405,143.00
	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
	529,144.00
	Deficiency
	8,835,863.42

I, Ryan Preddy, of the City of Richmond in the Province of British Columbia, 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 September 2020 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with the Act.

SWORN (or SOLEMNLY DECLARED)
 before me at the City of Vancouver in the Province of British Columbia, on this 23rd day of September 2020.


 _____, Commissioner for
 Taking Affidavits
 For the Province of British Columbia
 Expires Dec 31 2020



 Ryan Preddy

DARCY L. WRAY
 Barrister & Solicitor
 Suite 1130, 400 Burrard Street
 Vancouver, BC V6C 3A6
 Tel: 604.681.5885

District of: British Columbia
 Division No. 03 - Vancouver
 Court No.
 Estate No.

FORM 78 -- Continued

List "A"
 Unsecured Creditors

Elco Fine Foods Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	A. Lefebvre & Cie Inc.	1550 RUE PEERLESS ACTON VALE QC J0H 1A0	16,632.00	0.00	16,632.00
2	ACCESS SALES	5130 SKYLINE WAY NE CALGARY AB T2E 6V1	630.00	0.00	630.00
3	Adolf Darbo AG (W)	Dornau 18 Stans 3 6135 Austria	48,577.23	0.00	48,577.23
4	Agence du revenu du Québec Attn: Direction régionale du recouvrement	Service des dossiers de faillites 1265 boul Charest O 6e étage C65-71 Québec QC G1N 4V5	5,115.85	0.00	5,115.85
5	Asian Home Gourmet (HSBC)	435 ORCHARD ROAD Singapore 238877 Singapore	288,299.20	0.00	288,299.20
6	Barry Callebaut Belgium (W)	Aalstersestraat 122, B9280 Lebbeke-Weize Belgium	15,545.12	0.00	15,545.12
7	BCI FOODS INC	Attn: Accounts Receivables 4800 Avenue Pinard St-Hyacinthe QC J2S 8E1	5,735.44	0.00	5,735.44
8	C & L CONTAINER LOGISTICS	216-30 EAST BEAVER CREEK RICHMOND HILL ON L4B 1J2	3,249.20	0.00	3,249.20
9	Carl Jung GmbH (W)	Reinstrasse 3, Schloss Boosenburg Rudesheim am Rhein 65385 Germany	330,854.88	0.00	330,854.88
10	Carl Kuhne KG (Germany) (W)	Kuhnehofe 11 Hamburg 22761 Germany	8,167.11	0.00	8,167.11
11	CLOETTA HOLLAND B.V.	BOX 69, Hoevestein 26, 4903 SC Oosterhout Netherlands	704.94	0.00	704.94
12	CONSOLIDATED FASTFRATE	9701 HIGHWAY 50 WOODBIDGE ON L4H 2G4	1,516.16	0.00	1,516.16
13	CRA - Tax - Pacific	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	1,771.02	0.00	1,771.02
14	DCD Design & Manufacturing Ltd.	200-2700 Production Way BURNABY BC V5A 4X1	0.00	2,955,519.00	2,955,519.00
15	DEL SOLD FOOD COMPANY INC	BOX 2243 BRENHAM TX 77834-2243 USA	77,314.70	0.00	77,314.70
16	Delba Backbetrieb GmbH (W)	Postfach 1144, D-33119 Delbrueck Germany	1.46	0.00	1.46
17	DHL GLOBAL FORWARDING	100-6200 EDWARDS BLVD MISSISSAUGA ON L5T 2V7	8,000.44	0.00	8,000.44
18	ENCORP PACIFIC (CANADA)	100-4259 CANADA WAY BURNABY BC V5G 4Y2	1.04	0.00	1.04
19	Grantham Holdings Ltd.	200-2700 Production Way BURNABY BC V5A 4X1	0.00	3,808,760.00	3,808,760.00
20	GS1 CANADA	c/o TH1029 BOX 4283 STN A TORONTO ON M5W 5W6	1,050.00	0.00	1,050.00
21	Hans Freitag GmbH & Co. Kg (W)	Siemensstrabe 11, D-27283 Verden Germany	160,285.93	0.00	160,285.93
22	HOLLOWAY SPECIALTY FOODS LTD	37 BLOORVIEW PLACE TORONTO ON M2J 0B2	568.47	0.00	568.47
23	I.M.O. Foods Limited Canada	BOX 236 YARMOUTH NS B5A 4B2	6,552.00	0.00	6,552.00

23-Sep-2020

Date


 Ryan Preddy

District of: British Columbia
 Division No. 03 - Vancouver
 Court No.
 Estate No.

