

March 10, 2020

**To: The Creditors of FHC Enterprises Ltd. operating as FIELDS (the “Company”)**

Attached please find a Notice of Intention to Make a Proposal pursuant to the provisions of the *Bankruptcy and Insolvency Act*, filed by the Company on March 6, 2020. As Licensed Insolvency Trustee in the Proposal proceedings (the “Trustee”), we would like to take this opportunity to address some issues and perhaps answer some questions that you may have.

The Company has not filed for bankruptcy nor is the Company in receivership. The Notice of Intention to Make a Proposal creates a stay of proceedings and allows the Company a period of thirty days to prepare and file a Proposal to their creditors. During this thirty-day period, the Trustee will be monitoring the affairs of the Company, preparing a report to the creditors on the Company’s financial affairs, and assisting the Company in preparing the Proposal.

**At this time, you do not need to file a Proof of Claim or report any discrepancies concerning the amount reported as owing to you by the Company.** All creditors will have the opportunity to vote on the Proposal in person or by voting letter at the creditors’ meeting held approximately three weeks after the Proposal is filed.

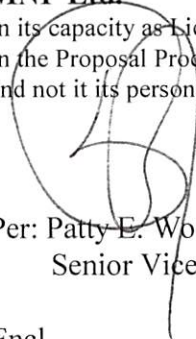
Copies of relevant documents and reports will be posted on the Trustee’s website maintained in these proceedings at <https://mnpdebt.ca/en/corporate/Engagements/FHC-Enterprises-Ltd>

If you have any questions or need further clarification, please contact Julie Kennedy at the Trustee’s office at (778) 374-2175 or the writer at (604) 637-1535.

Yours truly,

**MNP Ltd.**

In its capacity as Licensed Insolvency Trustee  
In the Proposal Proceedings of FHC Enterprises Ltd.,  
and not in its personal or corporate capacity



Per: Patty E. Wood, CPA, CGA, CIRP, LIT  
Senior Vice President

Encl.

## To our Valued Partners

I wish to include this letter to set our intentions to move forward with you during our financial restructuring.

We have worked very hard to avoid this step that we eventually had no choice but to make. Our expense and debt structure was such that we just could not carry on without new financing. We did not respond quickly enough to the increasing minimum wage costs as well as the increased carbon taxes over the last while. In addition, several of our stores have been affected by the downturn in retail and the economies in Alberta and Saskatchewan. To date we have made considerable expense reductions and will continue to do so where necessary. We believe there is an excellent future for FIELDS and most of our 64 stores are profitable and will remain open.

I am committed to making this restructuring work and ensuring that the business continues. In the meantime, it is business as usual. All suppliers will be paid for goods and services delivered on or after March 9<sup>th</sup>, 2020 on a COD basis. Amounts owed prior to that date will be dealt with under our proposal to creditors.

We are thankful for the outpouring of emails, phone calls and texts offering us support through this challenging time. As many of you well know we will do everything in our power to make sure FIELDS not only survives but thrives in rural western Canada for generations to come.

We deeply appreciate your continued support of our business and our relationship through this difficult time. I would be happy to speak with you at any time if you have any questions or concerns.

Sincerely,

FHC Enterprises LTD. / Fields

Jason W. McDougall  
President / CEO



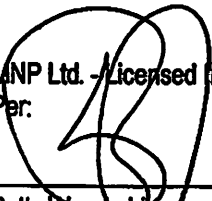
**- Proposal Consent -**  
**In the matter of the proposal of**  
**FHC Enterprises Ltd.**  
**of the City of Vancouver, in the Province of British Columbia**

To whom it may concern,

This is to advise that we hereby consent to act as trustee under the Bankruptcy and Insolvency Act for the proposal of FHC Enterprises Ltd..

Dated at the City of Vancouver in the Province of British Columbia, this 3rd day of March 2020.

MNP Ltd. - Licensed Insolvency Trustee  
Per:



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

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

- FORM 33 -  
Notice of Intention To Make a Proposal  
(Subsection 50.4(1) of the Act)

In the matter of the proposal of  
FHC Enterprises Ltd.  
of the City of Vancouver, in the Province of British Columbia

Take notice that:

1. I, FHC Enterprises Ltd., an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. MNP Ltd. of Suite 1600, MNP Tower, 1021 West Hastings Street, Vancouver, BC, V6E 0C3, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the City of Vancouver in the Province of British Columbia, this 6th day of March 2020.

  
\_\_\_\_\_  
FHC Enterprises Ltd.  
Insolvent Person

To be completed by Official Receiver:

\_\_\_\_\_  
Filing Date

\_\_\_\_\_  
Official Receiver

## *Creditor List*

In the matter of the proposal of  
FHC Enterprises Ltd.  
of the City of Vancouver, in the Province of British Columbia

Creditor Type	Name	Address	Claim \$
Secured	0988474 BC LTD.	150 - 766 Cliveden Place Delta BC V3M 6C7	250,000.00
	1007070 B.C. LTD.	150-766 CLIVEDEN PLACE Delta BC V3M 6C7	1,768,919.61
	CWB National Leasing Inc./ (formerly National Leasing Group Inc)	1525 Buffalo Pl Winnipeg MB R3T 1L9	1.00
	De Lage Landen Financial Services Canada Inc.	3450 Superior Court, Unit 1 Oakville ON L6L 0C4	1.00
	Excel Leasing Inc.	302 - 460 Main Street Winnipeg MB R3B 1B7	1.00
	Gould Leasing Ltd.	201 - 1220 Yonge Street Toronto ON M4T 1W1	1.00
	Kry Innovations Inc.	PO Box 1095 pemberton BC V0N 2L0	500,000.00
	M&M FOOTWEAR INC	4350 THIMENS Ville St. Laurent QC H4R 2P2	62,500.00
	Radco Ventures Inc.	7529 72A Street NW Edmonton AB T6B 1Z3	687,500.00
	RBC Royal Bank / Banque Royale	PO Box 57100 Etobicoke ON M8Y 3Y2	8,941,000.00
	Zeemac Vehicle Lease Ltd.	2293 Douglas Road Burnaby BC V5C 5A9	1.00
	Unsecured	0745248 B.C. LTD.	#23 - 3755 CLEARBROOK ROAD ABBOTSFORD BC V2T 5A8
0786108 BC LTD.dba H&G JANITOR		BOX 284 FORT NELSON BC V0C 1R0	1,664.26
0988474 BC LTD.		1248 52nd STREET DELTA BC V3M 6C7	29,238.26
100 MILE HOUSE FREE PRESS		PO BOX 2228, 2-175B WRANGLER WAY 100 MILE HOUSE BC V0K 2E0	1,312.50
1007070 B.C. LTD.		150-766 CLIVEDEN PLACE DELTA BC V3M 6C7	117,359.96
1244793 ALBERTA INC.		P.O. BOX 18047, SHAWNESSY RPO Calgary AB T2Y 3W5	4,798.54
158329 CANADA INC CLIENTELE		3565 JARRY E., SUITE 500 MONTREAL QC H1Z 2G1	6,857.50
4283147 CANADA INC.		1901 TRANSCANADA HWY DORVAL QC H9P 1J1	72,024.10
4453166 CANADA INC(GREENJEANS)		1420 RUE BEAULAC SAINT LAURENT QC H4R 1R7	51,708.05
ABELL PEST CONTROL INC.		669 RIDLEY PL. STE 207 DELTA BC V3M 6Y9	560.97
ABOND GROUP INC.		10900 COLBERT Anjou QC H1J 2H8	3,104.38
ACME PROTECTIVE SYS LTD		1632 WEST 6TH AVENUE VANCOUVER BC V6J 1R3	7,550.55
ACTION RETAIL OUTFITTERS		9115 STADIUM ROAD NW EDMONTON AB T5H 3W7	6,138.77
AFFINITY LAW GROUP		SUITE 1130 - 400 BARRARD ST. Vancouver BC V6C 3A6	11,316.73
AGILITY LOGISTICS, CO.(US\$)		HEADOFFICE, SUITE B, 185 COURTNEY PARK DR.	68,919.36

