

May 10, 2024

# IN THE MATTER OF THE BANKRUPTCY OF 1780932 ALBERTA LTD OF THE CITY OF CALGARY IN THE PROVINCE OF ALBERTA

To all known creditors of 1780932 Alberta Ltd.

Enclosed are the following documents:

- Form 68
  - Notice of Bankruptcy, First Meeting of Creditors;
- Form 78
  - Statement of Affairs;
  - Creditors Listing;
- Bankruptcy Order; and
- Form 31 & 36
  - o Proof of Claim / Proxy and related instructions.

Please complete your proof of claim form and submit it with required documentation to Hailey Liu by email at hailey.liu@fticonsulting.com or by fax at (403) 232-6116.

Yours truly,

FTI Consulting Canada Inc.

Dustin Olver, CIRP, LIT, CPA Senior Managing Director District of:

Alberta

Division No. Court No. 02 - Calgary BK01 095452

Estate No.

25-3077468

\_FORM 68\_

Notice of Bankruptcy, First Meeting of Creditors (Subsection 102(1) of the Act)

x Original

Amended

In the Matter of the Bankruptcy of 1780932 Alberta Ltd... of the city of Spruce Grove in the Province of Alberta

#### Take notice that:

- 1. 1780932 Alberta Ltd. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against 1780932 Alberta Ltd.) on the 23rd day of April 2024 and the undersigned, FTI Consulting Canada knc., 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 15th day of May 2024 at 10:20 AM at Microsoft Teams, https://www.microsoft.com/en-ca/microsoft-teams/join-a-meeting, Meeting ID: 233 572 243 604; Passcode: b4JCYt, +1 587-319-2925,488691394#.
- 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 Calgary in the Province of Alberta, this 10th day of May 2024.

FTI Consulting Canada Inc. - Licensed Insolvency Trustee

**Dustin Olver - Licensed Insolvency Trustee** 

Suite 1610, 520 - 5th Ave S.W.

Calgary AB T2P 3R7

Phone: (403) 454-6032 Fax: (403) 232-6116

District of:	Alberta
Division No.	02 - Calgary
Court No.	

★ Original

Amended

Estate No.

-- 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 1780932 Alberta Ltd. of the city of Spruce Grove in the Province of Alberta

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 24th day of April 2024. 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)		ASSETS (as stated and estimated by the officer)			
1. Unsecured creditors as per list "A"	1,750.00	1. Inventory		0.00	
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc		0.00	
· —		3. Accounts receivable and other receivables, as per list "E"			
Total unsecured creditors	1,750.00	Good 0.00			
2. Secured creditors as per list "B"	0.00	Doubtful			
	0.00	Bad			
3. Preferred creditors as per list "C"		Estimated to produce		0.00	
4. Contingent, trust claims or other liabilities as per list "D"	0.00	4. Bills of exchange, promissory note, etc., as per list "F"		0.00	
estimated to be reclaimable for		5. Deposits in financial institutions		0.00	
Total liabilities	1,750.00	6. Cash		0.00	
	A.III	7. Livestock		0.00	
Surplus	NIL	8. Machinery, equipment and plant		0.00	
		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		0.00	

I, Joe Foster, of the city of Spruce Grove in the Province of Alberta, 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 24th day of April 2024 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 Calgary in the Province of Alberta, on this 8th day of May 2024.

Joe Foster
Joe Foster

1,750.00

District of: Alberta
Division No. 02 - Calgary

Court No. Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of 1780932 Alberta Ltd. of the city of Spruce Grove in the Province of Alberta List "A" Unsecured Creditors

1780932 Alberta Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1		c/o MLT Aikins LLP 2100 - 222 3rd Avenue SW Calgary AB T2P 0B4	1,750.00	0.00	1,750.00
		Total:	1,750.00	0.00	1,750.00

Joe Foster

Joe Foster

08-May-2024

Date

COURT FILE NUMBER

BK01 095452

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

**CALGARY** 

PLAINTIFF/APPLICANT

NATIONAL BANK OF CANADA

DEFENDANT/RESPONDENT

EES EQUIPMENT INC., EES LANDS INC., and 1780932

ALBERTA LTD.