FORM 78 – Continued

List "A"
 Unsecured Creditors

Elco Fine Foods Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
24	ITC Limited - Foods Div (HSBC)	No.18, Banaswadi Main Road, Maruthi Sevanagar Bengaluru 560 005 India	48,839.04	0.00	48,839.04
25	La Masrojana S.L. (W)	Ave. 11 De Setembro, 2 El Masroig 43736 Spain	3,264.55	0.00	3,264.55
26	La Monegasque Monaco SAS (W)	64500 Saint Jean De Luz Zone Industrielle De Jalday Saint Hean De Luz 64500 France	11,000.83	0.00	11,000.83
27	Lantic Inc.	P.O. Box 57283C Postal Station A Toronto ON M5W 5M5	27,002.16	0.00	27,002.16
28	LEISURE FOODS LTD	UNIT 918 MIRAMAR TOWER KOWLOON 99077 Hong Kong	183,233.04	0.00	183,233.04
29	LIVINGSTON INT'L	BOX 5640 TORONTO ON M5W 1P1	25,229.99	0.00	25,229.99
30	LOCHER EVERS INT'L	456 HUMBER PLACE DELTA BC V3M 6A5	695.00	0.00	695.00
31	LOCHER EVERS INT'L	456 HUMBER PLACE DELTA BC V3M 6A5	299,849.27	0.00	299,849.27
32	LOUNSBURY FOODS LTD	11 WILTSHIRE AVE TORONTO ON M6N 2V7	67,125.10	0.00	67,125.10
33	MINISTRY OF REVENUE	REVENUE DIVISION BEVERAGE CONTAINER PROGRAM REGINA SK S4P 2Z6	349.91	0.00	349.91
34	Mondelez Canada Inc.	BOX 11085 STN A Toronto ON M5W 2G5	44,056.37	0.00	44,056.37
35	MURRAY MARKET ACCESS	6415-64th STREET DELTA BC V4K 4E2	850.34	0.00	850.34
36	Nyakers Pepparkakor AB (W)	Stationsvagen 11 Nyaker 914 94 Sweden	92,074.75	0.00	92,074.75
37	ORIENT PAC PTY LTD	U501/44 HERCULES STREET, NSW, 2067 CHATSWOOD Australia	42,664.72	0.00	42,664.72
38	PANALPINA INC	c/o CITIBANK BOX 4386 STATION A TORONTO ON M5W 3T2	4,011.30	0.00	4,011.30
39	PEERSWAY MARKETING LTD	229 NIAGARA STREET TORONTO ON M6J 2L5	17,459.63	0.00	17,459.63
40	PHARMASAVE DRUGS (NATIONAL)	203-7003-5TH STREET SE CALGARY AB T2H 2G2	50.42	0.00	50.42
41	PHARMASAVE DRUGS (NATIONAL) LTD	201-8411-200TH STREET LANGLEY BC V2Y 0E7	1,449.96	0.00	1,449.96
42	R LEGAULT SALES & DISTRIBUTION	695 RADAR ROAD HANMER ON P3P 0B4	1,067.44	0.00	1,067.44
43	R. Klass & Co. Egro Gmbh (W)	Raiffeisen-Volksbank, Bremer Str. 247 Delmenhorst-Schierbrok Eg 27751 Germany	9,397.33	0.00	9,397.33
44	Ramirez & Ca Filhos S.A. (W)	Rua Oscar Da Silva 1683 Leca Da Palmeira Matosinhos 4450-761 Portugal	48,528.05	0.00	48,528.05
45	SIMPSON PRINT	865 SAWMILL ROAD BLOOMINGDALE ON N0B 1K0	2,502.82	0.00	2,502.82
46	STROOPWAFEL & CO	JAN VAN DER HEYDENSTRAAT 6, 3284 ZUID BEIJERLAND Netherlands	17,218.05	0.00	17,218.05

23-Sep-2020

Date


 Ryan Preddy

District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No.