	EAST MISSISSAUGA ON L5T 2T6	
AGILITY LOGISTICS,CO.(CUSTOM)	HEADOFFICE, SUITE B, 185 COURTNEY PARK DR. EAST MISSISSAUGA ON L5T 2T6	29,319.48
ALLIANCE MERCANTILE INC	3451 WAYBURNE DRIVE BURNABY BC V5G 3L1	7,972.91
ALMOST NOTHING INC. (USA)	1620 S. LOS ANGELES STREET, SUITE C LOS ANGELES CA 90015	10,411.80
AMALGAMATED TEXTILES INC.	5620 FERRIER MONT-ROYAL QC H4P 1M7	36,543.28
AMECO PARADISIO APPAREL INC	500 WRIGHT STREET ST-LAURENT QC H4N 1M6	273,040.04
AMI IMPORTS	166 RUE GINCE SAINT LAURENT QC H4N 2W6	6,364.80
ANDCO MECHANICAL LTD.	P.O. BOX 72 TLELI. BC V0T 1Y0	1,736.70
ANRICA IMPEX INTERNATIONAL	565 EDWARD VII DORVAL QC H9P 1E7	16,705.60
ARAAM INC	11616 178 ST. NW EDMONTON AB T5S 2E6	39,126.15
ARCTIC BEVERAGES LIMITED	201 HAYES ROAD THOMPSON MB R8N 1M5	661.13
ARIELLA INTERNATIONAL FASHION	8484 ESPLANADE MONTREAL QC H2P 2R7	127,622.17
ARPAC	7663 PROGRESS WAY DELTA BC V4G 1A2	2,996.11
ATHABASCA REGIONAL WASTE	MGMT SERVICES COMMISSION, BOX 90 ATHABASCA AB T9S 2A2	1,731.38
ATLANTIC SPORTSWEAR	9500 RUE MEILLEUR SUITE 700 MONTREAL QC H2N 2B7	30,390.50
AYK INTERNATIONAL INC	8250 EDISON ANJOU QC H1J 1S8	20,616.87
AZ TRADING CO (AZ HOME&GIFTS)	#223-7080 RIVER ROAD RICHMOND BC V6X 1X5	25,197.87
B&G SALES, INC.	1750 N. 25TH AVENUE MELROSE PARK IL 60160-1803	27,718.44
BANNER POST	PO BOX 1018 HIGH LEVEL AB T0H 1Z0	479.14
BAZAAR INC (USA)	1900 N. 5TH AVENUE RIVER GROVE IL 60171	2,720.47
BCCQ REAL ESTATE RENTALS LP	SUITE 100, 71 CORRIVEAU AVENUE ST. ALBERT AB T8N 5A3	10,875.90
BENSUS	P.O BOX 48085 MONTREAL QC H2V 4H0	18,989.79
BETTER HOME FASHION INC	280 BOWES ROAD CONCORD ON L4K 1J9	28,332.05
BL INTIMATE APPAREL CANADA	9500 MEILLEUR ST. SUITE #111 MONTREAL QC H2N 2B7	49,271.68
BLACK PRESS GROUP LTD.	212 -15288 54A AVE. SURREY BC V3S 6T4	6,309.77
BOB DALE GLOVES IMPORT LTD.	4504 82 AVENUE EDMONTON AB T6B 2S4	6,290.96
BOCHI BROTHERS	ACCESSORIES NETWORK, 225 MONTEE DE LIESSE VILLE ST LAURENT QC H4T 1P5	40,372.69
BRANDS UNLIMITED TRADING INC	76 BRUNSWICK DOLLARD DES OREMEAUX QC H9B 2C5	50,978.20
BRITISH INVASION APPAREL	225 MONTE DE LIESSE VILLE ST-LAURENT QC H4T 1P5	12,099.78
C2 IMAGING LLC	1481 LINDSEY PLACE DELTA BC V3M 6V1	606.95

