

## PROOF OF CLAIM INSTRUCTION LETTER

### IN THE MATTER OF THE CCAA PROCEEDINGS OF WESTPHALIA DEV. CORP. (the APPLICANT")

PLEASE TAKE NOTICE that this proof of claim instruction letter (the “**POC Instruction Letter**”) is being sent pursuant to an order of the Court of King's Bench of Alberta, Judicial Centre of Calgary, granted January 23, 2025 (the “**Claims Process Order**”). All capitalized terms not otherwise defined in this Instruction Letter shall bear the meaning given to them in the Claims Process Order, which is posted on the website of the Monitor at <http://cfcanada.fticonsulting.com/westphaliadevcorp> (the “**Monitor's Website**”).

#### **Claims Process**

The Claims Process is intended for any Person asserting a Pre-Filing Claim (a Claim arising before January 14, 2025) or Subsequent Claim whatsoever against the Applicant and its directors and/or officers.

**If you wish to file a Proof of Claim because you are either in disagreement with the classification or amount outlined in the Claims Notice reflecting the amount per the Applicant's books and records as of January 14, 2025, or because you were not identified as a Known Creditor by the Applicant and as such did not receive a Claims Package, you must file a Proof of Claim to avoid the barring and extinguishment of any Claim which you may have against the Applicant and/or its Directors and/or Officers.**

#### **Submitting a Proof of Claim**

In the case of a Claim, you are required to file a Proof of Claim, in the form enclosed herewith, and **ensure that it is received by the Monitor, at the address below, by 5:00 p.m. MST on February 28, 2025 (the “Claims Bar Date”)** to avoid the barring and extinguishment of any Claim you may have against the Applicant and/or its Directors and/or Officers, if any.

To the extent practicable, you must submit your Proof of Claim with all relevant supporting documentation by email to the Monitor at [Robert.Kleebaum@FTIConsulting.com](mailto:Robert.Kleebaum@FTIConsulting.com). If unable to submit a Proof of Claim through email, and in order for your Proof of Claim to be deemed to be filed with the Monitor in a timely manner, we recommend you submit your Proof of Claim via prepaid registered mail, courier or facsimile transmission to the Monitor at the following address:

**FTI Consulting Canada Inc.**  
in its capacity as Monitor of



**Corporate Finance &  
Restructuring**

1610, 520 – 5<sup>th</sup> Ave. SW  
Calgary, Alberta, T2P 3R7

Westphalia Dev. Corp.  
Suite 1610, 520 – 5<sup>th</sup> Ave SW  
Calgary, Alberta T2P 3R7  
Attention: Rob Kleebaum

Fax: 403-232-6116  
Phone: 403-454-6035

Email: [Robert.kleebaum@FTIConsulting.com](mailto:Robert.kleebaum@FTIConsulting.com)

If you are submitting your Proof of Claim electronically, please submit it in PDF format and ensure the name of the file is **[legal name of creditor] POC.pdf**.

If you have any questions regarding the Claims Process, please contact the Monitor at the address above.

Additional Proof of Claim forms can be found on the Monitor's Website or obtained by contacting the Monitor at the address indicated above and providing particulars as to your name, address, facsimile number and e-mail address. Once the Monitor has this information, you will receive, as soon as practicable, a Proof of Claim form.

IF YOU ARE AN **UNKNOWN CREDITOR** PER THE APPLICANT'S BOOKS AND RECORDS AND YOU DID NOT RECEIVE A CLAIMS NOTICE, A PROOF OF CLAIM IN RESPECT OF YOUR CLAIM MUST BE RECEIVED BY THE MONITOR BY THE CLAIMS BAR DATE. IF NOT:

YOUR CLAIM SHALL BE **FOREVER BARRED AND EXTINGUISHED** AND YOU WILL BE PROHIBITED FROM MAKING OR ENFORCING A CLAIM AGAINST THE APPLICANT AND/OR ITS DIRECTORS AND/OR OFFICERS AND/OR AS AGAINST ANY OTHER PERSON WHO COULD CLAIM CONTRIBUTION OR INDEMNITY FROM THE APPLICANT, ITS DIRECTORS AND ITS OFFICERS;