FORM 78 -- Continued

List "A"
Unsecured Creditors

Elco Fine Foods Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
47	THOMAS LARGE & SINGER INC	400-15 ALLSTATE PARKWAY MARKHAM ON L3R 5B4	64,059.20	0.00	64,059.20
48	Toronto Salt & Chemicals Ltd.	275 Glidden Road Brampton ON L6W 1H9	25,650.00	0.00	25,650.00
49	Urbani Tartufi (W)	06040 S. Anatolia Di Ss. Valnerina Narco 31250 Italy	35,132.42	0.00	35,132.42
50	Vinagres De Yema L.L. (W)	Banco Bilbao Vizcaya C/Virgen De Los Milagros, 87 El, Cádiz 11500 Spain	18,249.54	0.00	18,249.54
Total:			2,071,583.42	6,764,279.00	8,835,862.42

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
 Division No. 03 - Vancouver
 Court No.
 Estate No.

FORM 78 -- Continued

List "B"
 Secured Creditors

Elco Fine Foods 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	DCD Design & Manufacturing Ltd.	200-2700 Production Way BURNABY BC V5A 4X1	2,955,519.00	Debts Due - Business - Accounts Receivable - Trade Business Assets - Registered Trademarks Debts Due - Business - Related Party Other - Funds in Court Taxes - GST/HST - 2020 Cash on Hand - Cash in Bank - 00000		0.00 0.00 0.00 0.00 0.00		2,955,519.00
2	Grantham Holdings Ltd.	200-2700 Production Way BURNABY BC V5A 4X1	4,337,905.00	Other - Funds in Court Debts Due - Business - Accounts Receivable - Trade Cash on Hand - Cash in Bank - 00000 Taxes - GST/HST - 2020 Business Assets - Registered Trademarks Debts Due - Business - Related Party		386,035.11 74,000.00 50,000.00 19,107.89 1.00 1.00		3,808,760.00
Total:			7,293,424.00			529,145.00	0.00	6,764,279.00

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No.

FORM 78 -- Continued

List "C"
Preferred Creditors for Wages, Rent, etc.

Elco Fine Foods 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

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No.

FORM 78 -- Continued

List "D"
Contingent or Other Liabilities

Elco Fine Foods 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		

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
 Division No. 03 - Vancouver
 Court No.
 Estate No.

FORM 78 -- Continued

List "E"
 Debts Due to the Bankrupt

Elco Fine Foods 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
1	Accounts Receivable - Trade	. BC	Accounts Receivable	74,000.00 0.00 49,500.00		22-Sep-2020	74,000.00	N/A
2	Related Party	. BC	Related Party	1.00 0.00 0.00		22-Sep-2020	1.00	N/A
Total:				74,001.00 0.00 49,500.00			74,001.00	

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No.

FORM 78 -- Continued

List "F"

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

Elco Fine Foods 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	

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No.

FORM 78 – Continued

List "G"
Real Property or Immovables Owned by Bankrupt

Elco Fine Foods 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
Total:			0.00		0.00

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
 Division No. 03 - Vancouver
 Court No.
 Estate No.

FORM 78 -- Concluded

List "H"
 Property

Elco Fine Foods 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		00000	50,000.00	50,000.00
(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		GST/HST - 2020	19,107.89	19,107.89
(m) Other		Registered Trademarks	0.00	1.00
		Funds in Court	0.00	386,035.11
			Total:	455,144.00

23-Sep-2020

Date



Ryan Preddy

District of: British Columbia
Division No. 03 - Vancouver
Court No.
Estate No. 11-2674770

FORM 31 / 36
Proof of Claim / Proxy
In the matter of the bankruptcy of
Elco Fine Foods Ltd.
of the City of Vancouver, in the Province of British Columbia

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

In the matter of the bankruptcy of Elco Fine Foods Ltd. of the City of Richmond in the Province of British Columbia 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 24th day of September 2020, 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

Suite 1600, MNP Tower, 1021 West Hastings Street
Vancouver BC V6E 0C3
Phone: (604) 639-0001 Fax: (604) 904-8628
E-mail: vancouverpbmail@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.