CANADA POST CORPORATION	ACCOUNTS PROCESSING, 2701 RIVERSIDE DRIVE OTTAWA ON K1A 1L7	697.60
CANADELLE LIMITED PARTNERSHIP	CASE POSTALE 40085, SUCCURSALE CENTRE VILLE MONTREAL QC H3C 0K1	28,289.18
CBM INC.	8370 RUE LABARRE MONTREAL QC H4P 2F7	1,304.10
CENTRAL PEACE SIGNAL	PO BOX 520 SPIRIT RIVER AB T0H 3G0	630.00
CERDANT, INC	PO BOX 3204 DUBLIN OH 43016	4,003.71
CESA	105 W. 3RD. AVE. VANCOUVER BC V5Y 1E6	1,353.29
CHAMPS CANADA INC	2276 CHEMIN ST. FRANCOIS DORVAL QC H9P 1K2	25,745.88
CHATEAU MANIS ELECTRONICS INC	1495 - 55 E AVENUE DORVAL QC H9P 2W3	14,989.80
CHETWYND RECYCLING & BOTTLE DEP	BOX 971, 4824-54TH STR. CHETWYND BC V0C 1J0	714.00
CHRISTMAS FOREVER	2306 MADISON AVENUE BURNABY BC V5C 4Y9	12,666.28
CLICKWISE CONSULTING	ROBERT PEARSON, 806 LAZO RD Comox BC V9M3V9	708.75
CLIMATE CONTROL SYSTEM INC.	106-44195 YALE RD. W CHILLIWACK BC V2R 4H2	473.00
CLOTHES OUT TRADING	59 SAMOR ROAD TORONTO ON M6A 1J2	10,265.60
CLS SALES	150 MIDDLEFIELD ROAD TORONTO ON M1S 4L6	5,987.52
CMR HOME ENTERTAINMENT	6800 TRANS-CANADA HWY POINT-CLAIRIE QC H9R 5L4	20,120.64
COAST TEXTILE SALES INC.	102 - 5517 PRODUCTION BLVD. SURREY BC V3S 8P6	33,800.05
COATS & CLARK CANADA	c/o TH1091C, PO BOX 4283, POSTAL STATION A TORONTO ON M5W 5W6	997.15
COBRA SALES/7112513 CANADA INC	730 RUE DESLAURIERS ST- LAURENT QC H4N 1W5	49,875.66
COCA-COLA REFRESHMENTS	CANADA COMPANY, PO BOX 9900 STATION A TORONTO ON M5W 2J2	5,078.03
COMMONWEALTH HOME	8800 BOULEVARD PIE 1X MONTREAL QC H1Z 3V1	17,033.10
CONTEX INTL IMPORT INC	8955 PARK AVENUE MONTREAL QC H2N 1Z1	153,198.78
CONTINENTAL STORE FIXTURE INC.	UNIT 201, 2052 192 STREET SURREY BC V3Z 0N2	5,606.52
CP PACKAGING CORP.	PO BOX 6420 STATION TERM VANCOUVER BC V6B 6R3	2,981.66
CRA - Tax - Pacific	829151505RT0001 Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	49,613.00
CRAYOLA CANADA	PO BOX 120 LINDSAY ON K9V 4R8	10,749.66
CROWE MacKAY LLP	1100 - 1177 WEST HASTINGS ST. VANCOUVER BC V6E 4T5	10,500.00
CURBOLOGY CONCRETE SOLUTION	PO BOX 1410 MAYERTHORPE AB T0E 1N0	1,386.00
DAN D FOODS LTD.	11760 MACHRINA WAY RICHMOND BC V7A 4V1	4,890.44
DANA WARES CORP	1860 32nd AVENUE LACHINE QC H8T 3J7	45,933.51



DANIAL'S DISTRIBUTION INC	3 - 4020A SLADEVIEW CRESCENT MISSISSAUGA ON L5L 6B1	12,135.10
DAY & ROSS	11470 -131ST STREET SURREY BC V3R 4S7	57,810.71
Dean Petruk	Surrey BC	17,500.00
DEBONAIR CREATIONS INC.	1191 BATHURST STREET TORONTO ON M5R 3H4	3,307.50
DIAMOND HOME LLC	230 5TH AVE NEW YORK NY 10016	603.00
DOMAY SALES INC	165 JULES-LIEGER BOUCHERVILLE QC J4B 7K8	58,473.03
DORCY INTERNATIONAL (CANADA)	3375 NORTH SERVICE ROAD, UNIT D4 BURLINGTON ON L7N 3G2	2,535.30
DOUBLE J FASHION GROUP (2013)	555 CHABANEL ST.W #803 MONTREAL QC H2N 2H8	19,286.03
DREW BRADY COMPANY INC.	106 - 418 IROQUOIS SHORE RD OAKVILLE ON L6H 0X7	11,716.74
ECHO PIONEER THE (HIGH LEVE)	BOX 1018 HIGH LEVEL AB T0H 1Z0	655.54
EDCO ELECTRONICS	8484 ESPLANADE MONTREAL QC H2P 2R7	19,715.34
EGO FASHIONS	4990 RUE COURVAL VILLE SAINT-LAURENT QC H4T 1L1	107,814.72
EPCOR	P. O. BOX 500 EDMONTON AB T5J 3Y3	8,397.61
ESTED INDUSTRIES	8484 ESPLANADE STREET MONTREAL QC H2P 2R7	24,491.20
EXIST INC.	1650 NW 23RD AVENUE FORT LAUDERDALE FL 33311	17,360.37
EYECANDY ACCESSORIES INC	9 DENSLEY AVENUE TORONTO ON M6M 2P5	28,040.10
FILO IMPORT INC	885 RUE DES FORGES TERREBONNE QC J6Y 0J9	27,591.64
GERTEX HOSIERY INC	9 DENSLEY AVENUE TORONTO ON M6M 2P5	64,189.81
GIA FOODS LTD	104 - 8288 NORTH FRASER WAY BURNABY BC V3N 0E9	3,674.88
GIBSON OVERSEAS INC	2410 YATES AVENUE COMMERCE CA 90040-1918	7,219.92
GILLES R. MAYER SANITATION LTD	86 FRONT RD L'ORIGNAL ON K0B 1K0	210.03
GILWAR IMPORTS	5320 MACDONALD AVE. SUITE 303 MONTREAL QC H3X 2W2	29,668.31
GLACIER MEDIA GROUP	3355 GRANDVIEW HWY VANCOUVER BC V5M 1Z5	5,705.00
GMD WHOLESALE INC	2180 HIGHWAY 7, UNIT 12 CONCORD ON L4K 1W6	16,046.52
GORILLA GLUE COMPANY	2101 E. KEMPER ROAD CINCINNATI OH 45241	1,520.34
GOVERNMENT OF THE NORTHWEST	TERRITORIES, PO BOX 1320 YELLOWKNIFE NT X1A 2L9	1,117.25
GREENTOWN CANADA INC	225 ISRAEL ZILBER DRIVE MAPLE ON L6A 0L3	5,049.93
GUILLEVIN INTERNATIONAL	630 RAYMUR AVE. VANCOUVER BC V6A 3L2	2,491.88
H.A. KIDD AND COMPANY LTD.	5 NORTHLINE ROAD TORONTO ON M4B 3P2	2,040.03
HANDEE PRODUCTS	5785 PARE STREET T.M.R QC H4P 1S1	6,975.99
HANES BRANDS INC	22680 NETWORK PLACE	7,221.40



