

September 13, 2023

To the Creditors of Cabo Drilling Corp., Cabo Drilling (Pacific) Corp., Cabo Drilling (Ontario) Corp., Cabo Drilling (Atlantic) Corp.

Dear Sirs/Mesdames:

**Re: In the Matter of the Consolidated Bankruptcies of Cabo Drilling Corp., Cabo Drilling (Pacific) Corp., Cabo Drilling (Ontario) Corp., Cabo Drilling (Atlantic) Corp. (“Cabo Companies”)**

Please be advised that of Cabo Drilling Corp., Cabo Drilling (Pacific) Corp., Cabo Drilling (Ontario) Corp. filed assignments in bankruptcy on August 17, 2023 and Cabo Drilling (Atlantic) Corp. filed an assignment in bankruptcy on August 16, 2023. McEown and Associates Ltd. was appointed as Trustee.

Following the assignments in bankruptcy, the Trustee made an application to Court to consolidate the estates of the Cabo Companies.

Please find enclosed the Creditor Package with the following documents:

1. Notice of Bankruptcy and First Meeting of Creditors (Form 68)
2. Certificate of Appointment
3. Consolidation Order
4. Statement of Affairs (Summary) and List of Creditors
5. Proof of Claim, Proxy and Instructions

The Meeting of Creditors will be held via video conference, and we advise the creditors of the location and date of the meeting as follows:

Date and Time:	<b>Monday, September 25, 2023, at 2:00 pm (PST)</b>
Place:	Via video conference call
Meeting ID:	270 479 846 867
Passcode:	jQuLje

Please be reminded that in order 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. Please send your proof of claim and proxy via mail, email ([dr@mceownassociates.ca](mailto:dr@mceownassociates.ca)) or facsimile (604-558-8021) to the Trustee prior to the meeting.

Should you have any questions please contact Daria Roi at (604) 558-8016 or by email at [dr@mceownassociates.ca](mailto:dr@mceownassociates.ca).

Yours very truly,

**McEown and Associates Ltd.**

Trustee in the Matter of the Consolidated Bankruptcies of  
Cabo Drilling Corp., Cabo Drilling (Pacific) Corp.,  
Cabo Drilling (Ontario) Corp., Cabo Drilling (Atlantic) Corp.

Per: John McEown, CPA, CA, CIRP, LIT

District of: British Columbia  
Division No. 03 - Vancouver  
Court No. B230370  
Estate No. 11-2976488

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

Original  Amended

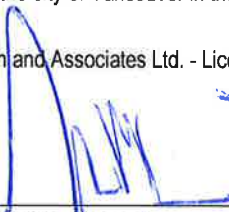
In the Matter of the Bankruptcy of  
CABO DRILLING (PACIFIC) CORP.  
of the city of New Westminster, in the Region of  
in the Province of British Columbia

Take notice that:

1. CABO DRILLING (PACIFIC) CORP. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against CABO DRILLING (PACIFIC) CORP.) on the 17th day of August 2023 and the undersigned, McEown and Associates 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 25th day of September 2023 at 2:00 PM at via video conference, Meeting ID: 270 479 846 867, Passcode: jQuLje.
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 13th day of September 2023.

McEown and Associates Ltd. - Licensed Insolvency Trustee  
Per:



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John McEown - Licensed Insolvency Trustee  
110 - 744 West Hastings Street  
Vancouver BC V6C 1A5  
Phone: (604) 558-8020 Fax: (604) 558-8021



Industry Canada

Industrie Canada

Office of the Superintendent  
of Bankruptcy Canada

Bureau du surintendant  
des faillites Canada

District of: BRITISH COLUMBIA

Division No.: 03 - Vancouver

Court No.: B-230371

Estate No.: 11-2976597, 11-2976488, 11-2976467, 11-2976291

In the Matter of the Bankruptcy of:  
Cabo Drilling Corp., Cabo Drilling (Pacific) CorpCabo Drilling  
(Ontario) Corp., Cabo Drilling (Atlantic) Corp.  
Debtor

MCEOWN AND ASSOCIATES LTD.

