

## Schedule “A” – INSTRUCTION LETTER

### A. Claims Procedure

By Order of the Honourable Justice Hainey dated October 30, 2017, (the “**Claims Solicitation Procedure and Bar Order**”), which is attached hereto, under the *Ontario Business Corporations Act* (the “*OBCA*”) the Liquidator has been authorized to conduct a claims solicitation procedure (“**Claims Procedure**”) in respect of all claims against 2497486 Ontario Inc. (the “**Company**”).

The letter provides instructions for responding to or completing the Proof of Claim. Defined terms, which are not defined herein, shall have the meaning ascribed thereto in the Claims Solicitation Procedure and Bar Order.

The Claims Procedure is intended for any Person with any Claims of any kind or nature whatsoever, against the Company on or prior to November 24, 2017, unliquidated, contingent or otherwise.

If you have any questions regarding the Claims Procedure, please contact the Liquidator at the address provided below.

All notices and enquiries with respect to the Claims Procedure should be addressed to:

Albert Gelman Inc., Court Appointed Liquidator of 2497486 Ontario Inc.  
100 Simcoe Street, Suite 125  
Toronto, ON M5H 3G2  
Attention: Tom McElroy  
Phone: (416) 504-1650 Ext. 117  
Fax: (416) 504-1655  
Email: [tmcelroy@albertgelman.com](mailto:tmcelroy@albertgelman.com)

### B. General Instructions for Completing the Proof of Claim

The Proof of Claim must be completed by an individual, or an individual acting on behalf of a corporation. The individual acting for a corporation or other person must state the capacity in which he/she is acting, such as “Credit Manager”, “Treasurer”, “Authorized Agent”, etc. The individual completing the Proof of Claim must have knowledge of the circumstances connected with the Claim. All Proofs of Claim must be sworn and dated before a duly appointed Commissioner of Oaths or Notary public. The full legal name of the Creditor must be filled out in its entirety. Creditors who file a Proof of Claim by a division, or who file several Proofs of Claim by divisions, may have their Proof of Claim disallowed. Only one Proof of Claim may be

filed per legal entity notwithstanding that separate divisions or operating units of a Creditor may have separate Claims against the Company.

A Statement of Account containing full details of the Claim must be attached to the Proof of Claim. The Proof of Claim should include all amounts owing by the Company before November 24, 2017. These Claims shall be reduced by the amount of any subsequent payment thereon, the application of any volume or other discounts in respect thereof and any other subsequent credits that are properly applicable against such Claims.

For Claims made in respect of debts owing as a result of advances or loans to, or investments made in the Company, submitted with the Proof of Claim must be proof of all advances made to, and all payments received from or on account of any of the Company. Including copies of all cheques, money orders, drafts, wire transfers, etc. advances and received, as well as copies of any promissory notes or other loan or investment documentation evidencing the debt owing.

If the Creditor holds security for the indebtedness, a statement of the value and nature of the security must accompany the Proof of Claim, as must a copy of the agreement granting security.

If the Creditor holds a contingent or unliquidated Claim, the details of any guarantee giving rise to such contingent or unliquidated Claim, or reasons for the Claim must be provided in addition to the basis upon which the Claim has been valued.

If the Claim or a portion thereof has been sold or assigned, the name of the party purchasing the Claim, the amount of the Claim sold or assigned, as well as supporting documentation, must be attached to the Proof of Claim submitted. The Proof of Claim can be completed by either the original Creditor or by the assignee, but not both. Creditors and assignee(s) must determine amongst themselves who will file the Proof of Claim.

### **C. For Creditors Submitting a Proof of Claim**

If you believe that you have a Claim against the Company you will have to file a Proof of Claim with the Liquidator. ***THE PROOF OF CLAIM MUST BE RECEIVED BY 5:00 P.M. (EASTERN STANDARD TIME) ON OR BEFORE JANUARY 19, 2018***, unless the Court orders otherwise (the “**Claims Bar Date**”).

Additional Proof of Claim forms can be obtained by contacting the Liquidator at the telephone and fax numbers indicated above and providing particulars as to your name, address and facsimile number. Once the Liquidator has this information, you will receive, as soon as practicable, additional Proof of Claim Forms.

