

District of: Ontario
Division No. 05 - London
Court No. 35-3054274
Estate No. 35-3054274

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

Original Amended

In the Matter of the Bankruptcy of
421 Wharcliffe Ltd.
of the City of London
in the Province of Ontario

Take notice that:

1. 421 Wharcliffe Ltd. filed an assignment on the 12th day of March 2024 and the undersigned, MNP Ltd., was appointed as trustee of the estate of the bankrupt by the official receiver; subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.
2. The first meeting of creditors of the bankrupt will be held on the 3rd day of April 2024 at 10:00 AM via Audio / Video Conference Call or MS Teams Link: <https://shorturl.at/kyRW6>, Video Conference ID: 119 039 625 9, Toll free:(877) 252-9279; Phone Conference ID: 286 731 258#.
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 18th day of March 2024.

MNP Ltd. - Licensed Insolvency Trustee



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

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

Original

Amended

-- Form 78 --

Statement of Affairs (Business Bankruptcy) made by an entity
 (Subsection 49(2) and Paragraph 158(d) of the Act / Subsections 50(2) and 62(1) of the Act)

In the Matter of the Bankruptcy of
 421 Wharnccliffe Ltd.
 of the City of London
 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 11th day of March 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"	3.00	1. Inventory	0.00
Balance of secured claims as per list "B"	7,741,405.08	2. Trade fixtures, etc.	0.00
Total unsecured creditors	7,741,408.08	3. Accounts receivable and other receivables, as per list "E"	
		Good	0.00
2. Secured creditors as per list "B"	400,000.00	Doubtful	0.00
		Bad	0.00
3. Preferred creditors as per list "C"	0.00	Estimated to produce	0.00
		4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
4. Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for	0.00	5. Deposits in financial institutions	400,000.00
Total liabilities	8,141,408.08	6. Cash	0.00
Surplus	NIL	7. Livestock	0.00
		8. Machinery, equipment and plant	0.00
		9. Real property or immovable as per list "G"	0.00
		10. Furniture	0.00
		11. RRSPs, RRIFs, life insurance, etc.	0.00
		12. Securities (shares, bonds, debentures, etc.)	0.00
		13. Interests under wills	0.00
		14. Vehicles	0.00
		15. Other property, as per list "H"	0.00
		If bankrupt is a corporation, add:	
		Amount of subscribed capital	0.00
		Amount paid on capital	0.00
		Balance subscribed and unpaid	0.00
		Estimated to produce	0.00
		Total assets	400,000.00
		Deficiency	7,741,408.08

I, Jerry Henechowicz, of the Court-appointed Receiver, MNP Ltd., of the City of Toronto in the Province of Ontario, do swear (or solemnly declare) that this statement and the attached lists are to the best of my knowledge, a full, true and complete statement of the affairs of the Corporation on the 11th day of March 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 Jerry Henechowicz 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 11th day of March 2024 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.

e-Signed by Matthew Lem
 2024-03-11 21:26:56 EDT

e-Signed by Jerry Henechowicz
 2024-03-11 16:22:45 EDT

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

Jerry Henechowicz; Senior Vice-President;
 MNP Ltd.

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
421 Wharnccliffe Ltd.
of the City of London
in the Province of Ontario
List "A"
Unsecured Creditors
421 Wharnccliffe Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Canadian Western Bank Attn: Credit Risk Management	3000 - 10303 Jasper Ave NW Edmonton AB T5J 3X6	0.00	7,741,405.08	7,741,405.08
2	CRA - GST/HST - Jonquiere Attn: Quebec Insolvency Intake Centre 700769276 RP0001	Shawinigan - Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-sud QC G9P 5H9	1.00	0.00	1.00
3	CRA - GST/HST - Jonquiere Attn: Quebec Insolvency Intake Centre 700769276 RT0001	Shawinigan - Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-sud QC G9P 5H9	1.00	0.00	1.00
4	Service Canada (WEPP)	RHQ Finance 1st Fl 4900 Yonge St. North York ON M2N 6A8	1.00	0.00	1.00
Total:			3.00	7,741,405.08	7,741,408.08

11-Mar-2024

Date

e-Signed by Jerry Henechowicz
2024-03-11 16:22:47:47 EDT

Jerry Henechowicz; Senior Vice-President; MNP
Ltd.

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
421 Wharnccliffe Ltd.
of the City of London
in the Province of Ontario
List "B"
Secured Creditors

421 Wharnccliffe 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	Canadian Western Bank Attn: Credit Risk Management	3000 - 10303 Jasper Ave NW Edmonton AB T5J 3X6	8,141,405.08	Cash on Hand - Cash in Bank - TD Canada Trust	12-Nov-2021	400,000.00		7,741,405.08
Total:			8,141,405.08			400,000.00	0.00	7,741,405.08

11-Mar-2024

Date

e-Signed by Jerry Henechowicz
2024-03-11 16:22:51:51 EDT

Jerry Henechowicz; Senior Vice-President; MNP
Ltd.