Licensed Insolvency Trustee

ORDINARY ADMINISTRATION  
Security: \$\*,\*\*\*

Date and time of bankruptcy: August 17, 2023, 11:40

Date of trustee appointment: August 17, 2023

Meeting of creditors: September 25, 2023, 14:00  
Via Video Conference  
Meeting ID: 270 479 846 867 PC: jQuLje  
Vancouver, BRITISH COLUMBIA

Chair: Official Receiver

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.

E-File / Dépôt électronique

Official Receiver

300 Georgia Street W, Suite 2000, Vancouver, BRITISH COLUMBIA, V6B 6E1, 877/376-9902

Canada



Court No. B-230371  
Estate No. 11-2976597  
Vancouver Registry

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

**IN THE MATTER OF THE BANKRUPTCY OF CABO DRILLING CORP.**

**ORDER MADE AFTER APPLICATION**

BEFORE **JUSTICE FRANCIS**) THE 7<sup>th</sup> DAY OF SEPTEMBER 2023  
)  
)

ON THE APPLICATION of McEown & Associates Ltd., in its capacity as Trustee in Bankruptcy of Cabo Drilling Corp. ("Cabo"), Cabo Drilling (Pacific) Corp. ("Cabo Pacific"), Cabo Drilling (Ontario) Corp. ("Cabo Ontario"), and Cabo Drilling (Atlantic) Corp. ("Cabo Atlantic") (together hereinafter referred to as the "Cabo Companies"), coming on for hearing at the Courthouse at 800 Smithe Street, Vancouver, British Columbia on the 7th day of September, 2023 and on hearing Jeremy West, counsel for Cabo Companies, and those other counsel listed on **Schedule "A"** hereto, AND UPON READING the materials filed herein; AND PURSUANT TO the *Bankruptcy and Insolvency Act*, R.S.C. 1983 c. 8-3 (the "BIA") and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS that:

1. The time for service of this Notice of Application is abridged and service upon any interested party other than those parties identified on the Service List is hereby dispensed with.
2. The estates in bankruptcy of the following companies are procedurally consolidated:
  - a. Cabo Drilling Corp., Court No. B-230371 and Estate No. 11-2976597, Vancouver Registry;
  - b. Cabo Drilling (Pacific) Corp., Court No. B-230370 and Estate No. 11-2976488, Vancouver Registry;
  - c. Cabo Drilling (Ontario) Corp., Court No. B-230368 and Estate No. 11-2976467, Vancouver Registry; and

- d. Cabo Drilling (Atlantic) Corp., Court No. B-230369 and Estate No 11-2976291, Vancouver Registry.

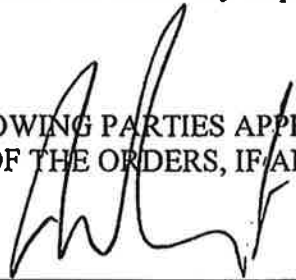
(the "Consolidated Estate")

3. The Consolidated Estate is assigned a single Court file number of B-230371 and the title of proceeding shall be "*In the Matter of the Bankruptcy of Cabo Drilling Corp., Cabo Drilling (Pacific) Corp., Cabo Drilling (Ontario) Corp., and Cabo Drilling (Atlantic) Corp.*".
4. McEown & Associates Ltd. (the "Trustee") is authorized to administer the bankrupt estates of the Cabo Companies as if such estates were a single bankrupt estate for the purpose of carrying out its duties and responsibilities as trustee under the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the "BIA") with respect to the administration of the bankrupt estates generally, including without limitation:
- a. allowing meetings of creditors and inspectors in the bankrupt estates of the Cabo Companies to be convened through one combined advertisement and conducted jointly, provided that the results of any creditors' vote shall be separately tabulated for each such bankrupt estate;
  - b. authorizing the use of a consolidated form of proof of claim which directs creditors to identify the bankrupt estate in which a claim is made for voting and distribution purposes;
  - c. authorizing the Trustee to issue consolidated reports in respect of the bankrupt estates of the Cabo Companies;
  - d. authorizing a consolidated making, filing, advertising and distribution of all filings and notices in the bankrupt estates of the Cabo Companies required under the BIA;
  - e. providing for the election of a single group of inspectors for the consolidated bankrupt estates of the Cabo Companies, unless an objection is raised at the first meeting of creditors in which case separate groups of inspectors shall be elected for the bankrupt estate(s) in which an objection was raised;
  - f. authorizing the Trustee to open a single consolidated estate bank account for the Cabo Companies;
  - g. authorizing the Trustee to conduct all such other administrative duties and responsibilities to be carried out by a trustee in the administration of a bankrupt estate.
5. The Trustee is authorized and directed to file all documents in any of the Cabo Companies' bankrupt estates in the Court file number B-230371, and to file separately a

