



MEYERS NORRIS PENNY LIMITED

CANADA  
Province of Ontario

COURT NO. 31-1252302  
ESTATE NO. 31-1252302

**TRUSTEE'S PRELIMINARY REPORT**

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

On August 31, 2009, Nanogen Point of Care, Inc. (the "Company") filed an assignment pursuant to the *Bankruptcy and Insolvency Act (Canada)* (the "BIA") and Meyers Norris Penny Limited was appointed the Trustee.

The Company was incorporated in Ontario. The Company focused on the development of new cardiac related diagnostic testing. The Company, which was located in the City of Toronto, is a subsidiary of a US company.

The Trustee understands that the bankruptcy was the result of the failure of the Company's cardiac testing equipment.

On September 3, 2009, the Notice to Creditors advising of the bankruptcy and the First Meeting of Creditors, a list of creditors and a proof of claim form, along with a proxy, were sent to all known creditors of the Company. Pursuant to subsection 102(4) of the BIA, the Notice of Bankruptcy was published in the September 10, 2009, edition of the Globe & Mail newspaper.

The information contained in this report has been prepared from the available books and records of the Company. These books and records have not been reviewed or otherwise audited by the Trustee, consequently, the Trustee expresses no opinion whatsoever with respect to the validity, the exactness or the reliability of the information contained herein.

**ASSETS**

The Company had no assets as noted in its Statement of Affairs.

**BOOKS AND RECORDS**

The Trustee has in its possession certain records of the Company. The following is a summary of key financial data (excluding closing entries) from the Company's financial statements prepared by management for the fiscal year ended December 31, 2008 and the period January to March 31, 2009:

	<u>2008</u>	<u>January 1 to June 30, 2009</u>
Revenue	\$ 3,654,000	\$84,000
Net income/(loss)	(6,015,000)	(1,586,000)



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**CONSERVATORY AND PROTECTIVE MEASURES**

There were no assets to seize.

**LEGAL PROCEEDINGS**

The Trustee has not initiated any legal proceedings prior to the First Meeting of Creditors.

**PROVABLE CLAIMS**

	<u>Statement of Affairs</u>	<u>Total claims filed to date</u>
Secured	\$ 0	\$ 0
Preferred	0	0
Unsecured	<u>61,440,464</u>	<u>61,082,616</u>
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**SECURED CREDITORS**

N/A.

**ANTICIPATED REALIZATIONS AND PROJECTED DISTRIBUTION**

There will be no funds available for the unsecured creditors.

**REVIEWABLE TRANSACTIONS AND PREFERENCE PAYMENTS**

The Trustee has not yet completed a review of the Company's records and will report to the inspectors once the review is completed.

**OTHER MATTERS**

A third party deposit has been provided to the Trustee by Ngen, Inc. to cover the fees and disbursements of the Trustee to perform its statutory duties only.

Dated: September 21, 2009

*Meyers Norris Penny Limited*  
Trustee