DOCUMENT

CONSENT ORDER

ADDRESS FOR SERVICE AND

CONTACT INFORMATION OF

PARTY FILING THIS

DOCUMENT

MLT Aikins LLP

**Barristers and Solicitors** 2100 - 222 3rd Avenue SW

Calgary, Alberta T2P 0B4

Phone:

(403) 693-5420/2635

(403) 508-4349 Fax:

Attention: Ryan Zahara/Brian Catalano

File:

0002330.00372

DATE ON WHICH ORDER WAS PRONOUNCED:

**APRIL 23, 2024** 

Apr 24, 2024

Calgary

LOCATION WHERE ORDER WAS PRONOUNCED:

**CALGARY** 

NAME OF BANKRUPTCY REGISTRAR WHO MADE THIS ORDER:

M. Park

UPON THE APPLICATION of the Applicant (the "Application"), National Bank of Canada ("NBC"), for a Bankruptcy Order against the Respondent, 1780932 Alberta Ltd. ("1780932 Alberta"); AND UPON reviewing the materials filed by NBC in respect of the Application; AND **UPON** noting the consent from counsel for NBC and counsel for 1780932 Alberta:

#### IT IS HEREBY ORDERED AND DECLARED THAT:

- 1. Service of the Application upon 1780932 Alberta is deemed good, valid, timely, and sufficient.
- 2. 1780932 Alberta, a corporation registered in the Province of Alberta, is adjudged bankrupt by virtue of this Bankruptcy Order hereby made on this date.

3. FTI Consulting Canada Inc., of the Province of Alberta, is hereby appointed as Trustee of the estate of 1780932 Alberta.

Bankruptcy Registrar:

CONSENTED TO BY:

**MLT AIKINS LLP** 

**CARSCALLEN LLP** 

Rya Zahara/Brian C. Catalano

Counsel for National Bank of Canada

Nicholas Ramessar

Counsel for 1780932 Alberta Ltd.

FTI Consulting Canada Inc. Suite 1610, 520 - 5th Ave S.W. Calgary AB T2P 3R7

Phone: (403) 454-6040 Fax: (403) 232-6116 E-mail: hailey.liu@fticonsulting.com

 District of:
 Alberta

 Division No.
 02 - Calgary

 Court No.
 BK01 095452

 Estate No.
 25-3077468

## 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 1780932 Alberta Ltd. of the city of Spruce Grove in the Province of Alberta

	in the Province of Alberta
All notices or o	correspondence regarding this claim must be forwarded to the following address:
	natter of the bankruptcy of 1780932 Alberta Ltd. of the city of Spruce Grove in the Province of Alberta and the claim of, creditor.
	I, (name of creditor or representative of the creditor), of the city of in the, do hereby certify:
That creditor).	t I am a creditor of the above named debtor (or I am (position/title) of,
2. That	I have knowledge of all the circumstances connected with the claim referred to below.
	t the debtor was, at the date of bankruptcy, namely the 23rd day of April 2024, 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
	to which the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in
4. (Chec	ck and complete appropriate category.)
	A. UNSECURED CLAIM OF \$
	(other than as a customer contemplated by Section 262 of the Act)
Tha	it 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 \$
(Give	in respect of this debt, I hold assets of the debtor valued at \$ as security, particulars of which are as follows:  e full particulars of the security, including the date on which the security was given and the value at which you assess the security, 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 Alberta Division No. 02 - Calgary BK01 095452 Court No. Estate No. 25-3077468