copy of this order in the original Court file for each of the Cabo Companies' bankrupt estates.

- 6. Endorsement of this Order by counsel appearing on this application other than counsel for the Trustee is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of Jeremy D West  
 Counsel for McEown & Associates Ltd.,  
 in its capacity as Trustee in Bankruptcy of  
 Cabo Drilling Corp,  
 Cabo Drilling (Pacific) Corp.,  
 Cabo Drilling (Ontario) Corp, and  
 Cabo Drilling (Atlantic) Corp.

By the Court



Registrar ~~IN BANKRUPTCY~~  
 IN BANKRUPTCY



**Schedule "A"- List of Counsel Appearing**

Jeremy D. West	Counsel for McEown & Associates, in its capacity as Trustee in Bankruptcy of Cabo Drilling Corp, Cabo Drilling (Pacific) Corp., Cabo Drilling (Ontario) Corp, and Cabo Drilling (Atlantic) Corp.

Court No. B-230371  
Estate No. 11-2976597  
Vancouver Registry

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

IN THE MATTER OF THE BANKRUPTCY OF CABO  
DRILLING CORP.

**ORDER MADE AFTER APPLICATION**

File No.: 231891-0010  
Initials: JDW:cc

**WATSON GOEPEL LLP**  
Lawyers  
Suite 1200 - 1075 West Georgia Street  
VANCOUVER, B.C.  
V6E 3C9

Tel: (604) 688 1301  
Fax: (604) 688 8193  
Email: [litigationservice@watsongoepel.com](mailto:litigationservice@watsongoepel.com)





**B-230370**

-- 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  
**CABO DRILLING (PACIFIC) CORP.**  
 of the city of New Westminster, in the Region of  
 in the Province of British Columbia

To the bankrupt:

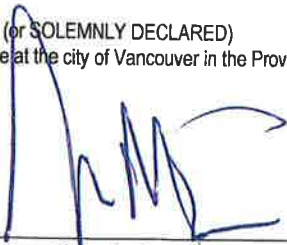
You are required to carefully and accurately complete this form and the applicable attachments showing the state of your affairs on the date of the bankruptcy, on the 16th day of August 2023. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration.

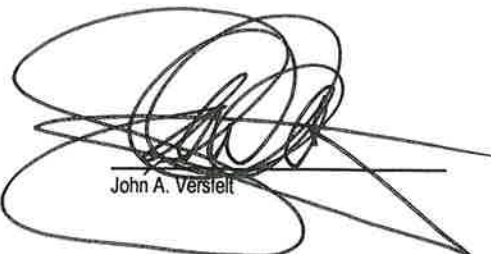
LIABILITIES (as stated and estimated by the officer)	
1. Unsecured creditors as per list "A" .....	964,729.48
Balance of secured claims as per list "B" .....	2,279,854.91
Total unsecured creditors .....	3,244,584.39
2. Secured creditors as per list "B" .....	169,881.36
3. Preferred creditors as per list "C" .....	0.00
4. Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for .....	0.00
Total liabilities .....	3,414,465.75
Surplus .....	NIL

ASSETS (as stated and estimated by the officer)	
1. Inventory .....	20,000.00
2. Trade fixtures, etc. ....	0.00
3. Accounts receivable and other receivables, as per list "E"	
Good .....	129,881.36
Doubtful .....	0.00
Bad .....	1,385,898.47
Estimated to produce .....	129,881.36
4. Bills of exchange, promissory note, etc., as per list "F" ..	0.00
5. Deposits in financial institutions .....	0.00
6. Cash .....	0.00
7. Livestock .....	0.00
8. Machinery, equipment and plant .....	20,000.00
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 .....	0.00
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
Total assets .....	169,881.36
Deficiency .....	3,244,584.39

I, John A. Versfelt, of the city of Maple Ridge 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 16th day of August 2023 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 Vancouver in the Province of British Columbia, on this 16th day of August 2023.