**SCHEDULE “B” - PROOF OF CLAIM**

**Proof of Claim**

Please read carefully the enclosed Instruction Letter for completing this Proof of Claim form. Defined terms not defined within this Proof of Claim form shall have the meaning ascribed therein.

**A. PARTICULARS OF THE CREDITOR:**

(1) Full Legal Name of Creditor (include trade name, if different):

.....  
.....

(the “**Creditor**”). The full legal name should be the name of the Creditor of 2497486 Ontario Inc. (the “**Company**”), notwithstanding whether an assignment of a Claim, or a portion thereof, has occurred prior to or following November 24, 2017.

(2) Full Mailing Address of Creditor: (The mailing address should be the mailing address of the Creditor and not any assignee)

.....  
.....

(3) Telephone Number of Creditor: .....

(4) Facsimile Number of Creditor: .....

(5) E-mail Address of Creditor: .....

(6) Attention (Contact Person): .....

Has the claim set out herein been sold, transferred or assigned by the Creditor to another party?

Yes: [ ]      No: [ ]

**B. PARTICULARS OF THE ASSIGNEE(S) (IF APPLICABLE)**

*If the Claim set out herein has been sold, transferred or assigned, complete the required information set out below. If there is more than one assignee, please attach a separate sheet which contains all of the required information set out below for each assignee.*

(1) Full Legal Name of the Assignee:

.....  
.....

(2) Full Mailing Address of the Assignee:

.....  
.....

(3) Telephone Number of Creditor: .....

(4) Facsimile Number of Creditor: .....

(5) E-mail Address of Creditor: .....

(6) Attention (Contact Person): .....

**C. PROOF OF CLAIM**

**THE UNDERSIGNED HEREBY MAKES OATH AND SAYS AS FOLLOWS:**

(1) That I:

am a Creditor of the Company; or (*if applicable*)

am

.....

(state position or title)

of

.....

(Name of Creditor)

- (2) That I have knowledge of all of the circumstances connected with the Claim described and set out below:
- (3) The Claim seeks payment of \$..... [Insert \$ value of claim] CAD in the Company on account of principal ..... and ..... on account of interest [Provide particulars of interest claim and calculation of same]
- (4) The Creditor has received ..... [Insert \$ in Canadian Dollars regardless of whether amount received was from repayment of principal owing pursuant to the Claim or return on principal or interest from, or on an account of the Company in conjunction with the Claim]

*NOTE: Claims in a foreign currency are to be converted to Canadian Dollars at the Bank of Canada noon spot rate as of November 24, 2017.*

**D. PARTICULARS OF CLAIM**

Other than as already set out herein, the particulars of the undersigned’s total Claim against the Company are attached on a separate sheet.

*Provide all particulars of the Claim and supporting documentation, including amount, description of transaction(s), copies of cheques, bank draft, money orders, wire transfers, etc., loan documents, promissory notes or other agreement(s) giving rise to the Claim and particulars of any Claim.*

**SWORN BEFORE ME** at the \_\_\_\_\_ )  
 \_\_\_\_\_, in the \_\_\_\_\_ )  
 Province of \_\_\_\_\_ )  
 this \_\_\_\_ day of \_\_\_\_\_, 2017 )

\_\_\_\_\_  
 A Commissioner , or Notary Public, etc.

\_\_\_\_\_  
*Name of Deponent:*

**D. FILING OF CLAIM**

This Proof of Claim form must be received by the Liquidator by no later than 5:00 p.m. (Eastern Standard time) on **January 19, 2018**, by either registered mail, personal delivery, courier, facsimile transmission or email at the following address:

Albert Gelman Inc., Court Appointed Liquidator of 2497486 Ontario Inc.  
100 Simcoe Street, Suite 125  
Toronto, ON M5H 3G2  
Attention: Tom McElroy  
Phone: (416) 504-1650 Ext. 117  
Fax: (416) 504-16555  
Email: [tmcelroy@albertgelman.com](mailto:tmcelroy@albertgelman.com)

**Failure to file your Proof of Claim and any required documentation as directed in relation to any Claim by 5:00 p.m. (Eastern Standard Time) on January 19, 2018 will result in your Claim being forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Company and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a Creditor in these proceedings.**