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
421 Wharncliffe Ltd.
of the City of London
in the Province of Ontario
List "C"
Preferred Creditors for Wages, Rent, etc.

421 Wharncliffe 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

11-Mar-2024

Date

e-Signed by Jerry Henechowicz
2024-03-11 16:22:53:53 EDT

Jerry Henechowicz; Senior Vice-President; MNP
Ltd.

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
421 Wharnccliffe Ltd.
of the City of London
in the Province of Ontario
List "D"
Contingent or Other Liabilities

421 Wharnccliffe 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		

11-Mar-2024

Date

e-Signed by Jerry Henechowicz
2024-03-11 16:22:56:56 EDT

Jerry Henechowicz; Senior Vice-President; MNP
Ltd.

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
421 Wharnclyffe Ltd.
of the City of London
in the Province of Ontario
List "E"
Debts Due to the Bankrupt
421 Wharnclyffe 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
			Total:	0.00 0.00 0.00			0.00	

11-Mar-2024

Date

e-Signed by Jerry Henechowicz
2024-03-11 16:22:59:59 EDT

Jerry Henechowicz; Senior Vice-President; MNP
Ltd.

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
421 Wharnclyffe Ltd.
of the City of London
in the Province of Ontario
List "F"

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

421 Wharnclyffe 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	

11-Mar-2024

Date

e-Signed by Jerry Henechowicz
2024-03-11 16:23:01:01 EDT

Jerry Henechowicz; Senior Vice-President; MNP
Ltd.

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

FORM 78 – Continued

In the Matter of the Bankruptcy of
421 Wharnccliffe Ltd.
of the City of London
in the Province of Ontario
List "G"
Real Property or Immovables Owned by Bankrupt
421 Wharnccliffe 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

11-Mar-2024

Date

e-Signed by Jerry Henechowitz
2024-03-11 16:23:04:04 EDT

Jerry Henechowitz; Senior Vice-President; MNP
Ltd.

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

FORM 78 – Concluded

In the Matter of the Bankruptcy of
 421 Wharnccliffe Ltd.
 of the City of London
 in the Province of Ontario
 List "H"
 Property

421 Wharnccliffe 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		TD Bank	400,000.00	400,000.00
(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			0.00	0.00
(m) Other			0.00	0.00
			Total:	400,000.00

11-Mar-2024

Date

e-Signed by Jerry Henechowicz
 2024-03-11 16:23:07:07 EDT

Jerry Henechowicz; Senior Vice-President; MNP
 Ltd.

Court No.

File No.

In the Matter of the Bankruptcy of
421 Wharnccliffe Ltd.
of the City of London
in the Province of Ontario

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

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

District of: Ontario
Division No. 05 - London
Court No. 35-3054274
Estate No. 35-3054274

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
421 Wharcliffe Ltd.
of the City of London
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 421 Wharcliffe Ltd. of the City of London 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 12th day of March 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. 05 - London
Court No. 35-3054274
Estate No. 35-3054274

FORM 31 --- Concluded
In the Matter of the Bankruptcy of
421 Wharcliffe Ltd.
of the City of London
in the Province of Ontario

- E. CLAIM BY WAGE EARNER OF \$ _____
- That I hereby make a claim under subsection 81.3(8) of the Act in the amount of \$ _____,
- That I hereby make a claim under subsection 81.4(8) of the Act in the amount of \$ _____,
- F. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF \$ _____
- That I hereby make a claim under subsection 81.5 of the Act in the amount of \$ _____,
- That I hereby make a claim under subsection 81.6 of the Act in the amount of \$ _____,
- G. CLAIM AGAINST DIRECTOR \$ _____

(To be completed when a proposal provides for the compromise of claims against directors.)
That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:
(Give full particulars of the claim, including the calculations upon which the claim is based.)

- H. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$ _____

That I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, particulars of which are as follows:
(Give full particulars of the claim, including the calculations upon which the claim is based.)

5. That, to the best of my knowledge, I _____ (am/am not) (or the above-named creditor _____ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and _____ (have/has/have not/has not) dealt with the debtor in a non-arm's-length manner.

6. That the following are the payments that I have received from, and the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act or were not dealing with each other at arm's length, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act: (Provide details of payments, credits and transfers at undervalue.)

7. (Applicable only in the case of the bankruptcy of an individual.)

- Whenever the trustee reviews the financial situation of a bankrupt to redetermine whether or not the bankrupt is required to make payments under section 68 of the Act, I request to be informed, pursuant to paragraph 68(4) of the Act, of the new fixed amount or of the fact that there is no longer surplus income.
- I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address.

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

Witness

Creditor

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

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.
WARNINGS: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.
Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

District of: Ontario
Division No. 05 - London
Court No. 35-3054274
Estate No. 35-3054274

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
421 Wharnccliffe Ltd.
of the City of London
in the Province of Ontario

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

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

Witness

Individual Creditor

Witness

Name of Corporate Creditor

Per _____
Name and Title of Signing Officer

Return To:

MNP Ltd. - Licensed Insolvency Trustee

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