  
 \_\_\_\_\_  
 John McEown, Commissioner for Taking Affidavits  
 For the Province of British Columbia  
 McEown and Associates Ltd.  
 Expires May 31, 2025

  
 \_\_\_\_\_  
 John A. Versfelt

**John D. McEown**  
 Commissioner for taking Affidavits  
 Province of British Columbia  
 My Commission Expires on May 31, 2025

## *Creditor Mailing List*

In the Matter of the Bankruptcy of  
CABO DRILLING (PACIFIC) CORP.  
of the city of New Westminster, in the Region of  
in the Province of British Columbia

Creditor Type	Name	Attention	Address	Claim \$
Secured	CRA - Tax - Pacific		Payroll Source Deductions	169,881.36
	National Bank of Canada - MasterCard c/o		Bank Loan	
	FCT Default Solutions			
Unsecured	Cabo Drilling (Atlantic) Corp.			220,353.76
	Cabo Drilling (Ontario) Corp.			300,774.01
	Cabo Drilling Corp.			31,549.00
	Cabo Drilling International			5,217.35
	Coastal Transport Refrigeration Ltd.			4,352.25
	CRA - Tax - Pacific		GST/HST	87,244.00
	CRA - Tax - Pacific		TPS/TVH	
	CRA - Tax - Pacific		Payroll Source Deductions	1,411,717.71
	Fisher & Ludlow			6,297.70
	Forages Cabo Inc.			83,297.46
	Goldcorp Canada Ltd.			9,770.48
	Levanto International Inc.			38,960.94
	Linde Canada Limited, 15687			2,644.65
	Mining Technologies			10,740.80
	National Bank of Canada - MasterCard c/o		Bank Loan	1,000,000.00
	FCT Default Solutions			
	Noble's Construction Ltd.			28,064.40
	Pacific First Dental & Healthcare Plans			1,060.11
	Service Canada (WEPP)		T2	
	Waste Management of Canada Corporation			2,539.77
Workplace NL	Chrissy Bloom		48,069.10	
WorkSafeBC - Collections Department		330377		

District of: British Columbia  
Division No. 03 - Vancouver  
Court No. B230370  
Estate No. 11-2976488

- FORM 31 -

Proof of Claim

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

In the Matter of the Bankruptcy of  
CABO DRILLING (PACIFIC) CORP.  
of the city of New Westminster, in the Region of  
in the Province of British Columbia

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

\_\_\_\_\_  
\_\_\_\_\_

In the matter of the bankruptcy of CABO DRILLING (PACIFIC) CORP. of the city of New Westminster in the Province of British Columbia and the claim of \_\_\_\_\_, creditor.

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 16th day of August 2023, 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.)

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.)

District of British Columbia  
Division No. 03 - Vancouver  
Court No. B230370  
Estate No. 11-2976488

FORM 31 --- Concluded

In the Matter of the Bankruptcy of  
CABO DRILLING (PACIFIC) CORP.  
of the city of New Westminster, in the Region of  
in the Province of British Columbia

- 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

\_\_\_\_\_  
Creditor

Phone Number: \_\_\_\_\_  
Fax Number : \_\_\_\_\_  
E-mail Address : \_\_\_\_\_

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 20(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

District of: British Columbia  
Division No. 03 - Vancouver  
Court No. B230370  
Estate No. 11-2976488

FORM 36  
Proxy  
(Subsection 102(2) and paragraphs 51(1)(e) and 66.15(3)(b) of the Act)

In the Matter of the Bankruptcy of  
CABO DRILLING (PACIFIC) CORP.  
of the city of New Westminster, in the Region of  
in the Province of British Columbia