FORM 31 --- Concluded

In the Matter of the Bankruptcy of 1780932 Alberta Ltd. of the city of Spruce Grove in the Province of Alberta

l		E. CLAIM BY WAGE EARNER (	OF \$			
ı		That I hereby make a claim under	er subsection 81.3(8) of the Act	in the amount of	\$,	
ı		That I hereby make a claim under	er subsection 81.4(8) of the Act	in the amount of	\$,	
		F. CLAIM BY EMPLOYEE FOR	UNPAID AMOUNT REGARDIN	NG PENSION PLA	AN OF \$	
ı		That I hereby make a claim under	er subsection 81.5 of the Act in	the amount of \$_		
ı		That I hereby make a claim under	er subsection 81.6 of the Act in	the amount of \$_	,	
ı		G. CLAIM AGAINST DIRECTOR	₹\$			
	That	e completed when a proposal pro I hereby make a claim under subs full particulars of the claim, includ	section 50(13) of the Act, partic	ulars of which are	as follows:	
I		H. CLAIM OF A CUSTOMER OF	A BANKRUPT SECURITIES F	FIRM \$	_	
		I hereby make a claim as a custon full particulars of the claim, include		-		s of which are as follows:
		, to the best of my knowle ne meaning of section 4 of the Ac				r(is/is not)) related to the non-arm's-length manner.
within th and the immediat	e me debto ely b	aning of subsection 2(1) of the or are related within the mean	e Act that I have been privening of section 4 of the Act	y to or a party or were not de	to with the debtor waling with each other	wed to, and the transfers at undervalue vithin the three months (or, if the creditor or at arm's length, within the 12 months; (Provide details of payments, credits and
7.	(Appli	cable only in the case of the bank	kruptcy of an individual.)			
	pa	henever the trustee reviews the fi ayments under section 68 of the A the fact that there is no longer su	Act, I request to be informed, pu			•
		equest that a copy of the report fil 70(1) of the Act be sent to the abo		e bankrupt's applic	ation for discharge pu	rsuant to subsection
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	e a person qualified to take affidavits.			
WARNINGS:	A tru	stee may, pursuant to subsection 128(3) of the Act, rity, by the secured creditor.		reditor of the debt or the val	ue of the security as assessed, in	a proof of

Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

District of: Alberta
Division No. 02 - Calgary
Court No. BK01 095452
Estate No. 25-3077468

# 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 1780932 Alberta Ltd. of the city of Spruce Grove in the Province of Alberta

l,	, of	, a creditor in the a	above matter, hereby
appoint	, of		, to be
my proxyholder in the above matter,		dividends,	(with or without)
power to appoint another proxyholde	r in his or her place.		
Dated at	, this	day of	
Witness		Individual Credito	or
Witness		Name of Corpora	ate Creditor
	J		
		Name and Title	of Signing Officer
Return To:			
FTI Consulting Canada Inc License	ed Insolvency Trustee		
Suite 1610, 520 - 5th Ave S.W.			

Calgary AB T2P 3R7

Fax: (403) 232-6116

E-mail: hailey.liu@fticonsulting.com

# CHECKLIST FOR PROOF OF CLAIM

This checklist is provided to assist you in preparing the proof of claim form and, if appropriate, the proxy form in a complete and accurate manner. Please check each requirement.

### **GENERAL**

- The <u>signature of a witness</u> is required.
- The document must be signed by the individual completing the declaration.
- <u>Provide the complete address</u> where all notices or correspondence are to be forwarded along with your phone number, fax number and email address where appropriate.

### Notes:

- It is permissible to file a proof of claim by fax or by other electronic means.
- A creditor may vote either in person or by proxy at any meeting of creditors if the proof of claim is filed with the trustee prior to the time appointed for the meeting.
- Quorum is established at a meeting of creditors by at least one creditor with a valid proof of
  claim being in attendance in person, or by any other mode of communication, subject to: the
  practicability and technological capability of the participants, creditors' preference to attend in
  person, and the chair's ability to validate the identity of participating creditors, or by proxy.
- A corporation may vote by an authorized agent or mandatary at meetings of creditors.
- In order for a duly authorized person to have a right to vote, they must be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy.
- A creditor who is participating in any distribution from an estate must have filed a proof of claim prior to the distribution being declared.
- In the case of an individual bankrupt, by checking the appropriate box or boxes at the bottom of the proof of claim form, you may request that the trustee advise you of any material change in the financial situation of the bankrupt or the amount the bankrupt is required to pay into the bankruptcy, and a copy of the trustee's report on the discharge of the bankrupt.