HERITAGE HOME FASHIONS	CHICAGO IL 60673-1226 5000 W. JEAN TALON, SUITE 150 Montreal QC H4P 1W9	54,549.36
HOLIDAY GROUP INC	4875 BOUL. DES GRANDES PRAIRIES MONTREAL QC H1R 1X4	968.48
HOLLAND IMPORTS INC	2306 MADISON AVENUE BURNABY BC V5C 4Y9	14,257.43
HOME FASHIONS DISTRIBUTOR INC.	44 INDUSTRIAL PARK DRIVE DOVER NH 03820	13,410.72
HOME TEXTILE INC.	35 COVENTRY ROAD BRAMPTON ON L6T 4V7	14,375.52
HONG & ARTS INC	UNIT 9, 115 TORBAY ROAD MARKHAM ON L3R 2M9	13,356.00
HOT ELECTRIC LTD	11137 157A ST. SURREY BC V4N 4R3	695.53
HRS GLOBAL MARKETING	10050 COTE-DE-LIESSE SUITE 200 MONTREAL QC H8T 1A3	32,433.14
HUSKY RETAIL GROUP	2 - 7164 VEDDER RD CHILLIWACK BC V2R 4G4	5,515.27
iH CASADÉCOR	7325 BRAMALEA ROAD MISSISSAUGA ON L5S 1C5	16,947.00
IMJ IMPEX INTERNATIONAL	5885 MARC CHAGALL #805 MONTREAL QC H4W 0C1	4,762.00
IMPERIAL TOBACCO CANADA	9960 RIVER WAY DELTA BC V4G 1M9	10,995.88
IMPORTS DRAGON	2515 AVENUE DE LA RENAISSANCE BOISBRIAND QC J7H 1T9	21,846.36
INDIA BOUTIQUE INC	2030 NW 23 STREET MIAMI FL 33142	10,291.20
INDOOR ELEMENTS	8549-112 STREET GRANDE PRAIRIE AB T8V 6A4	1,657.09
INTERNATIONAL WHOLESALE	4000 ALLEN RD. ALLEN PARK MI 48101	6,677.22
J&F DISTRIBUTORS (Harvest)	3109 SCHOOL ST TERRACE BC V8G 5T4	501.06
JAMMERS APPAREL	2000 ONESIME-GAGNON LACHINE QC H8T 3M8	65,432.91
JAN-PRO VANCOUVER	4259 CANADA WAY, SUITE 215 Burnaby BC V5G 1H1	917.40
JANO	120 ST JOSEPH BLVD. LACHINE QC H8S 2L3	42,164.06
JELLI FISH KIDS INC	550 DESLAURIERS MONTREAL QC H4N 1V8	10,155.60
JENERE SALES	2625 BRABANT MARINEAU ST-LAURENT QC H4S 1R8	89,583.12
JIVA ORGANICS	7442 FRASER PARK DRIVE BURNABY BC V5J 5B9	5,667.36
KAM-CRETE LTD.	BOX 249 KAMSA SK S0A 1S0	745.50
KARMIN INDUSTRIES	1901 TRANSCANADA HWY DORVAL QC H9P 1J1	82,384.32
KERR BROS.	956 ISLINGTON AVENUE TORONTO ON M8Z 4P6	8,970.55
KML FOOD & CONFECTIONERY LTD	214-400 MAIN ST. E MILTON ON L9T 4X5	13,559.70
KOLE IMPORTS	24600 MAIN ST CARSON CA 90745	9,696.13
KONICA MINOLTA BUSINESS	SOLUTIONS (CANADA) LTD., PO BOX 4563 STATION A TORONTO ON M5W 0H1	1,686.44



LA CLOSE OUT INC.	5526 S. SOTO STREET VERNON CA 90058	33,302.75
LAC LA BICHE COUNTY	BOX 1679 LAC LA BICHE AB T0A 2C0	701.19
LADY SANDRA HOME FASHIONS INC	8280 DEVONSHIRE MONT-ROYAL QC H4P 2P7	22,515.45
LAKELAND FIRE & SAFETY	4201 - 50 AVE ST PAUL AB T0A 3A3	911.77
LAMOUR INDUSTRIES	55 LOUVIAN ST. W SUITE 200 MONTREAL QC H2N 1A4	4,372.00
LANG LOCKS & SAFES	A DIV. OF 330552 ALBERTA LTD., 11119-100 STREET GRANDE PRAIRIE AB T8V 2N2	1,343.69
LEON KOROL CO.	2050 E. DEVON AVENUE ELK GROVE VILLAGE IL 60007	20,630.69
LES VARIETES P. PRUD'HOMME INC	801 RUE PRICE ST-JEROME QC J7Y 4E2	7,062.30
LIBERTY DISTRIBUTORS INC.	1065 SHEPHERD AVENUE BROOKLYN NY 11208	6,459.34
LINENCORP 2015 INC.	6435 COTE DE LIESSE ST-LAURENT QC H4T 1E5	57,771.00
LINTEX LINENS LTD/COBRA TRDNG	295 5TH AVENUE NEW YORK NY 10016	39,058.96
LOR-AL SPRINGS LTD	BOX 200 RIMBEY AB T0C 2J0	94.99
M&M FOOTWEAR INC	4350 THIMENS VILLE ST LAURENT QC H4R 2P2	77,289.85
M-O FREIGHTWORKS	MARTIME-ONTARIO FREIGHT LINES, 1 MARTIME- ONTARIO BLVD BRAMPTON ON L6S 6G4	17,487.31
MAC WHOLESALE (USA)	140 LAUREL STREET E.BRIDGEWATER MA 02333	16,560.26
MAGIC CREATIONS (USA)	200 28THY STREET MCKEESPORT PA 15132	12,872.04
MAGSTAR INC.	8133 WARDEN AVENUE, 7TH FLOOR MARKHAM ON L6G 1B3	66,617.73
Manitoba Finance - Taxation Division	829151505MT0001 101 - 401 York Avenue Winnipeg MB R3C 0P8	3,283.00
MANULIFE FINANCIAL	PREMIUM ADMINISTRATION, PO BOX 1627 WATERLOO ON N2J 4P4	33,579.40
Marika Kokoshke	Taber AB	11,843.00
MARINA DEL REY	2105 RUE MONTEREY LAVAL QC H7L 3T6	46,943.07
MARKETING RESULTS LTD	3985 GROVES RD COLUMBUS OH 43232	6,239.04
MARR	105 WEST 3RD AVE. VANCOUVER BC V5Y 1E6	422.63
MASSIMO ZANETTI	PO BOX 890584 CHARLOTTE NC 28289-0584	8,714.72
MAZEL COMPANY	31000 AURORA ROAD SOLON OH 44139	17,731.95
MELMAT SALES DISTRIBUTION	751 BOUL. LEBEAU ST. LAURENT QC H4N 1S5	93,013.26
MERIDIAN SOURCE	BOX 2454 LLOYDMINSTER SK S9V 1W5	443.52
MIDWAY INDUSTRIES LTD	8270 PIE IX BLVD MONTREAL QC H1Z 3T6	2,060.00
MILES EMPLOYMENT GROUP LTD	603 - 55 WATER STREET VANCOUVER BC V6B 1A1	4,200.00
MILLENNIUM FOOTWEAR INC	90 MORTON AVE. EAST UNIT 1B	91,128.82

