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PROOF OF CLAIM

In the matter of the bankruptcy (or proposal or receivership of the property) of:

(Name of Debtor)

and the claim of

Creditor Name: _____

Mailing Address: _____

Account #: _____

I CERTIFY:

- 1. I have knowledge of all the circumstances connected with the claim referred to in this form.
2. The debtor was on _____ 20____, and still is indebted to the above named creditor for the sum of \$_____, as shown by the statement of account (or affidavit) attached as "Schedule A".
3. Check and complete appropriate category.
A. UNSECURED CLAIM i) I do not claim a right to a priority ii) I claim a right to a priority under section 136 of the Act.
B. CLAIM OF LANDLORD FOR DISCLAIMER OF A LEASE \$_____.
C. SECURED CLAIM (mortgages, conditional sales, etc.)
D. CLAIM BY FARMER, FISHERMAN, OR AQUACULTURIST
E. CLAIM AGAINST DIRECTOR \$_____.

Print name and position of person signing _____

Signature of Witness

Signature of Individual Completing this Claim

Phone #: _____ Fax #: _____ Email address: _____

NOTE: If an affidavit or solemn declaration is attached, it must be properly sworn.
WARNING: Section 201(1) of the Act prescribes severe penalties for making a false claim, proof or declaration or statement of account. 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.

Instructions to Creditors Respecting Proof of Claim Form

Claims not completed correctly in every respect will be returned.

- Any creditor who does not prove his claim is not entitled to share in any distribution.
- This checklist is provided to assist you in preparing the accompanying proof of claim form and, where required, proxy form in a complete and accurate manner. Please specifically check each requirement.

General

- **Give the complete address** where any notice or correspondence is to be forwarded.
- Complete the account number for both our use for future reference. Any future distribution will have this number on it.

Point 2

- A **detailed statement of account** must be attached to the proof of claim and must show the date, number and amount of all invoices or charges, together with the date, number and amount of all credits or payments. A statement of account is not complete if it begins with an amount brought forward.
- The amount on the **statement of account** (Schedule A) must correspond to the amount indicted on the proof of claim.

Point 3

- A secured creditor must **attach a copy of the security agreement as registered**, and must give full particulars of the security, including the date the security was given and the value assessed to the security by the creditor.
- Claim by Farmer, Fisherman or Aquaculturist must **attach a copy of sales agreement and delivery documents**.

Point 4

- If you are related by blood or marriage to the debtor, then you should consider yourself to be a related person pursuant to Section 4. If the debtor is a corporation, you would be 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.

Point 5

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

Point 6

- The *Bankruptcy and Insolvency Act* permits a proof of claim to be made by a duly authorized agent of the creditor but, in order for such a person to vote at the first meeting of creditors they must hold a properly completed proxy.
- A creditor may vote either in person or by proxy.
- A debtor may not be appointed a proxy to vote at any meeting of his creditors.
- The Trustee may be appointed as a proxy for any creditor.
- A corporation may vote by an authorized agent at a meeting of creditors.
- In order for a duly authorized person to have a 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 proxy.

Point 7

- This document **must be signed** personally by the individual completing this declaration.
- The signature of a witness is required.
- Completing the phone and fax number and email address is essential.

