



MEYERS NORRIS PENNY LIMITED

District of ONTARIO
Division No. 09
Court No. 31 - 1252302
Estate No. 31 - 1252302

**NOTICE OF BANKRUPTCY AND FIRST MEETING OF CREDITORS
(Subsection 102(1))**

IN THE MATTER OF THE BANKRUPTCY OF
NANOGEN POINT OF CARE, INC.
OF THE CITY OF TORONTO, IN THE PROVINCE OF ONTARIO

Take notice that:

1. Nanogen Point of Care, Inc. filed an assignment in bankruptcy on August 31, 2009, and the undersigned Meyers Norris Penny Limited, was appointed trustee of the estate of the bankrupt by the official receiver, subject to affirmation by the creditors of the trustee's appointment or the substitution of another trustee by the creditors.
2. The first meeting of creditors of the bankrupt will be held on September 21, 2009 at 12 p.m. at the office of the Trustee:

10 West Pearce Street
Suite 4
Richmond Hill, Ontario
3. To be entitled to vote at the meeting, a creditor must lodge with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice is a form of proof of claim, a form of proxy and a list of creditors with claims amounting to twenty-five (\$25) or more, showing the amounts of their claims.
5. Creditors must prove their claims against the estate of the bankrupt in order to share in any distribution of the proceeds realized from the estate.
6. **The assets of Nanogen Point of Care, Inc. are insufficient to pay the secured creditor in full, therefore, there will be no funds available for the unsecured creditors.**
7. Should you have any questions please call 905-709-9950 ext. 4385.

DATED AT RICHMOND HILL, ONTARIO this 3rd day of September, 2009.

MEYERS NORRIS PENNY LIMITED
Trustee of the Estate of
Nanogen Point of Care, Inc.
a bankrupt

per: *Meyers Norris Penny Limited*
Trustee



INSOLVENCY & RESTRUCTURING PROFESSIONALS
4 - 10 WEST PEARCE ST., RICHMOND HILL, ON CANADA L4B 1B6
PH. (905) 709-9950 FAX (905) 709-9952 mnpdebt.ca

FORM 31
Proof of Claim (Section 50.1, 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 **Nanogen Point of Care, Inc.** of Etobicoke, Ontario and the claim of _____, creditor.

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

Address: _____ City/Prov: _____ Postal code: _____

Tel no. _____ Fax no. _____ Attn: _____ Acct. no. _____

I, _____ (name of creditor or representative of the creditor), of _____ (city and province), do hereby certify:

1. That I am a creditor of the above-named debtor (or that I am _____ (state position or title) of _____ (name of creditor or representative of the 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 31st day of, August, 2009 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.)

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 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.)

G. 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 (or the above-named creditor is) (or am not or is not) related to the debtor within the meaning of section 4 of the Act, and have (or has) (or have not or 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, 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 subsection 2(1) of the Act: (Provide details of payments, credits and transfers at undervalue.) (Applicable only in the case of the bankruptcy of an individual.)

Dated at _____, this _____ day of _____.

X _____
Signature of Witness

X _____
Signature of Creditor

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. NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

GENERAL PROXY

In the matter of the bankruptcy of _____

I/we _____, of the _____ of _____, creditor, hereby appoint
 _____, of the _____ of _____, to be my/our general proxy in the above
 matter (excepting only as to the receipt of dividends)

Dated at _____, this _____ day of _____.

x _____ x _____
 Signature of Witness Signature of Creditor

INFORMATION REGARDING GENERAL PROXY

A creditor may vote either in person or by proxy. A debtor may not be appointed a proxy to vote at any meeting of his creditors. The trustee may be appointed as a proxy to vote on behalf of a creditor. A corporation may vote by an authorized agent at a meeting of creditors. In order for a duly authorized person to have a right to vote they must be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy section of the proof of claim.

PLEASE READ THIS CAREFULLY BEFORE YOU PREPARE YOUR PROOF OF CLAIM

1. Ensure you include your complete address, telephone number and account number (*if applicable*)
2. If you are signing this form on behalf of a corporation or other person you must state the title or capacity in which you are acting, such as "credit manager", "accountant", "controller" or "authorized agent", etc. This form must be signed by the person making the declaration.
3. You must have knowledge of the circumstances connected with this claim.
4. The proof of claim is incomplete unless you include a statement (marked "Schedule A"). The balance on this statement must be complete and agree with the balance claimed by you as of the date of bankruptcy. "Schedule A" should be a detailed statement of account of the last three months of financial activity with the bankrupt. It must show the date, number and amount of all invoices or charges, together with the date, number and amount of all credits or payments. A "balance forward" or line figure does not meet the disclosure requirements for proofs of claim issued by the Superintendent of Bankruptcy. All claimants must attach a detailed list of all payments or credits received or granted, as follows:
 - (a) within the three (3) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related, or
 - (b) within the twelve (12) months preceding the bankruptcy or proposal, in the case where the claimant and the debtor are related.
5. Check (x) the type of claim which applies to you. **DO NOT LEAVE THIS SECTION BLANK.** If you have a regular unsecured claim, then please check (X) beside the phrase "I do not claim to a right to priority".