## PARAGRAPH 1

- Creditor must state full and complete legal name of the individual, company or firm.
- If the individual completing the proof of claim is a representative of the creditor, the individual's position or title must be identified.

## PARAGRAPH 3

- The amount owing must be set out in paragraph 3.
- A <u>detailed statement of</u> account must be attached to the proof of claim and marked "Schedule A" and <u>must</u> show the date, number and amount of all invoices or charges, together with the date, number and amount of all credits or payments. The amount on the statement of account must correspond to the amount indicated on the proof of claim.

## PARAGRAPH 4

### Notes:

- <u>Paragraph A</u> applies to *ordinary unsecured claims*. In addition to recording the amount of the claim, please indicate whether the claim has a priority pursuant to section 136 of the Act.
- <u>Paragraph B</u> applies to *lessor claims* in a commercial proposal. Please ensure that the claim applies to a commercial proposal and, if so, include the full particulars of the claim.
- <u>Paragraph C</u> applies to *secured claims*. Please indicate the dollar value of the security and attach copies of the security document. In addition, please attach copies of the security registration documents, where appropriate.
- Paragraph D applies to inventory claims of farmers, fishermen and aquaculturists. Please note that such claims apply only to inventory supplied from farmers, fishermen and aquaculturists within 15 (fifteen) days of the date of bankruptcy. In addition, please attach copies of any applicable sales agreements and delivery slips.
- <u>Paragraph E</u> applies to *claims by wage earners*. Please note that such claims apply only for unpaid wages owed upon the bankruptcy of an employer or when the employer becomes subject to a receivership.
- Paragraph F applies to claims by employees for unpaid amounts regarding pension plans. Please note that such claims apply only to unremitted pension contributions outstanding when the sponsoring employer becomes bankrupt or is subject to a receivership.
- <u>Paragraph G</u> applies to *claims against directors*. Please note that such claims apply only to directors of corporations that have filed a commercial proposal to creditors that includes a compromise of statutory claims against directors.
- <u>Paragraph H</u> applies to *claims of customers of a bankrupt securities firm*. Please ensure that the claim of the customer is for net equity and, if so, include the full particulars of the claim, including the calculations upon which the claim is based.

### PARAGRAPH 5

All claimants must indicate whether or not they are related to the debtor, as defined in section 4

of the Act, or dealt with the debtor in a non-arm's-length manner.

# **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 initial bankruptcy event (including the bankruptcy or the proposal);
- (b) <u>within the twelve (12) months preceding</u> the initial bankruptcy event (including the bankruptcy or the proposal) in the case where the claimant and the debtor <u>were not</u> dealing at arm's length.

## -PROXYHOLDER-

# **NOTE**

The Act permits a proof of claim to be made by a duly authorized representative of a creditor but, in the absence of a properly executed proxy, does not give such an individual the power to vote at the first meeting of creditors nor to act as the proxyholder of the creditors.

# **GENERAL**

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

## Notes:

- A creditor may vote either in person or by proxyholder.
- A proxy may be filed at any time prior to a vote at a meeting of creditors.
- A proxy can be filed with the trustee in person, by mail or by any form of telecommunication.
- A proxy does not have to be under the seal of a corporation unless required by its incorporating documents or its bylaws.
- The individual designated in a proxy cannot be substituted unless the proxy provides for a power of substitution.
- Bankrupts/debtors may not be appointed as proxyholders to vote at any meeting of their creditors. The trustee may be appointed as a proxyholder for any creditor.
- A corporation cannot be designated as a proxyholder.