MILLS BASICS	BRANTFORD ON N3R 7J7 1111 CLARK DRIVE VANCOUVER BC V5L 3L5	17,440.52
Ministry of Finance - PST - British Columbia	PST-1006-2006 Station Provincial Government PO Box 9445 Victoria BC V8W 9V5	112,952.00
Ministry of Finance - Saskatchewan	2508513 PO Box 200 Regina SK S4P 2Z6	34,648.00
MINUTEMAN PRESS RICHMOND	UNIT 110-11780 RIVER ROAD RICHMOND BC V6X 1Z7	428.29
Miriam Lewis	Langley BC	5,692.00
MOSTAD PRINTING & MEDIA	13447-77TH AVENUE SURREY BC V3W 6Y1	8,470.95
NASCO PRODUCTS INC	9871 ASPIN COURT RICHMOND BC V6Y 3C1	51,054.32
NBS	9315 TRANS-CANAD HWY MONTREAL QC H4S 1V3	599.76
NINGBO EGO INTL. CO. LTD.	3-6F, NO. 168-1 SONGGJIANG RD. YINZHOU DISTRICT, NINGBO, CHINA	158,085.63
NORTH CENTRAL	3352 HWY 16, PO BOX 665 SMITHERS BC V0J 2N0	287.11
NORTHEAST WHOLESALE INC.	BAY #3119, 3961 52 AVE. NE CALGARY AB T3J 0K7	13,842.99
NORTHERN BOTTLING (DIST) LTD	15415-91 STREET GRANDE PRAIRIE AB T8X 0B4	3,153.91
NORTHERN LIGHTS GAS CO-OP LTD.	BOX 1600 LaCrete AB T0H 2H0	187.42
NORTHERN PRIDE	PUBLICATIONS & PRINT, BOX 2049, 219 CENTRE STREET MEADOW LAKE SK S9X 1Z4	531.30
NORTHERN RESPONSE	50 STAPLES AVE, UNIT #2 RICHMOND HILL ON L4B 0A7	2,719.05
NORTHWESTEL INC.	PO BOX 2710 WHITEHORSE YT Y1A 4Z8	917.24
NOVO TEXTILE COMPANY LTD	519 - 19100 AIRPORT WAY PITT MEADOWS BC V3Y 0E2	7,555.60
NUMBER 8 FREIGHT	43871 PROGRESS WAY CHILLIWACK BC V0R 0E6	3,415.13
OK KIDS	200, BL. LEBEAU ST-LAURENT QC H4N 1R4	25,284.00
ONYX AND BLUE CORPORATION	2575 32ND AVENUE, SUITE 206 LACHINE QC H8T 3G9	5,027.53
PACIFIC COAST DISTRIBUTION LTD	27433 52ND AVENUE LANGLEY BC V4W 4B2	1,470.00
PAPCO FOODS INC	250 DESL.AURIERS ST-LAURENT QC H4N 1V8	7,640.01
PEAK-RYZEX	PO BOX 10132 STN A TORONTO ON M5W 2B1	2,256.04
PK DOUGLASS INC	C/O G & S SALES, 20 8980 FRASERWOOD COURT Burnaby BC V5J 5H7	6,217.28
PLANET GREEN	PO BOX 2156 PRINCETON BC V0X 1W0	724.50
PORTE FIELDS HOLDINGS INC.	#100 - 33 EAST 8TH AVENUE VANCOUVER BC V5T 1R5	476.87
POSTMEDIA	365 BLOOR STREET EAST TORONTO ON M4W 3L4	999.57
PPK BRANDS	9289755 CANADA INC, 2480 RUE DES NATIONS #602 ST. LAURENT QC H4R 0J9	14,882.40



PRIME DEALS INTERNATIONAL LTD.	UNIT#107. 2455 - 192 STREET SURREY BC V3Z 3X1	42,965.58
PRO-WEST REFRIGERATION LTD	9022-109 ST. GRANDE PRAIRIE AB T8V 4K8	573.05
PUROLATOR COURIER LTD.	P.O. BOX 1100. ETOBICOKE POST STN ETOBICOKE ON M9C 5K2	7,757.62
RANACO PELLI INTERNATIONAL	CP 26068. BP DE SALABERRY MONTREAL QC H3M 3E8	7,229.25
RECYCLE BC	1 ST. CLAIR AVE. WEST. 7TH FLOOR Toronto ON M4V 1K6	2,205.00
RECYCLESMART SOLUTION INC.	120-3851 SHELL RD RICHMOND BC V6X 2W2	36,781.80
REGAL CONFECTIONS INC	1625 BOUL DAGENAIS QUEST LAVAL QC H7L 5A3	5,121.14
REGENT PRODUCTS CORP (USA)	PO BOX 66204 CHICAGO IL. 60666-0204	60,678.70
RENFRO CANADA INC	250 ADMIRAL BOULEVARD MISSISSAUGA ON L5T 2N6	20,572.33
RGIS	PO BOX 2422 STATION A TORONTO ON M5W 2K6	118,616.74
ROADRUNNER	2005 23RD AVENUE LACHINE QC H8T 1X1	5,316.57
ROLF C HAGEN INC	20500 TRANS CANADA HWY BAIE DURFE QC H9X 0A2	22,725.76
ROSE TEXTILES	DIV OF 500845 ONTARIO LTD. 10911 KEELE STREET. UNIT #5 MAPLE ON L6A 5A6	32,804.53
RS INTERNATIONAL CANADA INC.	191 SUPERIOR BLVD MISSISSAUGA ON L5T 2L6	8,064.00
RS SALES DISTRIBUTION DIVISION	OF 6368298 CANADA INC.. 6823 NEWTON COTE SAINT LUC QB H4W 3H8	59,653.52
Ryan Maillet	Vancouver BC	4,045.00
SAFDIE INC.	8191 CHEMIN MONTVIEW VILLE MONT-ROYAL QC H4P 2P2	81,100.53
SAN REMO FOODS	45 EAST 4TH AVENUE VANCOUVER BC V5T 1E9	4,106.37
Saskatchewan Workers' Compensation Board	200 - 1881 Scarth Street Regina SK S4P 4L1	1.00
SCOTTISH TRADERS CLOTHING	5455 BOUL DES GRANDES PRAIRIES ST LEONARD QC H1R 1B1	72,171.12
SEVEN APPAREL GROUP	347 FIFTH AVENUE. SUITE 201 NEW YORK NY 10016	48,356.42
SHKOPICH ENVIRO	19 INDUSTRIAL CRES.. BOX 1419 MEADOW LAKE SK S9X 1Z1	445.41
SHOE TECH CANADA LTD	270 PENNSYLVANIA AVE UNIT # 7 CONCORD ON L4K 3Z7	8,684.28
SIGNBOOM INDUSTRIES LTD.	B125 - 5525 - 272nd STREET LANGLEY BC V4W 1P1	742.30
SIU & SONS INT'L TRADING CORP.	2460 VIKING WAY RICHMOND BC V6V 1N2	7,371.00
SPLASH HOME	4930 COURVAL STREET ST.LAURENT QC H4T 1L1	6,680.57
SS LASER TECH LTD	2115 - 13560 MAYCREST WAY RICHMOND BC V6V 2W9	387.75
STANFIELDS LIMITED	1 LOGAN STREET TRURO NS B2N 5C2	42,210.50
STARGATE CONNECTIONS INC.	Suite 347 - 6450 Roberts St. Burnaby BC V5G 4E1	2,441.40
STEIN NOVELTY IMPORTING	409 BOUL. MONTPPELLIER MONTREAL QC H4N 2G6	3,528.00

