

September 20, 2022



**To: Creditors of Spider Lake Rock and Gravel Ltd. (“SLRG”)**

**Re: First Meeting of Creditors**

On September 20, 2022, SLRG 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 7, 2022 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/spider-lake-rock-and-gravel-ltd/>.

The FMOC will be convened only by teleconference.

It is not mandatory to attend the FMOC. Creditors can file proofs of claim (copy attached to this package) with the Trustee’s office electronically at the following email address: [vancouverpbmail@mnp.ca](mailto:vancouverpbmail@mnp.ca).

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

### **Meeting Details**

1. Date: October 7, 2022
2. Time: 2:00 pm Pacific Time
3. Call in Details: (877) 252-9279
4. Conference Code: 173 580 998#

### **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 15 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](mailto:julie.kennedy@mnp.ca).

### **MNP Ltd.**

In its capacity as Licensed Insolvency Trustee  
In the Bankruptcy of Spider Lake Rock and Gravel Ltd.  
and not in its personal capacity



Per: Julie Kennedy, CIRP, LIT  
Vice President

District of: British Columbia  
Division No. 02 - Victoria  
Court No.  
Estate No. 11-2866898

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

Original  Amended

In the matter of the bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia

Take notice that:

1. Spider Lake Rock and Gravel Ltd. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Spider Lake Rock and Gravel Ltd.) on the 20th day of September 2022 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 7th day of October 2022 at 2:00 PM.

**The meeting will be convened solely via teleconference.**

**To attend the meeting please call the number below to register 15 minutes prior to the appointed time:**

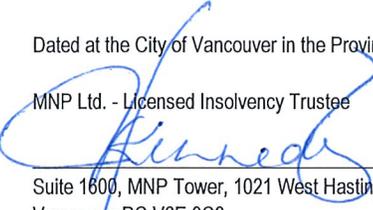
**1 (877) 252-9279 (conference ID: 173 580 998#)**

**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 20th day of September 2022.

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



Industry Canada  
Office of the Superintendent  
of Bankruptcy Canada

Industrie Canada  
Bureau du surintendant  
des faillites Canada

District of: British Columbia  
Division No.: 02 - Victoria  
Court No.: 11-2866898  
Estate No.: 11-2866898

In the Matter of the Bankruptcy of:

**Spider Lake Rock and Gravel Ltd.**

Debtor

**MNP LTD / MNP LTÉE**

Licensed Insolvency Trustee

Ordinary Administration

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Date and time of bankruptcy:	September 20, 2022, 11:19	Security:	\$0.00
Date of trustee appointment:	September 20, 2022		
Meeting of creditors:	October 07, 2022, 14:00 612122899@t.plcm.vc ID: 112 883 528 7 Via Teleconference, 1(877) 252-9279 Conference ID: 173 580 998#, 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: September 20, 2022, 15:00

E-File/Dépôt Electronique

Official Receiver

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

**Canada**

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  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia

This indenture made this 19<sup>th</sup> day of September, 2022  
between  
Spider Lake Rock and Gravel Ltd.  
2800 Marshland Road  
Qualicum Beach BC V9K 2L7  
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 <sup>Nanaimo</sup> ~~Victoria~~ in the Province of British Columbia, in the presence of \_\_\_\_\_

MARTIN W. BÜHLER, C.D.  
Barrister & Solicitor  
111 WALLACE ST.  
NANAIMO, BC V9R 5B2  
Ph: (250) 754-3321 Fax: (250) 754-1148

  
\_\_\_\_\_  
Witness

19 Sep 2022  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Spider Lake Rock and Gravel Ltd.  
Debtor

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  
 Spider Lake Rock and Gravel Ltd.  
 of the Town of Qualicum Beach, 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 19<sup>th</sup> day of September, 2022. 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)	
1. Unsecured creditors as per list "A" .....	405,107.71
Balance of secured claims as per list "B" .....	0.00
Total unsecured creditors .....	405,107.71
2. Secured creditors as per list "B" .....	276,244.59
3. Preferred creditors as per list "C" .....	0.00
4. Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for .....	0.00
Total liabilities .....	681,352.30
Surplus .....	NIL

