



PROOF OF CLAIM

(Form 31 - The Bankruptcy and Insolvency Act ("the Act"))

IN THE MATTER OF THE BANKRUPTCY (OR THE PROPOSAL, OR THE RECEIVERSHIP) OF

_____ (referred to in this form as "the debtor")
OF _____ (city and province)
and the claim of _____ (referred to in this form as "the creditor")

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

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

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 the creditor)).

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

The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.

3. That the debtor was at the date of bankruptcy (or the date of the 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 _____, _____ 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.

Check and complete appropriate category.

4. () 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

- (i) Regarding the amount of \$ _____ I claim a right to a priority under section 136 of the Act. (Set out on an attached sheet details to support the priority claim.)
- (ii) Regarding the amount of \$ _____ I do not claim a right to a priority.

Check appropriate description.

() B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$ _____

Give full particulars of the claim, including the calculations upon which the claim is based.

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 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.

() 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:

Attach a copy of sales agreement and delivery receipts.

() 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 \$ _____

Claim falls under ss 81.3 if bankruptcy and ss 81.4 if receivership.

() 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 \$ _____

To be completed when a proposal provides for the compromise of claims against directors

() F. CLAIM AGAINST DIRECTOR \$ _____

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)

Give full particulars of the claim, including the calculations upon which the claim is based.

() G. 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:

Strike out inapplicable words.

5. That, to the best of my knowledge, 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 has not) dealt with the debtor in a non-arm's-length manner.

Provide details of payments, credits and transfers at undervalue.

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:

(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.

Dated at _____, this _____ day of _____, _____

Witness

Creditor

Phone Number: _____ Fax Number: _____ Email 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 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

General Proxy

I, _____ (name of creditor), of _____ (name of town or city), a creditor in the above matter, hereby appoint

_____ of _____ to be my general proxy in the above matter, except as to the receipt of dividends, with (or without) power to appoint another general proxy in his or her place.

Dated at _____, this _____ day of _____, _____

(for Individual Creditors)

(for Corporate Creditors)

Name of Corporate Creditor

Witness

Individual Creditor

Witness

per _____
Name and Title of Signing Officer

Instructions for completing proof of claim forms

Every creditor who does not prove his claim is not entitled to share in any distribution. Claims not completed correctly in every respect may be returned.

In completing the proof of claim your attention is directed to the marginal notes on the form and to the following requirements:

1. The form must be completed by an individual and not by a corporation. If you are acting for a corporation or other person, you must state the capacity in which you are acting, such as "Credit Manager", "Treasurer", "Authorized agent", etc.
2. The person signing the form must have knowledge of the circumstances connected with the claim.
3. The debtor's name and date of the bankruptcy, etc. must be filled in and a Statement of Account containing details of the claim must be attached and marked Schedule "A". The date of bankruptcy, etc. and the correct name of the debtor may be found on the Notice that was sent to the creditor.
4. The nature of the claim must be indicated by ticking the type of claim which applies. e.g.
 - Ticking (A) indicates the claim is unsecured;
 - Ticking (A)(i) indicates that the creditor is claiming priority as a preferred creditor under section 136 of the Act. Section 136 lists the specific claims that have a priority. They include certain alimony and support payments and rent arrears. Details to support the priority claim must be set out on an attached schedule;
 - Ticking (A)(ii) indicates that the creditor is not claiming any statutory priority over other unsecured creditors;
 - Ticking (B) indicates that the creditor is claiming amounts due with respect to the disclaimer of a lease under subsection 65.2 (4) of the Act;
 - Ticking (C) indicates the claim is secured. The value at which the creditor assesses the security must be inserted. Details of each item of security held should be attached as a separate schedule and submitted with a copy of the security agreement;
 - Ticking (D) indicates that the creditor is a farmer, fisherman or aquaculturist who supplied goods within 15 days prior to the date of receivership or bankruptcy and has not yet been paid for those goods;
 - Ticking (E) indicates that the creditor is a wage earner and is making a secured claim for unpaid wages, etc. (up to \$2,000) under Section 81.3(8) of the Act (if a bankruptcy) or under Section 81.4(8) of the Act (if a receivership);
 - Ticking (F) indicates that this portion of the claim is a claim against the debtor that a director is also legally liable for and which would be compromised under a proposal pursuant to section 50(13) of the Act;
 - Ticking (G) indicates the creditor is claiming amounts due as a customer for net equity as contemplated by section 262 of the Act.
5. The person signing the form must indicate (by striking out inapplicable words) whether the creditor and the debtor are related as defined under section 4 of the Act and whether the creditor has dealt with the debtor in a non-arm's length manner. Related persons include (i) persons who are married to each other, (ii) parents and their children and (iii) siblings. Related persons also includes corporate relationships such as where one corporation or person controls another corporation.
6. The person signing the form must provide full details of all payments and credits received from or allowed to the debtor, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that the creditor has been privy to or a party to with the debtor during the period indicated. Leaving a blank will indicate that there were no such payments, credits or transfers at undervalue.

The person signing the form must insert the place and the date and the signature must be witnessed.

General Proxy: If the creditor wishes to appoint a proxy, the above proxy form must be completed and signed by the creditor. If the creditor is a corporation, the proxy form must be signed in the corporate name (not necessarily by the individual signing the proof of claim form) and must be witnessed.

Change of Address: Please advise the trustee immediately if the address of the creditor changes.

If you have any questions regarding how to complete the proof of claim please write, telephone, fax or email the office of the trustee:

A. John Page & Associates Inc.

Suite 447, 100 Richmond St. West

Toronto, Ontario, Canada M5H 3K6

Telephone:(416) 364-4894, Fax: (416) 364-4869

Email: info@ajohnpage.com

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