STERLING BACKCHECK	SUITE 200 - 19433 96TH AVE SURREY BC V4N 4C4	1,537.73
STOCKLOTS	1901 TRANSCANADA HWY DORVAL QC H9P 1J1	153,069.54
STRATEGIC MERCHANDISE GROUP	1536 FIRST STREET NEWTON FALLS OH 44444	8,149.88
STREET LEGAL CLOTHING	675 MONTEE DE LIESSE MONTREAL QC H4 T 1P5	10,319.10
SUPERIOR QUILTING LTD.	375 NORFINCH DRIVE NORTH YORK ON M3N 1Y7	29,562.75
SYMAK SALES/DIV OF FIBERLINKS	4747 COTE VERTU ST-LAURENT QC H4S 1C9	8,278.92
TELUS VANCOUVER BOX 7575	P.O. BOX 7575 VANCOUVER BC V6B 8N9	7,276.46
TENOLD TRANSPORT LTD	19470- 94TH AVENUE SURREY BC V4N 4E5	399.00
TERRA INT. FOOD INC	7298 HUME AVE DELTA BC V4G 1C5	11,608.86
THE PEPSI BOTTLING GROUP	PO Box 2380, Stn Terminal Vancouver BC V6B 3W7	4,370.55
The Workers Compensation Board of Manitoba	1845304 333 Broadway Winnipeg MB R3C 4W3	1.00
TOTES ISOTONER CANADA	426 WATLINE AVENUE MISSISSAUGA ON L4Z 1X2	19,994.04
TOWN OF HIGH PRAIRIE	BOX 179 HIGH PRAIRIE AB T0G 1E0	920.23
TOWN OF LEAF RAPIDS	BOX 340 LEAF RAPIDS MB R0B 1W0	590.14
TOWN OF VALLEYVIEW	BOX 270 VALLEYVIEW AB T0H 3N0	551.80
TOWN OF WESTLOCK	10003 - 106 STREET WESTLOCK AB T7P 2K3	484.09
TY INC	.P.O. BOX 5377 OAK BROOK IL 60522 - 5377	6,783.47
ULINE CANADA CORPORPTION	BOX 3500, RPO STREETSVILLE MISSISSAUGA ON L5M 0S8	12,543.33
ULTIMATE CUP OF COFFEE LTD	1751 BOUNDARY ROAD VANCOUVER BC V5M 3Y7	989.80
UNITED PACIFIC DESIGNS	4507 S. MAYWOOD AVENUE VERNON CA 90058	12,841.49
UPPAL COMPUTER SOLUTIONS INC.	8256 142B STREET SURREY BC V3W 0J4	4,684.40
V.K. PATEL DISTRIBUTION SYSTEM	637 THE QUEENSWAY, STE 1 PETERBOROUGH ON K9J 7J6	10,749.00
VAN KAM FREIGHTWAYS LTD.	10155 GRACE ROAD SURREY BC V3V 3V7	146,821.88
VILLAGE OF BOYLE	4800 3RD STREET SOUTH BOYLE AB T0A 0M0	760.63
VIPRE SECURITY	SUITE 300-3999 HENNING DRIVE BURNABY BC V5C 6P9	1,532.15
VWV ENTERPRISES LTD.	3920 GRIFFITH ST. LAURENT QC H4T 1A7	9,424.50
WCB Workers Compensation Board of Alberta	6666244 PO Box 2415 Edmonton AB T5J 2S5	1.00
WEST COAST PALLET LTD.	11180 SCOTT ROAD SURREY BC V3V 8B8	2,592.80
WESTERN STAR, THE	BOX 100 LESLIEVILLE AB T0M 1H0	631.37

WILSON M. BECK(BURNABY)	INSURANCE SERVICES INC(BURNABY), #303-8678 GREENALL AVE. BURNABY BC V5J 3M6	4,723.00
Workplace Safety and Insurance Board	4759289 200 Front St W Toronto ON M5V 3J1	1.00
WorkSafeBC - Collections Department	8880879 PO Box 5350 Stn. Terminal Vancouver BC V6B 5L5	346.42
WSCC Workers' Safety and Compensation Commission	39473 Box 8888 Yellowknife NT X1A 2R3	1.00
XPRESS RETAIL LLC DB/A DVDXPRE	25 BROADWAY, 9TH FLOOR NEW YORK NY 10004	10,533.07
YELLOWKNIFE BEVERAGES	PO BOX 367 TLE' NAX T'AWEI LTD, 353A OLD AIRPORT ROAD YELLOWKNIFE NT X1A 2N3	2,469.94
ZHIHE CANADA INC	UNIT 2, 50 VOGELL ROAD RICHMOND HILL ON L4B 3K6	3,158.58

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**Total claims: \$ 17,518,731.35**



**IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN BANKRUPTCY AND INSOLVENCY**

**IN THE MATTER OF THE PROPOSAL OF  
FHC Enterprises Ltd.**

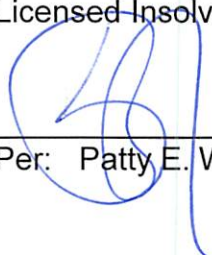
**NOTICE OF STAY OF PROCEEDINGS**

TAKE NOTICE THAT FHC Enterprises Ltd. filed with the undersigned a Notice of Intention to file a Proposal pursuant to Section 50.4 of the *Bankruptcy and Insolvency Act*, AND THAT, pursuant to Section 69 of the *Bankruptcy and Insolvency Act*, upon the filing of such a Notice, no creditor shall have any remedy against the debtor or his property or shall commence or continue any action, execution or other proceedings for the recovery of a claim provable in bankruptcy until the filing of a Proposal under Section 62(1) or the bankruptcy of the insolvent person. The applicable portions of Section 69 are attached.