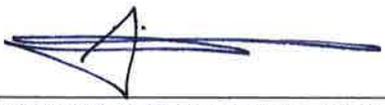
ASSETS	
(as stated and estimated by the officer)	
1. Inventory .....	1.00
2. Trade fixtures, etc. ....	0.00
3. Accounts receivable and other receivables, as per list "E"	
Good .....	18,424.00
Doubtful .....	7,434.15
Bad .....	0.00
Estimated to produce .....	8,424.00
4. Bills of exchange, promissory note, etc., as per list "F" .....	0.00
5. Deposits in financial institutions .....	0.00
6. Cash .....	15,000.00
7. Livestock .....	0.00
8. Machinery, equipment and plant .....	605,001.00
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 .....	30,000.00
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
<b>Total assets .....</b>	<b>658,426.00</b>
<b>Deficiency .....</b>	<b>22,926.30</b>

I, Steven Gray, of the Town of Victoria 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 19 day of September, 2022 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 Nanaimo in the Province of British Columbia, on this 19<sup>th</sup> day of September 2022.



Julie Kennedy, Commissioner for Taking Affidavits  
 For the Province of British Columbia  
 Expires August 31, 2023



Steven Gray

MARTIN W. BÜHLER, C.D.  
 Barrister & Solicitor  
 111 WALLACE ST.  
 NANAIMO, BC V9R 5B2  
 Ph: (250) 754-3321 Fax: (250) 754-1148

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
 Spider Lake Rock and Gravel Ltd.  
 of the Town of Qualicum Beach, in the Province of British Columbia

List "A"  
 Unsecured Creditors

Spider Lake Rock and Gravel Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	4-Refuel Canada LP	19100 94 Avenue Surrey BC V4N 5C3	32,877.13	0.00	32,877.13
2	Alberni Co-op	4885 Beaver Creek Rd Port Alberni BC V9Y7E1	176.95	0.00	176.95
3	Canet and Co. Ltd.	4715 Gertrude Street Port Alberni BC V9Y6K4	2,500.00	0.00	2,500.00
4	Caterpillar Financial Services Ltd. Attn: Sherry Pottie 6388 9500 2984 7147	2 - 3457 Superior Court Oakville ON L6L 0C4	43,051.27	0.00	43,051.27
5	CIBC c/o TECHCOM Managed Services CEBA	6-6150 Hwy 7, PO Box 486 Woodbridge ON L4H 0R6	50,000.00	0.00	50,000.00
6	Cojax Heavy Duty Repair Ltd.	979 Shearman Road Coombs BC V0R1M0	2,673.63	0.00	2,673.63
7	CRA - GST/HST - Vancouver Attn: Pacific Insolvency Intake Centre 842 796 237 RT	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	2,500.00	0.00	2,500.00
8	CRA - non-tax Programs Attn: London Tax Services Office Processing Systems Section - Bankruptcy 842 796 237 Source Deductions	PO Box 2517, 451 Talbot St. 11th Fl London ON N6A 4G9	229.33	0.00	229.33
9	CRA - Tax - Pacific 842 796 237 RC	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	2,500.00	0.00	2,500.00
10	Foreman Equipment Ltd. Equipment Rental	44109 Yale Road Chilliwack BC V9R3Z9	5,612.50	0.00	5,612.50
11	Huxham Contracting Ltd.	2332A Endall Rd Black Creek BC V9J1G7	3,999.46	0.00	3,999.46
12	Klaus Schmitt	3715 Barry Ave Los Angeles, CA 90066-3203 USA	22,395.85	0.00	22,395.85
13	Klaus Schmitt	3715 Barry Avenue Log Angeles, CA 900 66-3203	3,800.00	0.00	3,800.00
14	Klaus Schmitt Unpaid Royalties	3715 Barry Ave Los Angeles, CA 90066-3203 USA	17,609.26	0.00	17,609.26
15	Ministry of Finance - Forest Revenue Operations Attn: Deborah O'Neill MIP-1059-2444	PO Box 9990 Stn Prov Govt Victoria BC V8W 9R7	2,015.39	0.00	2,015.39
16	Ramsay Lampman Rhodes - Nanaimo Attn: Martin W. Buhler D5055	111 Wallace Street Nanaimo BC V9R 5B2	367.00	0.00	367.00
17	Roc-Tech Contracting (2011) Ltd.	96 Wallace St Nanaimo BC V9R 5C4	91,720.43	0.00	91,720.43
18	Skreenquip	7801 Vantage Way Delta BC V4G1A6	28,028.06	0.00	28,028.06
19	Thomas Gray Shareholder Loan	2800 Marshland Road Qualicum Beach BC V9K 2L7	92,000.00	0.00	92,000.00

