

**SCHEDULE "D"**

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 *Bankruptcy and Insolvency Act*)

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

\_\_\_\_\_

\_\_\_\_\_

This claim is against (check one):

- Pacer Promec Energy Corporation
  
- Pacer Promec Energy Construction Corporation
  
- FTI Consulting Canada Inc. in its capacity as Receiver and Manager of Pacer Promec Energy Corporation and pacer Promec Energy Construction Corporation

In the matter of the receivership of Pacer Promec Energy Corporation and Pacer Promec Energy Construction Corporation and the claim of \_\_\_\_\_, creditor.

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 of 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 (or affidavit) attached 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 claim a right to 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)

- 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:

FORM 31 – Continued

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

- B. 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)

- C. CLAIM OF LIEN PURSUANT TO BUILDERS' LIEN ACT (ALBERTA) IN THE AMOUNT OF \$ \_\_\_\_\_

On the estate of (name of owner(s)) \_\_\_\_\_

In the following lands (legal description(s)):

In respect of the following work or materials:

The work or materials were last provided on the following date: \_\_\_\_\_

OR

The work is not yet completed or all the materials have not yet been furnished.

D. 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 \$ \_\_\_\_\_

E. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.5 of the Act in the amount of \$ \_\_\_\_\_

That I hereby make a claim under subsection 81.6 of the Act in the amount of \$ \_\_\_\_\_

F. CLAIM AGAINST DIRECTOR \$ \_\_\_\_\_

*(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)*

FORM 31 -- Concluded

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, 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: (provide details of payments, credits and transfers at undervalue)

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Witness:

\_\_\_\_\_  
Creditor

Telephone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

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.

## Instructions for Completing Proof of Claim Forms

In completing the attached form, your attention is directed to the notes on the form and to the following requirements:

Proof of Claim:

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., and the full legal name of the party you represent.
2. The person signing the form must have knowledge of the circumstances connected with the claim.
3. Tick the box of the appropriate Debtor your claim is against, or the Receiver if your claim is against the Receiver. A Statement of Account containing details of secured and unsecured claims, and if applicable, of the amount due in respect of property claims, must be attached and marked Schedule "A". It is necessary that all creditors indicate the date and location of the delivery of all goods and/or services. Any amounts claimed as interest should be clearly noted as being for interest.
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 (B) indicates the claim is secured, such as a builders' lien, mortgage, lease, or other security interest, and the value at which the creditor assesses the security must be inserted, together with the basis of valuation. Details of each item of security held should be attached as Schedule "B" and submitted with a copy of the statement of lien, chattel mortgage, conditional sales contract, security agreement, etc.

5. The person signing the form must insert the place and date in the space provided, and the signature must be witnessed.

Additional information regarding the Debtors and receivership process, as well as copies of claims documents may be obtained at <http://cfcanada.fticonsulting.com/ppec>. If there are any questions in completing the notice of claim, please write or telephone the office of the Receiver at:

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FTI Consulting Canada Inc. in its capacity as the Court appointed Receiver and Manager of  
Pacer Promec Energy Corporation and Pacer Promec Energy Construction Corporation

**By Mail/Courier:**

FTI Consulting Canada Inc.  
Suite 200, 1040 – 7<sup>th</sup> Avenue S.W.  
Calgary, AB T2P 3G9  
Attention: Ms. Julie Haghiri  
Phone: 1-855-344-1825  
Fax: 403-232-6116

**Note: Any claim not delivered to the Receiver at the above noted address by June 19, 2015, will, unless otherwise ordered by the Alberta Court of Queen's Bench, be barred and may not thereafter be advanced against the Debtors or the Receiver.**