THEREFORE, should you have a claim provable in bankruptcy against FHC Enterprises Ltd. you should not commence or continue any action, execution, or other proceedings for the recovery of such claim except by leave of the Court.

DATED at Vancouver, British Columbia this 10<sup>th</sup> day of March, 2020.

**MNP Ltd.**  
Licensed Insolvency Trustee

  
Per: Patty E. Wood, CPA, CGA, CIRP



# Excerpt from Bankruptcy and Insolvency Act - Section 69

## Stay of Proceedings page 1 of 3

### Stay of Proceedings

Stay of proceedings -- notice of intention 69. (1) Subject to subsections (2) and (3) and sections 69.4 and 69.5, on the filing of a notice of intention under section 50.4 by an insolvent person,

- (a) no creditor has any remedy against the insolvent person or the insolvent person's property, or shall commence or continue any action, execution or other proceedings, for the recovery of a claim provable in bankruptcy,
- (b) no provision of a security agreement between the insolvent person and a secured creditor that provides, in substance, that on
  - (i) the insolvent person's insolvency,
  - (ii) the default by the insolvent person of an obligation under the security agreement, or
  - (iii) the filing by the insolvent person of a notice of intention under section 50.4,the insolvent person ceases to have such rights to use or deal with assets secured under the agreement as he would otherwise have, has any force or effect,
- (c) Her Majesty in right of Canada may not exercise Her rights under
  - (i) subsection 224(1.2) of the *Income Tax Act*, or
  - (ii) any provision of the *Canada Pension Plan* or of the *Employment Insurance Act* that (A) refers to subsection 224(1.2) of the *Income Tax Act*, and (B) provides for the collection of a contribution, as defined in the *Canada Pension Plan*, or an employee's premium or employer's premium, as defined in the *Employment Insurance Act*, and of any related interest, penalties or other amounts, in respect of the insolvent person where the insolvent person is a tax debtor under that subsection or provision, and
- (d) Her Majesty in right of a province may not exercise her rights under any provision of provincial legislation in respect of the insolvent person where the insolvent person is a debtor under the provincial legislation and the provision has a similar purpose to subsection 224(1.2) of the *Income Tax Act*, or refers to that subsection, to the extent that it provides for the collection of a sum, and of any related interest, penalties or other amounts, where the sum
  - (i) has been withheld or deducted by a person from a payment to another person and is in respect of a tax similar in nature to the income tax imposed on individuals under the *Income Tax Act*, or
  - (ii) is of the same nature as a contribution under the *Canada Pension Plan* if the province is a "province providing a comprehensive pension plan" as defined in subsection 3(1) of the *Canada Pension Plan* and the provincial legislation establishes a "provincial pension plan" as defined in that subsection,until the filing of a proposal under subsection 62(1) in respect of the insolvent person or the bankruptcy of the insolvent person.

Limitation (2) The stays provided by subsection (1) do not apply

- (a) to prevent a secured creditor who took possession of secured assets of the insolvent person for the purpose of realization before the notice of intention under section 50.4 was filed from dealing with those assets;
- (b) to prevent a secured creditor who gave notice of intention under subsection 244(1) to enforce that creditor's security against the insolvent person more than ten days before the notice of intention under section 50.4 was filed, from enforcing that security, unless the secured creditor consents to the stay; or
- (c) to prevent a secured creditor who gave notice of intention under subsection 244(1) to enforce that creditor's security from enforcing the security if the insolvent person has, under subsection 244(2), consented to the enforcement action.

Limitation (3) A stay provided by paragraph (1)(c) or (d) does not apply, or terminates, in respect of Her Majesty in right of Canada and every province if

- (a) the insolvent person defaults on payment of any amount that becomes due to Her Majesty after the filing of the notice of intention and could be subject to a demand under
  - (i) subsection 224(1.2) of the *Income Tax Act*,
  - (ii) any provision of the *Canada Pension Plan* or of the *Employment Insurance Act* that refers to subsection 224(1.2) of the *Income Tax Act* and provides for the collection of a contribution, as defined in the *Canada Pension Plan*, or an employee's premium, or employer's premium, as defined in the *Employment Insurance Act*, and of any related interest, penalties or other amounts, or
  - (iii) any provision of provincial legislation that has a similar purpose to subsection 224(1.2) of the *Income Tax Act*, or that refers to that subsection, to the extent that it provides for the collection of a sum, and of any related interest, penalties or other amounts, where the sum(A) has been withheld or deducted by a person from a payment to another person and is in respect of a tax similar in nature to the income tax imposed on individuals under the *Income Tax Act*, or
- (B) is of the same nature as a contribution under the *Canada Pension Plan* if the province is a "province providing a comprehensive pension plan" as defined in subsection 3(1) of the *Canada Pension Plan* and the provincial legislation establishes a "provincial pension plan" as defined in that subsection; or
- (b) any other creditor is or becomes entitled to realize a security on any property that could be claimed by Her Majesty in exercising Her rights under
  - (i) subsection 224(1.2) of the *Income Tax Act*,
  - (ii) any provision of the *Canada Pension Plan* or of the *Employment Insurance Act* that refers to subsection 224(1.2) of the *Income Tax Act* and provides for the collection of a contribution, as defined in the *Canada Pension Plan*, or an employee's premium, or employer's premium, as defined in the *Employment Insurance Act*, and of any related interest, penalties or other amounts, or

## Excerpt from Bankruptcy and Insolvency Act - Section 69

### Stay of Proceedings page 2 of 3

- (iii) any provision of provincial legislation that has a similar purpose to subsection 224(1.2) of the *Income Tax Act*, or that refers to that subsection, to the extent that it provides for the collection of a sum, and of any related interest, penalties or other amounts, where the sum
  - (A) has been withheld or deducted by a person from a payment to another person and is in respect of a tax similar in nature to the income tax imposed on individuals under the *Income Tax Act*, or
  - (B) is of the same nature as a contribution under the *Canada Pension Plan* if the province is a "province providing a comprehensive pension plan" as defined in subsection 3(1) of the *Canada Pension Plan* and the provincial legislation establishes a "provincial pension plan" as defined in that subsection.
- R.S., 1985, c. B-3, s. 69; 1992, c. 27, s. 36; 1997, c. 12, s. 62; 2000, c. 30, s. 145.

