

August 17, 2020

**Notice to Creditors**

**Re: 1759255 Alberta Ltd. o/a Akai Motel (the "Company")**

As you are likely aware, MNP Ltd. is the Court-appointed Receiver of the Company.

Pursuant to an Order granted by the Court of Queen's Bench of Alberta on August 17, 2020 (the "Claims Process Order"), a claim process was approved that directed the Receiver to solicit claims from all creditors of the Company for the purpose of determining the claims that will participate in and be eligible to share in any distribution(s) made in the receivership proceedings (the "Claims Process"). A copy of the Claims Process Order is available on the Receiver's website at:

<https://mnpdebt.ca/en/corporate/corporate-engagements/1759255-alberta-ltd>

Attached are the following documents with respect to your claim in the Claims Process:

1. A notice to creditors regarding the Claims Process; and
2. A general proof of claim form, including instructions.

All claims must be sent by courier or regular mail to MNP Ltd., 1500, 640 – 5<sup>th</sup> Avenue SW, Calgary, AB T2P 3G4 or via email at [Rick.Anderson@mnp.ca](mailto:Rick.Anderson@mnp.ca) to the attention of Rick Anderson on or before 4:00 p.m. Mountain Time on Thursday, September 24, 2020 (the "Claims Bar Date"). Creditors who do not submit a claim to the Receiver by the specified time on the Claims Bar Date, or such later date as the Court may order, shall:

1. Not be entitled to receive any further notice of the receivership proceedings;
2. Not be entitled to receive any distribution in the receivership proceedings; and
3. Be forever barred from making or enforcing any claim against the Company.

Should you have any questions, please contact the undersigned at 403-477-9661.

Yours truly,

**MNP LTD.** in its capacity as court-appointed receiver and receiver-manager of 1759255 Alberta Ltd., *and* not in its personal capacity



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Vanessa Allen, B. Comm, CIRP, LIT  
Senior Vice President

<b>COURT FILE NO.</b>	<b>2001-00610</b>	<b>Clerk's Stamp</b>
<b>COURT</b>	<b>COURT OF QUEEN'S BENCH OF ALBERTA</b>	
	<b>IN BANKRUPTCY AND INSOLVENCY</b>	
<b>JUDICIAL CENTRE</b>	<b>CALGARY</b>	
<b>PLAINTIFF</b>	<b>MCAP FINANCIAL CORPORATION</b>	
<b>DEFENDANTS</b>	<b>1759255 ALBERTA LTD.</b>	
<b>DOCUMENT</b>	<b>NOTICE OF CLAIMS PROCESS IN THE MATTER OF THE RECEIVERSHIP OF 1759255 ALBERTA LTD.</b>	

1. Pursuant to an Order (the "Receivership Order") of the Court of Queen's Bench of Alberta (the "Court") filed on March 12, 2020 (the "Date of Receivership"), MNP Ltd. was appointed as receiver (the "Receiver") of the assets, undertakings and properties of 1759255 Alberta Ltd. o/a Akai Motel ("1759255" or the "Company").
2. Pursuant to a further Order granted by the Court on August 17, 2020 (the "Claims Process Order"), a claims process was approved that directed the Receiver to solicit claims from all creditors of the Company for the purpose of determining the claims that will be eligible to share in any distribution(s) made in the Receivership proceedings. A copy of the Claims Process Order is available on the Receiver's website at <https://mnpdebt.ca/en/corporate/corporate-engagements/1759255-alberta-ltd> (the "Receiver's Website").
3. Any creditor having a claim against 1759255 at the Date of Receivership of any nature whatsoever, including an unsecured, secured, contingent or unliquidated claim (a "Claim") is required to file, in the manner set out in this Notice of Claims Process (the "Claims Notice"), a proof of claim in the prescribed form (which has been provided to you with the Claims Notice) with the Receiver in order to participate in any distribution in the Receivership proceedings.
4. Additional copies of the prescribed proof of claim form can be obtained by contacting the Receiver via telephone at 403-850-6487 or via email at [Rick.Anderson@mnp.ca](mailto:Rick.Anderson@mnp.ca) or it can be downloaded from the Receiver's Website.
5. Any creditor who chooses to file a proof of claim is required to provide whatever documentation they may have to support their Claim, such as contracts, invoices, bills of lading and shipping receipts, in

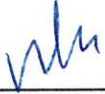
relation to the goods and/or services provided to the Company in the appropriate currency under which their Claim arose.

6. All proof of claim forms, together with the supporting documentation must be delivered by mail or courier service to MNP Ltd., 1500, 640 – 5<sup>th</sup> Avenue SW, Calgary, AB T2P 3G4 or via email at [Rick.Anderson@mnp.ca](mailto:Rick.Anderson@mnp.ca) to the attention of Rick Anderson on or before 4:00 p.m. Mountain Time on Thursday, September 24, 2020 (the "Claims Bar Date").
7. Creditors who do not submit a Claim to the Receiver by the specified time on the Claims Bar Date, or such later date as the Court may order, shall not be entitled to receive any further notice of the Receivership proceedings, not be entitled to receive any distribution in the Receivership proceedings and be forever barred from making or enforcing any Claim against 1759255 related to the period prior to the Date of Receivership.
8. The Receiver will provide any Notice of Revision or Disallowance (the "Disallowance Notice") to creditors in writing by registered mail, courier or email on or before October 1, 2020.
9. Where a creditor objects to a Disallowance Notice, the creditor must notify the Receiver of its objection in writing (the "Dispute Notice") by registered mail, courier service or email within 10 days from the date of the Disallowance Notice.
10. A creditor who does not file a Dispute Notice to a Disallowance Notice issued by the Receiver shall, unless otherwise ordered by the Court, be conclusively deemed to have accepted the assessment of its Claim as set out in the Disallowance Notice.

Dated August 17, 2020

**MNP Ltd.**, in its capacity as Receiver of 1759255 Alberta Ltd. and  
not in its personal or corporate capacity

Per:

  
\_\_\_\_\_  
Vanessa Allen, B. Comm, CIRP, LIT  
Senior Vice President



District of: Alberta  
Division No. 02 - Calgary  
Court No. 25-095103  
Estate No. 25-095103

FORM 31 / 36  
Proof of Claim / Proxy  
1759255 Alberta Ltd. o/a AKAI Motel  
In the town of Canmore  
In the Province of Alberta

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

\_\_\_\_\_

In the matter of the receivership of 1759255 Alberta Ltd. AKAI Motel of the Town of Canmore in 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 receivership, namely the 12th day of March 2020, 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  
Per:

\_\_\_\_\_  
Vanessa Allen - Receiver  
1500, 640 - 5 Avenue SW  
Calgary AB T2P 3G4  
Phone: (403) 538-3187 Fax: (403) 537-8437  
E-mail: calgary.insolvency@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.