YOU SHALL NOT BE PERMITTED TO VOTE ON ANY PLAN OF ARRANGEMENT THAT IS ADVANCED ON BEHALF OF THE APPLICANT, OR ENTITLED TO ANY FURTHER NOTICE OR DISTRIBUTION UNDER SUCH A PLAN, IF ANY; AND

YOU SHALL NOT BE ENTITLED TO PARTICIPATE AS A CREDITOR IN THE CCAA PROCEEDINGS OF THE APPLICANT; NOTING, HOWEVER, THAT THE



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SENDING OF A NOTICE TO CLAIMANT, THE SOLICITATION OF PROOFS OF CLAIM BY THE MONITOR OR THE APPLICANT AND/OR THE SENDING OF A PROOF OF CLAIM BY A CLAIMANT TO THE MONITOR DOES NOT GRANT ANY CLAIMANT OR ANY PERSON STANDING IN THE CCAA PROCEEDINGS OR ANY RIGHTS UNDER ANY PLAN FILED IN RESPECT OF THE APPLICANT, ITS DIRECTORS OR OFFICERS.

IF YOU ARE A **KNOWN CREDITOR** PER THE APPLICANT'S BOOKS AND RECORDS AND YOU DID RECEIVE A CLAIMS NOTICE BUT YOU ARE IN DISAGREEMENT WITH THE CLASSIFICATION OR AMOUNT LISTED, A PROOF OF CLAIM IN RESPECT OF YOUR CLAIM MUST BE RECEIVED BY THE MONITOR BY THE CLAIMS BAR DATE. IF NOT, YOUR CLAIM WILL BE DEEMED TO BE AS SET OUT IN THE NOTICE TO CLAIMANT AND YOU WILL BE BARRED FROM DISPUTING OR APPEALING THE SAME.

## PROOF OF CLAIM

(See attached for instructions)

### IN THE MATTER OF THE CCAA PROCEEDINGS OF WESTPHALIA DEV. CORP. (the "APPLICANT")

Regarding the claim of \_\_\_\_\_ (referred  
to in this form as (the "**Claimant**").  
*(name of Claimant)*

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

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

Telephone Number: \_\_\_\_\_

\_\_\_\_\_

Facsimile Number: \_\_\_\_\_

\_\_\_\_\_

Attention (Contact Person): \_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

\_\_\_\_\_

*(All future correspondence will be delivered to the designated email address unless the Claimant specifically requests that hardcopies be provided)*

Please provide hardcopies of materials to the address above.

I, \_\_\_\_\_ (*name of the Claimant or representative of the Claimant*), of \_\_\_\_\_ (*City, Province or State*) do hereby certify that:

I am the Claimant;

OR

I am \_\_\_\_\_ (*state position/title*) of the Claimant.

I have knowledge of all the circumstances connected with the claim referred to in this form.

The Applicant was at January 14, 2025 and still is indebted to the Claimant in the sum of CDN\$ \_\_\_\_\_ (*insert CDN\$ value of claim*) as shown by the statement of account attached hereto and marked Schedule "A". Claims should not include the value of goods and/or services supplied, or interest accrued after January 14, 2025. If a Claimant's claim is to be reduced by deducting any counterclaims to which the CCAA Applicant is entitled and/or amounts associated with the return of equipment and/or assets by the CCAA Applicant, please specify.

*The statement of account must specify the evidence in support of the claim including the date and location of the delivery of all services and materials. Any claim for interest must be supported by contractual documentation evidencing the entitlement to interest.*

- A. UNSECURED CLAIM OF\$ \_\_\_\_\_. That in respect of this claim, the Claimant does not hold and has not held any assets as security.
- B. SECURED CLAIM OF\$ \_\_\_\_\_. That in respect of this claim, the Claimant holds assets 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 the Claimant assesses the security together with the basis of valuation, and attach a copy of the security documents as Schedule "B".*



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Have you acquired this Claim by assignment?

No

Yes

(if yes, attach documents evidencing assignment)

(if yes) Full Legal Name of original creditor(s):

\_\_\_\_\_

DATED this \_\_\_\_ day of \_\_\_\_\_, 2025.

Per:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Claimant Signature

\_\_\_\_\_  
Print name of Claimant:

*If Claimant is other than an individual, print name and title of authorized signatory.*

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



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