

Form 31 - Proof of Claim

(Section 50.1, 81.5, 81.6, Subsection 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)

All notices or correspondence regarding this claim must be forwarded to: **Rumanek & Company Ltd.**
1280 Finch Ave W. #714, Toronto ON M3J 3K6 T 416-665-8326 F 416-665-9081 Email: info@rumanek.com

In the Matter of the _____ of the city of _____ and the claim of _____, a creditor.

I, _____ (name of representative of the creditor), situated at _____ (mailing address including postal code), do hereby certify:

1. That I am a creditor of the above-named debtor (or that I am _____ (position or title) of the above 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 (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 attached (or affidavit) 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 do not claim a right to a priority **OR**

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 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 this 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.)

E. CLAIM BY WAGE EARNER of \$ _____
 That I make a claim under subsection 81.3(8) of the Act in the amount of \$ _____
 That I 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 make a claim under subsection 81.5 of the Act in the amount of \$ _____
 That I make a claim under subsection 81.6 of the Act in the amount of \$ _____

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)

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.

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

7. (Applicable ONLY in cases of the bankruptcy of an individual)

[] Where ever the trustee reviews the financial situation of a bankrupt to determine 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 to be sent to the above address.

Dated at _____ this _____ day of _____ 20_____

Witness _____

Creditor _____

Phone Number _____

Fax Number _____

Email _____

PLEASE COMPLETE THE PROXY ON THE BACK OF THE PROOF OF CLAIM

NOTE:

If an affidavit is attached, it must have been made before a person qualified to take affidavits.

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.

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.

CHECKLIST TO ASSIST IN COMPLETING THE PROOF OF CLAIM

The checklist is provided to assist you in completing the proof of claim form and, where required, a proxy form.

General

The claim must be signed personally by the individual completing the declaration.

The signature of a witness is required.

Provide the complete address where all notices or correspondence is to be forwarded.

The amount on the statement of account must correspond to the amount indicated on the proof of claim.

Paragraph 1 - Creditor must state full and complete legal name of individual or company.

If the individual completing the proof of claim is not a creditor themselves, they must state their position or title.

Paragraph 3 - The statement of Account must be completed

A detailed statement of account of the last three months must be attached to the proof of claim 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.

Paragraph 4 - Please strike out those phrases that do not apply.

- A. An unsecured creditor must indicate whether they do or do not claim a right to a priority.
A schedule must be attached to support priority claims.
- C. If you are filing as a secured creditor, a certified copy of the security documents must be attached to the proof of claim.
- D. If making a claim as a farmer, fisherman or aquaculturist, attach a copy of the sales agreement and delivery documents.

Paragraph 5 - All claims must indicate if they are or are not related to the debtor, as defined in Section 4 of the *Bankruptcy and Insolvency Act*, by striking out "are" or "are not". If you are related by blood or marriage to the debtor, you should consider yourself to be a related person. If the bankrupt 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.

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/proposal, in case where the claimant and the debtor are not related
- (b) within the twelve [12] months preceding the bankruptcy/proposal, in case where the claimant and the debtor are related

Proxy

All signatures must be witnessed.

A creditor may vote either in person or by proxy.

A debtor may not be appointed a proxy to vote at any meeting of creditors.

The trustee may be appointed as a proxy for any creditor.

In order for a duly authorized person to have a right to vote, they must be a creditor or be holder of a properly executed proxy. The name of the creditor must appear in the proxy.

Form 36 GENERAL PROXY

In the Matter of the Bankruptcy / Proposal / Consumer Proposal of _____.

I/We _____ (Name of Creditor) of

_____ (Name of City/Town/Village) a creditor in the above matter, hereby
appoint

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

Dated at _____ this _____ day of _____, 20____

Witness

Individual Creditor

Name of Corporate Creditor

Witness

Per: _____
Name and Title of Signing Officer