145  
 16-Sep-2022

Date

  
 Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia

List "A"  
Unsecured Creditors

Spider Lake Rock and Gravel Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
20	Trend Diesel	18 fifth st Nanaimo BC V9R1M7	833.46	0.00	833.46
21	WorkSafeBC - Collections Department	PO Box 5350 Stn. Terminal Vancouver BC V6B 5L5	217.99	0.00	217.99
<b>Total:</b>			<b>405,107.71</b>	<b>0.00</b>	<b>405,107.71</b>

125  
16-Sep-2022

Date



Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
 Spider Lake Rock and Gravel Ltd.  
 of the Town of Qualicum Beach, in the Province of British Columbia  
 List "B"  
 Secured Creditors

Spider Lake Rock and Gravel 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	Caterpillar Financial Services Ltd. Attn: Sherry Pottie 2004 Caterpillar 330CL	2 - 3457 Superior Court Oakville ON L6L 0C4	1.00	Business Assets - Machinery - 2004 Caterpillar 330CL - CAT0330CCDKY02539		1.00		
2	Caterpillar Financial Services Ltd. Attn: Sherry Pottie John Deere 350D	2 - 3457 Superior Court Oakville ON L6L 0C4	110,000.00	Business Assets - Machinery - 2009 John Deere 350D - FF350DX806694		110,000.00		
3	Klaus & Elisabeth Schmitt	3715 Barry Ave Los Angeles, CA 90066-3203 USA	136,242.59	Business Assets - Machinery - Finlay J1160 Jaw Crusher - TRX1160JTOM30237 Business Assets - Machinery - 2000 Kawasaki Loader - 97C35853 Business Assets - Machinery - Cat Loader 966H - TEL01883 Business Assets - Machinery - 2001 Komatsu Excavator PC 300-HD-C-LE - A830009 Business Assets - Machinery - Chieftan 1700 Screen Plant - PID00129ADGA91294 Business Assets - Machinery - 2015 Terex Finlay C1540 Cone Crusher - TRX1540CHOMD16211		100,000.00  25,000.00  6,241.59  5,000.00  1.00  0.00		

123  
 16-Sep-2022  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
 Spider Lake Rock and Gravel Ltd.  
 of the Town of Qualicum Beach, in the Province of British Columbia  
 List "B"  
 Secured Creditors

Spider Lake Rock and Gravel 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
4	Ministry of Finance - PST - British Columbia	Station Provincial Government PO Box 9445 Victoria BC V8W 9V5	1.00	Debts Due - Business - Accounts Receivable  Business Assets - Machinery - Volvo 210 Excavator Cash on Hand - Cash in Bank Business Assets - Stock In Trade - Inventory Debts Due - Business - CRA Business Assets - Machinery - 2015 Terex Finlay C1540 Cone Crusher - TRX1540CHOMD16211 Business Assets - Machinery - Cat Loader 966H - TEL01883 Business Assets - Machinery - 2004 Caterpillar 330CL - CAT0330CCDKY02539 Business Assets - Machinery - 2009 John Deere 350D - FF350DX806694 Business Assets - Machinery - Chieftan 1700 Screen Plant - PID00129ADGA91294 Business Assets - Machinery - Finlay J1160 Jaw Crusher - TRX1160JTM30237 Business Assets - Machinery - 2000 Kawasaki Loader - 97C35853 Business Assets - Machinery - 2001 Komatsu Excavator PC 300-HD-C-LE - A830009 Motor Vehicles - Automobile - 2019 - Dodge - Ram 3500 - 3C63R3CLXKG528323		1.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	8,423.00 20,000.00 15,000.00 1.00 200,000.00 113,758.41 24,999.00	
5	TD Auto Finance (Canada) Inc. - VFC c/o Bankruptcy Highway Attn: Jennifer Tully	PO Box 57100 Etobicoke ON M8Y 3Y2	30,000.00	Motor Vehicles - Automobile - 2019 - Dodge - Ram 3500 - 3C63R3CLXKG528323		30,000.00		