A priority claim is only granted to specific creditors under S.136 of The Bankruptcy and Insolvency Act. Please review the legislation to determine if you are eligible to make such a claim in this estate.

If you have a SECURED CLAIM you *must*:

- (a) insert the value of your security, and
 - (b) prove that you are secured by attaching a copy of your security document (chattel mortgage, a copy of your financing statement issued under the Personal Property Security Act, etc.). If you hold a mortgage over real estate, please provide the trustee with a copy of the mortgage document.
6. If you are related by blood or marriage to the bankrupt, then you should consider yourself a related person. If the bankrupt is a corporation, you would be considered to be related to it if you were a shareholder, or if your company was controlled by the same shareholders as the bankrupt corporation. Please refer to section 4 of the Act for a definition of related persons.
 7. You must provide the full details of all payments and credits received from or allowed to the debtor during the period indicated.
 8. The proof of claim is incomplete UNLESS it has been signed and witnessed.
 9. If you want to appoint a proxy, the proxy form must be completed and signed by the creditor. If the creditor is a corporation, the proxy must be signed in the corporate name and not necessarily by the individual signing the proof of claim form. If a corporation grants a voting proxy to an individual, the proxy section should be both signed, dated and witnessed. The Bankruptcy and Insolvency Act permits a proof of claim to be made by a duly authorized agent of a creditor, but this does not give such a person power to vote at the first meeting of creditors or to act as the creditor's proxy unless the GENERAL PROXY section has been completed.

PLEASE CONTACT THE TRUSTEE'S OFFICE IF YOU HAVE ANY QUESTIONS ABOUT COMPLETING YOUR PROOF OF CLAIM



MEYERS NORRIS PENNY LIMITED

10 West Pearce Street, Suite 4, Richmond Hill, Ontario L4B 1B6
 905-709-9950 fax: 905-709-9952

District of:
 Division No:
 Court No:
 Estate No:

FORM 78

Statement of Affairs (Business Bankruptcy)
 (Paragraph 158(d) of the Act)

In the matter of the bankruptcy of Nanogen Point of Care, Inc.
 In the City of Toronto
 In the Province of Ontario

To the bankrupt:

You are required to carefully and accurately complete this Form and the applicable attachments, showing the state of your affairs on the date of your bankruptcy: on the 28th day of August, 2009. When completed, this Form and the applicable attached lists will constitute your Statement of Affairs and must be verified by oath or solemn declaration.

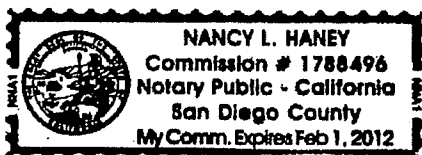
LIABILITIES (As stated and estimated by bankrupt)		
1.	Unsecured creditors as per list "A"	\$61,440,463.78
2.	Secured creditors as per list "B"	\$0.00
3.	Preferred creditors as per list "C"	\$0.00
4.	Contingent, trust claims or other liabilities as per list "D"	\$0.00
	estimated to be reclaimable for	\$0.00
Total Liabilities		\$61,440,463.78
Surplus		\$0.00

ASSETS (As stated and estimated by bankrupt)		
1.	Inventory	\$0.00
2.	Trade fixtures, etc	\$0.00
3.	Accounts receivable and other receivables, as per List "E"	
	Good	\$0.00
	Doubtful	\$0.00
	Bad	\$0.00
	Estimated to produce	\$0.00
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"	\$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
<i>If bankrupt is a corporation, add:</i>		
	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		\$0.00
Deficiency		\$61,440,463.78

I, David Ludvigson, of Nanogen Point of Care, Inc. of the city of San Diego in the State of California, 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 my affairs on the 28th day of August, 2009 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with section 67 of the Act.

SWORN (or SOLEMNLY
 DECLARED) before me at
 San Diego in the State of
 California, on this 28th day of
 August, 2009

[Handwritten Signature]



Signed at San Diego, California the 28th day of August, 2009

[Handwritten Signature]

List "A"
Unsecured Creditors
Nanogen Point of Care, Inc.