#### Stay of proceedings -- Division I proposals

- 69.1 (1) Subject to subsections (2) to (6) and sections 69.4 and 69.5, on the filing of a proposal under subsection 62(1) in respect of an insolvent person,
- (a) no creditor has any remedy against the insolvent person or the insolvent person's property, or shall commence or continue any action, execution or other proceedings, for the recovery of a claim provable in bankruptcy, until the trustee has been discharged or the insolvent person becomes bankrupt;
  - (b) no provision of a security agreement between the insolvent person and a secured creditor that provides, in substance, that on
    - (i) the insolvent person's insolvency,
    - (ii) the default by the insolvent person of an obligation under the security agreement, or
    - (iii) the filing of a notice of intention under section 50.4 or of a proposal under subsection 62(1) in respect of the insolvent person,the insolvent person ceases to have such rights to use or deal with assets secured under the agreement as the insolvent person would otherwise have, has any force or effect until the trustee has been discharged or the insolvent person becomes bankrupt;
  - (c) Her Majesty in right of Canada may not exercise Her rights under subsection 224(1.2) of the *Income Tax Act* or any provision of the *Canada Pension Plan* or of the *Employment Insurance Act* that refers to subsection 224(1.2) of the *Income Tax Act* and provides for the collection of a contribution, as defined in the *Canada Pension Plan*, or an employee's premium, or employer's premium, as defined in the *Employment Insurance Act*, and of any related interest, penalties or other amounts, in respect of the insolvent person where the insolvent person is a tax debtor under that subsection or provision, until
    - (i) the trustee has been discharged,
    - (ii) six months have elapsed following court approval of the proposal, or
    - (iii) the insolvent person becomes bankrupt; and
  - (d) Her Majesty in right of a province may not exercise Her rights under any provision of provincial legislation that has a similar purpose to subsection 224(1.2) of the *Income Tax Act*, or that refers to that subsection, to the extent that it provides for the collection of a sum, and of any related interest, penalties or other amounts, where the sum
    - (i) has been withheld or deducted by a person from a payment to another person and is in respect of a tax similar in nature to the income tax imposed on individuals under the *Income Tax Act*, or
    - (ii) is of the same nature as a contribution under the *Canada Pension Plan* if the province is a "province providing a comprehensive pension plan" as defined in subsection 3(1) of the *Canada Pension Plan* and the provincial legislation establishes a "provincial pension plan" as defined in that subsection,in respect of the insolvent person where the insolvent person is a debtor under the provincial legislation, until
    - (iii) the trustee has been discharged,
    - (iv) six months have elapsed following court approval of the proposal, or
    - (v) the insolvent person becomes bankrupt.

#### Limitation

- (2) The stays provided by subsection (1) do not apply
- (a) to prevent a secured creditor who took possession of secured assets of the insolvent person for the purpose of realization before the proposal was filed from dealing with those assets;
  - (b) unless the secured creditor otherwise agrees, to prevent a secured creditor who gave notice of intention under subsection 244(1) to enforce that creditor's security against the insolvent person more than ten days before
    - (i) a notice of intention was filed in respect of the insolvent person under section 50.4, or
    - (ii) the proposal was filed, if no notice of intention under section 50.4 was filedfrom enforcing that security; or
  - (c) to prevent a secured creditor who gave notice of intention under subsection 244(1) to enforce that creditor's security from enforcing the security if the insolvent person has, under subsection 244(2), consented to the enforcement action.

#### Limitation

- (3) A stay provided by paragraph (1)(c) or (d) does not apply, or terminates, in respect of Her Majesty in right of Canada and every province if
- (a) the insolvent person defaults on payment of any amount that becomes due to Her Majesty after the filing of the proposal and could be subject to a demand under
    - (i) subsection 224(1.2) of the *Income Tax Act*,
    - (ii) any provision of the *Canada Pension Plan* or of the *Employment Insurance Act* that refers to subsection 224(1.2) of the *Income Tax Act* and provides for the collection of a contribution, as defined in the *Canada Pension Plan*, or an employee's premium, or employer's premium, as defined in the *Employment Insurance Act*, and of any related interest, penalties or other amounts, or
    - (iii) any provision of provincial legislation that has a similar purpose to subsection 224(1.2) of the *Income Tax Act*, or that refers to that subsection, to the extent that it provides for the collection of a sum, and of any related interest, penalties or other amounts, where the sum
  - (A) has been withheld or deducted by a person from a payment to another person and is in respect of a tax similar in

## Excerpt from Bankruptcy and Insolvency Act - Section 69

### Stay of Proceedings page 3 of 3

nature to the income tax imposed on individuals under the *Income Tax Act*, or  
(B) is of the same nature as a contribution under the *Canada Pension Plan* if the province is a "province providing a comprehensive pension plan" as defined in subsection 3(1) of the *Canada Pension Plan* and the provincial legislation establishes a "provincial pension plan" as defined in that subsection; or

(b) any other creditor is or becomes entitled to realize a security on any property that could be claimed by Her Majesty in exercising Her rights under

(i) subsection 224(1.2) of the *Income Tax Act*,

(ii) any provision of the *Canada Pension Plan* or of the *Employment Insurance Act* that refers to subsection 224(1.2) of the *Income Tax Act* and provides for the collection of a contribution, as defined in the *Canada Pension Plan*, or an employee's premium, or employer's premium, as defined in the *Employment Insurance Act*, and of any related interest, penalties or other amounts, or

(iii) any provision of provincial legislation that has a similar purpose to subsection 224(1.2) of the *Income Tax Act*, or that refers to that subsection, to the extent that it provides for the collection of a sum, and of any related interest, penalties or other amounts, where the sum

(A) has been withheld or deducted by a person from a payment to another person and is in respect of a tax similar in nature to the income tax imposed on individuals under the *Income Tax Act*, or

(B) is of the same nature as a contribution under the *Canada Pension Plan* if the province is a "province providing a comprehensive pension plan" as defined in subsection 3(1) of the *Canada Pension Plan* and the provincial legislation establishes a "provincial pension plan" as defined in that subsection.

#### Limitation

(4) If, by virtue of subsection 69(3), the stay provided by paragraph 69(1)(c) or (d) does not apply or terminates, the stay provided by paragraph (1)(c) or (d) of this section does not apply.

#### Secured creditors to whom proposal not made

(5) Subject to sections 79 and 127 to 135 and subsection 248(1), the filing of a proposal under subsection 62(1) does not prevent a secured creditor to whom the proposal has not been made in respect of a particular security from realizing or otherwise dealing with that security in the same manner as he would have been entitled to realize or deal with it if this section had not been passed.

#### Where secured creditors vote against proposal

(6) Subject to sections 79 and 127 to 135 and subsection 248(1), where secured creditors holding a particular class of secured claim vote for the refusal of a proposal, a secured creditor holding a secured claim of that class may henceforth realize or otherwise deal with his security in the same manner as he would have been entitled to realize or deal with it if this section had not been passed.

1992, c. 27, s. 36; 1994, c. 26, s. 8(E); 1997, c. 12, s. 63; 2000, c. 30, s. 146.