I, \_\_\_\_\_, 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.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Individual Creditor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Name of Corporate Creditor

Per \_\_\_\_\_  
Name and Title of Signing Officer

Return To:

McEown and Associates Ltd. - Licensed Insolvency Trustee

\_\_\_\_\_  
110 - 744 West Hastings Street  
Vancouver BC V6C 1A5  
Fax: (604) 558-8021  
E-mail: mt@mceownassociates.ca

## INSTRUCTIONS FOR COMPLETING PROOFS OF CLAIM

This checklist is provided to assist you in preparing a proof of claim form, and where required, proxy form in a complete and accurate manner. Please specifically check each requirement. **CLAIMS NOT COMPLETED CORRECTLY IN EVERY RESPECT WILL BE RETURNED.**

### GENERAL

- \* The signature of a witness is required.
- \* The claim must be signed personally by the **individual** completing this declaration.
- \* Give the complete address where all notices or correspondence is to be forwarded.
- \* The amount on the Statement of Account must correspond to the amount on the proof of claim.

### PARAGRAPH (1)

- \* The creditor must state full and complete legal name of 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 detailed statement of account must be attached.** If the claim is for a guarantee, a copy of the guarantee must be attached.
- \* The Schedule A or Statement of Account must be complete and detailed and must show the date, the number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments. A statement of account is **not** complete if it begins with an amount brought forward.

### PARAGRAPH (4)

- \* An unsecured creditor must strike out sub-paragraphs B, C, D and E.
- \* A preferred creditor (as allowed by section 136 of the *Bankruptcy and Insolvency Act*) must strike out sub-paragraphs B, C, D and E and must complete sub-paragraph A by checking the appropriate description.
- \* A secured creditor must strike out sub-paragraphs A, B, D and E and must complete sub-paragraph C and provide a certified true copy of the security instrument as registered.
- \* A farmer, fisherman or aquaculturist must strike out sub-paragraphs A, B, C and E. A claim by a farmer, fisherman or aquaculturist must attach a copy of the sales agreement and delivery documents.

### PARAGRAPH (5)

- \* All claimants must indicate if he or she is related or not to the debtor, as defined in Section 4 of the *Bankruptcy and Insolvency Act*, by striking out "AM" or "AM NOT".

### PARAGRAPH (6)

- \* All claimants must attach a detailed list of all payments or credits received or granted, as follows:
  - (a) within the three (3) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related.
  - (b) within the twelve (12) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are related.

**Excerpt from the *Bankruptcy and Insolvency Act***

**PREFERRED CLAIMS  
SECTION 136 (CONDENSED)**

**ORDER OF DISTRIBUTION (Subject to secured creditors)**

- (1) The cost of administration of the estate.
  - (a) The expenses and fees of the Trustee
  - (b) Legal costs of the estate
- (2) Wages, salaries and commissions for services rendered in the six months preceding the bankruptcy, to a maximum of \$2,000 per person, together with expenses of a traveling salesman incurred in this same period to a maximum of \$1,000.
- (3) Municipal taxes assessed within two years preceding the bankruptcy which do not constitute a charge on real property, restricted to the value of the bankrupt's interest in the property.
- (4) The Landlord for arrears of rent for a period of three months preceding the bankruptcy, and accelerated rent for a period not exceeding three months subsequent to the bankruptcy, if provision is made in the lease. The Landlord's preferred claim is limited to the proceeds from the sale of the assets on the premises under lease at the date of the bankruptcy and any payments made by the Trustee on account of accelerated rent shall be credited by the Landlord against the amount payable by the Trustee for occupation rent.
- (5) One solicitor's bill of costs, including sheriff's fees and land registration fees, shall be payable to the creditor who has first attached by way of garnishment or lodged with the sheriff an attachment, execution or other process against the property of the Bankrupt.
- (6) Claims resulting from injuries to employees of the Bankrupt to which the provision of Workers' Compensation Act do not apply, but only to the extent of monies received from persons or companies guaranteeing the Bankrupt against damages resulting from such injuries, such as liability insurance policies.

A creditor whose rights are restricted by this Section is entitled to rank as an unsecured creditor for any balance of his claim.