No	Name of Creditor	Address	Amount of Claim
1	Abbott Canada	7155 Millcreek Dr., Mississauga, Ontario, L5N 3R3	\$3,009.14
2	ABC Security Access Systems	55 Queen's Plate Dr. Unit 4, Toronto, Ontario, M9W 6P2	\$770.70
3	Alliance Construction Group	7492 Bath Road, Mississauga, Ontario, L4T 1L2	\$2,772.00
4	Arista Biologics Inc.	1101 Hamilton St., Allentown, Pennsylvania, 181 01	\$7,500.00
5	Beckman Coulter Canada Inc.	6755 Mississauga Road Suite 600, Mississauga, Ontario, L5N 7Y2	\$4,622.75
6	Bell Canada	PO Box 9000 Suite 600, Mississauga, Ontario, MC3 2X7	\$368.56
7	Bell Conference Inc	10 Four Seasons Place 10th Floor, Toronto, Ontario, M9B 6H7	\$1,644.48
8	BIO S&T Inc.	5020 Fairway St. Suite 220, Montreal, Quebec, H8T 1B8	\$2,523.28
9	Blovest International Inc.	8500 Evergreen Blvd. NW., Minneapolis, Minnesota, 554 33	\$1,948.00
10	Canor Products Inc.	2486 Waterford St., Oakville, Ontario, K6K 5E6	\$12,082.26
11	Canada Formprint	6471 Edwards Blvd., Mississauga, Ontario, L5T 2V2	\$14,222.36
12	Canadian Linen Supply	24 Atomic Ave., Etobicoke, Ontario, M8Z 5L2	\$2,049.13
13	Canon Canada	PO Box 5300 Industrial Park, Markham, Ontario, L3R 0R4	\$120.07
14	CSA Group	PO Box 1924 Postal Sln A, Toronto, Ontario, M5W 1W9	\$656.25
15	Davpart	4576 Young Street Suite 700, Toronto, Ontario, M2N 6N4	\$207,958.85
16	Deloitte & Touche LLP	800-100 Queen Street, Ottawa, Ontario, K1P 5T8	\$20,200.00
17	Drug Royalty Corporation Inc.	200 Bay Street Box 122, Suite 3120 South Tower, Toronto, Ontario, M5J 2J3	\$15,284.39
18	Fedex	PO Box 4626 Toronto Stn A, Toronto, Ontario, M5W 5B4	\$382.87
19	Francotyp-Postalia Canada Inc.	82 Corstata Ave., Concord, Ontario, L4K 4X2	\$308.50
20	GS1 Canada	PO Box 4283 Postal Sln A, Toronto, Ontario, M5W 5W6	\$760.00
21	In Spec Systems	55 Mint Leaf Blvd., Brampton, Ontario, L6R 2K3	\$3,123.93
22	Maxguard Alarm & Security	210 Drumlin Circle Unit 6, Concord, Ontario, L4K 3E4	\$4,035.15
23	Millipore LTD	290 Concord Street, Billerica, Maryland, 018 21	\$7,842.00
24	Mississauga Clinical Res. Ctr	600-101 Queensway West, Mississauga, Ontario, L5B 2P7	\$26,880.00
25	Ngen, Inc. (Formerly Nanogen, Inc.)	10398 Pacific Centre Court, San Diego, California, 921 21	\$61,000,000.00
26	Nitrogen Services	26 Dorchester Ave., Toronto, Ontario, M8Z 4W3	\$704.90
27	Ontario Medical Oxygen Service	20 St. Lawrence Ave., Toronto, Ontario, M8Z 5T8	\$1,464.75
28	Orion Communications LTD	7875 Tranmere Dr., Toronto, Ontario, L5S 1T8	\$1,319.86
29	Paramed	3000 Steeles Ave. East Suite 700, Markham, Ontario, L3R 9W2	\$716.72
30	Peter Kupchak	133-2 The West Mall, Toronto, Ontario, M9C 1C2	\$182.10
31	Phenomenex Inc.	411 Madrid Avenue, Torrance, California, 905 011	\$2,517.00
32	Redcliff	1380 Rodick Road Suite 410, Markham, Ontario, L3R 4G5	\$60,000.00
33	Rentokil Pest Control Canada	30 Royal Crest Court Unit 11, Markham, Ontario, L3R 9W8	\$544.43
34	S&D Chemicals (Canada) LTD.	131 Finchdene Square Unit 7, Scarborough, Ontario, M1X 1A6	\$3,454.50
35	Scantibodies Laboratory Inc.	9336 Abraham Way, Santee, CALIFORNIA	\$1,357.65
36	Shuttle Freight Logistics Inc.	7050B Bramalea Rd. Unit 54/55, Mississauga, Ontario, L5S 1S9	\$9,006.00
37	Spectral Diagnostics Inc.	135-2 The West Mall, Toronto, Ontario, M9C 1C2	\$3,150.00
38	Stericycle INC.	PO BOX 1531 STN A, Toronto, Ontario, M5W 3N9	\$250.87
39	The Employment Solution	40 Holly Street. Suite 500, Toronto, Ontario, M4S 3C3	\$8,711.30
40	ThermoFisher	13800 Collections Center Dr., Chicago, Illinois, 606 93	\$6,029.03
Total:			\$61,440,463.78

Signed at San Diego, California the 28th day of August, 2009

