

PROOF OF CLAIM

(Section 50.1, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 81.5, 81.6,
102(2), 124(2), 128(1) and Paragraphs 51(1)(e) and 66.14(b))

BANKRUPTCY AND INSOLVENCY ACT

1000 – 570 Granville Street
Vancouver, BC
V6C 3P1

Telephone: (604) 915-5550
Fax: (604) 915-5560

All notices or correspondence regarding this claim must be forwarded to the following address (Please complete this section):

Tel. No.

Fax No.

Your Acct. No.

IN THE MATTER OF THE BANKRUPTCY (OR THE PROPOSAL OR THE RECEIVERSHIP) OF _____ (name of debtor) of _____ (city and province) and the claim of _____ (creditor).

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

SEE NOTE B 1. That I am a Creditor of the above named Debtor (or that I am _____ (state position or title)
of _____ (name of creditor or representative of creditor)).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

SEE NOTE C 3. That the Debtor was at the date of bankruptcy (or the date of receivership, or in the case of a proposal, the date of the notice of intention, or of the proposal if no notice of intention was filed), namely the _____ day of _____, 20____, and still is indebted to the Creditor in the sum of \$ _____, as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any counterclaims to which the Debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim).

SEE NOTE D 4. Check and complete appropriate category. Do not leave this section blank.

() **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 OF \$ _____.**

That I hereby make a claim under Subsection 65.2(4) of the Act, particulars of which are as follows: (Give the full particulars of the claim, including the calculations upon which the claim is based).

() **C. SECURED CLAIM OF \$ _____.**

That in respect of the said 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 \$ _____ (Bankruptcy).

() That I hereby make a claim under Subsection 81.4(8) of the Act in the amount of \$ _____ (Receivership).

() **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 \$ _____ (Bankruptcy).

() That I hereby make a claim under subsection 81.6 of the Act in the amount of \$ _____ (Receivership).

() **G. CLAIM AGAINST DIRECTOR OF \$ _____.**

(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 OF \$ _____.**

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)

SEE NOTE E 5. That to the best of my knowledge and belief, I am (or the above named Creditor is) (or am not or is not) related to the Debtor within the meaning of Section 4 of the Act, and have (or has) (or have not or is not) dealt with the debtor in a non-arm's-length manner.

SEE NOTE F 6. That the following are the payments that I have received from, the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act or were not dealing with each other at arm's length, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of subsection 2(1) of the Act: (provide details of payments, credits and transfers at undervalue)

(Applicable only in the case of the bankruptcy of an individual)

() 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.

SEE NOTE G 7. Dated at _____, this _____ day of _____, 20_____.

Witness

Creditor

SEE NOTE H Telephone no.: _____ Fax No.: _____ Email address: _____

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 the 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. If an Affidavit or solemn declaration is attached, it must have been made before a person qualified to take Affidavits.

SEE NOTE I (BELOW)

GENERAL PROXY

In the matter of the Bankruptcy or Proposal of _____ I/We,
_____, creditor, hereby appoint _____
to be my/our general proxy (excepting only as to the receipt of dividends).

DATED AT _____, THIS _____ DAY OF _____, 20_____.

Witness

Creditor

PLEASE READ THIS CAREFULLY BEFORE YOU PREPARE YOUR PROOF OF CLAIM

NOTE A The person making this claim must personally sign this form. The signature must be witnessed.

NOTE B If you are signing this form on behalf of a corporation or other person, you must state the title or capacity in which you are acting; for example: credit manager, accountant, controller, or authorized agent, etc. This form must be signed by the person making the declaration. You must have knowledge of the circumstances connected with the claim.

NOTE C Please fill in the date of bankruptcy or the date of receivership, or *in the case of a proposal*, the date of the notice of intention *or* of the proposal *if no notice of intention was filed* as shown on the Notice to Creditors.

The proof of claim is incomplete unless you include a statement (marked "Schedule A") such as a copy of an invoice or statement of account. The balance on this statement must agree with the balance claimed by you up to the date of bankruptcy only. "Schedule A" must show the date, number and amount of all invoices or charges. A "balance forward" or one line figure does not meet the disclosure requirements for proofs of claim issued by the Superintendent of Bankruptcy.

NOTE D Please check (x) the type of claim which applies to you. ****DO NOT LEAVE THIS SECTION BLANK****
If you have a regular unsecured claim, then please check (x) beside the phrase "*I do not claim a right to a priority*".

A priority claim is only granted to specific creditors under Section 136 of the Bankruptcy and Insolvency Act: e.g., employees and landlords. Please review the legislation to determine if you are eligible to make such a claim in this estate. Set out on an attached schedule details to support your priority claim. If you are not eligible, your claim will be disallowed.

Where a lease is disclaimed in a Proposal, the landlord has no claim for accelerated rent. The Proposal must indicate whether the landlord may file a Proof of Claim for the actual losses resulting from the disclaimer, or for an amount equal to the lesser of:

- (a) the aggregate of
 - i) the rent provided for in the lease for the first year of the lease following the date on which the disclaimer becomes effective, and
 - ii) fifteen percent (15%) of the rent for the remainder of the term of the lease after that year, and
- (b) three (3) years' rent.

If you have a **SECURED CLAIM** you must:

- (a) insert the value that you feel your security is worth, and
- (b) prove that you are secured by attaching a copy of your security document (chattel mortgage and a copy of your financing statement issued under the Personal Property Security Act, etc.). If you hold a mortgage over real estate, please provide the trustee with a copy of the mortgage document. Give full particulars of the security, including the date on which the security was given and the value at which the creditor assesses the security.

If you are filing a claim as a wage earner of a company that has declared bankruptcy or gone into receivership, you must (in addition to completing this Proof of Claim and submitting it to the Trustee) file an application through Service Canada with the Wage Earner Protection Program ("WEPP"). The WEPP application can be found online at <http://www.servicecanada.gc.ca/en/sc/wepp/index.shtml> or at your local Service Canada office. For more information visit the web site or call: 1 (866) 683-6516 (toll free) or 1 (800) 926-9105 (TTY).

NOTE E If you are related to the bankrupt, please cross out the word "not". If you are related by blood or marriage to the bankrupt, then you should consider yourself a related person. If the bankrupt is a corporation, you are considered to be related to it if you were a shareholder, or if your company was controlled by the same shareholders as the bankrupt corporation.

NOTE F You must provide the full details of all payments and credits received from or allowed to the debtor during the period indicated.

NOTE G The Proof of Claim is incomplete unless it has been signed and witnessed.

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

NOTE I If you wish to appoint a proxy, the proxy form must be completed and signed by the creditor. If the creditor is a corporation, the proxy must be signed in the corporate name and not necessarily by the individual signing the Proof of Claim form. If a corporation grants a voting proxy to an individual, the proxy section should be signed, dated, *and witnessed*. The Bankruptcy and Insolvency Act permits a Proof of Claim to be made by a duly authorized agent of a creditor, but this doesn't give such a person power to vote at the first meeting of creditors or to act as the creditor's proxy unless the GENERAL PROXY sections has been completed.

GENERAL INFORMATION

- A Creditor may vote either in person or by proxy.
- A Debtor may not be appointed as proxy to vote at any meeting of his Creditors.
- The Trustee may be appointed as proxy to vote on behalf of a Creditor.
- In order for a duly authorized person to have the right to vote he must himself be a Creditor or be the holder of a properly executed proxy. The name of the Creditor must appear in the GENERAL PROXY section of the Proof of Claim.

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

Campbell Saunders Ltd. – Trustee in Bankruptcy

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