123  
76-Sep-2022

Date



Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia

Total:	276,244.59		276,244.59	382,181.41	0.00
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*AG*  
16-Sep-2022

Date

  
Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia  
List "C"  
Preferred Creditors for Wages, Rent, etc.

Spider Lake Rock and Gravel 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

19/5  
16-Sep-2022

Date



Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia  
List "D"  
Contingent or Other Liabilities

Spider Lake Rock and Gravel 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
<b>Total:</b>			0.00	0.00		

LAG  
16-Sep-2022  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
 Spider Lake Rock and Gravel Ltd.  
 of the Town of Qualicum Beach, in the Province of British Columbia  
 List "E"  
 Debts Due to the Bankrupt  
 Spider Lake Rock and Gravel 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	BC	A/R	8,424.00 7,434.15 0.00		01-Jan-2022	8,424.00	
2	CRA	BC	PST Credit	10,000.00 0.00 0.00		01-Jan-2022	0.00	
Total:				18,424.00 7,434.15 0.00			8,424.00	

195  
 16-Sep-2022

Date



Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia  
List "F"

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

Spider Lake Rock and Gravel 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	

LAB  
16-Sep-2022

Date

  
Steven Gray

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia

List "G"

Real Property or Immovables Owned by Bankrupt

Spider Lake Rock and Gravel 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

19.15  
16-Sep-2022

Date

  
Steven Gray

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

FORM 78 – Concluded

In the Matter of the Bankruptcy of  
 Spider Lake Rock and Gravel Ltd.  
 of the Town of Qualicum Beach, in the Province of British Columbia  
 List "H"  
 Property  
 Spider Lake Rock and Gravel Ltd.  
 FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade		Inventory	0.00	1.00
(b) Trade fixtures, etc.			0.00	0.00
(c) Cash in financial institutions			0.00	0.00
(d) Cash on hand		Cash on hand	15,000.00	15,000.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant		Volvo 210 Excavator 2004 Caterpillar 330CL - CAT0330CCDKY02539 2009 John Deere 350D - FF350DX806694 Chieftan 1700 Screen Plant - PID00129ADGA91294 2000 Kawasaki Loader - 97C35853 2001 Komatsu Excavator PC 300-HD-C-LE - A830009 Finlay J1160 Jaw Crusher - TRX1160JTOM30237 Cat Loader 966H - TEL01883 2015 Terex Finlay C1540 Cone Crusher - TRX1540CHOMD16211	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	20,000.00 25,000.00 110,000.00 1.00 25,000.00 5,000.00 100,000.00 120,000.00 200,000.00
(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 - 2019 - Dodge - Ram 3500 - 3C63R3CLXKG528323	0.00	30,000.00
(l) Taxes			0.00	0.00
(m) Other			0.00	0.00
			<b>Total:</b>	<b>650,002.00</b>

193  
 16-Sep-2022  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Steven Gray

District of: British Columbia  
Division No. 02 - Victoria  
Court No.  
Estate No. 11-2866898

FORM 31 / 36  
Proof of Claim / Proxy  
In the Matter of the Bankruptcy of  
Spider Lake Rock and Gravel Ltd.  
of the Town of Qualicum Beach, in the Province of British Columbia

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

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In the matter of the bankruptcy of Spider Lake Rock and Gravel Ltd. of the Town of Qualicum Beach 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 20th day of September 2022, 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  
Fax: (604) 904-8628  
E-mail: [vancouverpbmail@mnp.ca](mailto: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.