



Goldhar & Associates Ltd.
Trustees in Bankruptcy

Administrative Office
5045 Orbitor Drive, Building 7, Suite 400
Mississauga ON L4W 4Y4
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Court / Estate No.: 31-2868298

**IN THE MATTER OF THE BANKRUPTCY OF
CAPITAL BUILD CONSTRUCTION MANAGEMENT CORP.
OF THE CITY OF VAUGHAN,
IN THE PROVINCE OF ONTARIO**

NOTICE TO CREDITORS/STAKEHOLDERS

Please be advised that **CAPITAL BUILD CONSTRUCTION MANAGEMENT CORP.** (“Debtor” or the “Bankrupt” or “CBCM”) was deemed to have made an assignment in bankruptcy on the **4th day of October 2022** as it failed to file the Cash Flow Statement after filing a Notice of Intention (“NOI”) to make a Proposal.

Goldhar & Associates Ltd has been appointed by the office of Superintendent of Bankruptcy as the trustee of the estate of the bankrupt subject to affirmation by the creditors in the first meeting of creditors.

Please take note that the first meeting of creditors for the estate is scheduled for October 24, 2022 at 1.00 PM, through Zoom using link :

<https://us06web.zoom.us/j/82153890692?pwd=RHZOZFpyamUvM2RkUUhqaklVdmVyQT09>

Meeting ID: 821 5389 0692; Passcode: 178604.

Please find enclosed herewith:

- i. Notice of Bankruptcy and First Meeting of Creditors,
- ii. Certificate of Assignment
- iii. Debtor’s Statement of Affairs (not sworn by the officer of bankrupt) as provided to the trustee by the bankrupt/officer of the bankrupt corporation.
- iv. Proof of claim form and a checklist to assist in completing the proof of claim form
- v. Proxy Form

Creditors are encouraged to attend the creditors meeting. Creditors can also appoint a person to represent them at the creditors’ meeting by submitting a properly completed proxy form (enclosed) with the proof of claim form. All corporations must name a proxy.

Please note that the Trustee has not been able to verify the statement of affairs provided by the officer of bankrupt corporation (not sworn) and has relied on the recent draft financial statements, compiled by the internal book keeper of the bankrupt corporation. The draft financial statements are as provided by the bankrupt and is neither reviewed nor audited and the Trustee is not expressing an opinion with respect to the validity, accuracy or the reliability of the information contained herein. Any creditor/stakeholder relying on the information contained herein should do so at their sole discretion.

Filing your proof of claim is sufficient notice to us of any disagreement you may have with respect to the amount reported as due to you in the initial documents of statement of affairs. The completed claim can be delivered to the Trustee’s office by mail, courier, facsimile, electronic mail, or in person.

Dated at the City of Mississauga in the Province of Ontario, this 12th day of October 2022

Goldhar & Associates Ltd – Licensed Insolvency Trustee
Trustee of the estate of Capital Build Construction Management Corp, a bankrupt
And not in personal or corporate capacity

Richard Goldhar

Per: Richard Goldhar, CIRP, LIT

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 68
Notice of Bankruptcy, First Meeting of Creditors
(Subsection 102(1) of the Act)

Original Amended

In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario

Take notice that:

1. Capital Build Construction Management Corp. was deemed to have made an assignment in bankruptcy on the 4th day of October 2022 and the undersigned, Goldhar & Associates Ltd., 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 24th day of October 2022 at 1:00 PM at 5045 Orbitor Drive, Bldg 7, Suite 400, Mississauga, ON or Or Via Zoom : <https://us06web.zoom.us/j/82153890692?pwd=RHZOZFpyamUvM2RkUUhqakIVdmVyQT09>, Meeting ID: 821 5389 0692 ; Passcode: 178604.
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 Mississauga in the Province of Ontario, this 12th day of October 2022

Goldhar & Associates Ltd. - Licensed Insolvency Trustee

Goldhar & Associates Ltd.

5045 Orbitor Drive, Bldg 7, Suite 400
Mississauga ON L4W 4Y4
Phone: (855) 541-5114 Fax: (905) 361-0488



Industry Canada
Office of the Superintendent
of Bankruptcy Canada

Industrie Canada
Bureau du surintendant
des faillites Canada

District of: Ontario
Division No.: 09 - Toronto
Court No.: 31-2868298
Estate No.: 31-2868298

In the Matter of the Bankruptcy of:

Capital Build Construction Management Corp.

Debtor

GOLDHAR & ASSOCIATES LTD

Licensed Insolvency Trustee

Ordinary Administration

Date of bankruptcy: October 04, 2022 Security: \$0.00
Meeting of creditors:
Chair: Designated person: Michael James Smith

CERTIFICATE OF ASSIGNMENT - Paragraph 50.4(8)(b.1) of the Act

I, the undersigned, official receiver in and for this bankruptcy district, do hereby certify that:

- a notice of intention in respect of the aforementioned debtor was filed under section 50.4 of the *Bankruptcy and Insolvency Act*;
- the debtor has failed to file a cash-flow statement or a proposal within the provided period following the filing of the notice of intention or within any Court-granted extension and is thereupon deemed to have made an assignment.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable, to call in the prescribed manner a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the official receiver.

Date: October 04, 2022

E-File/Dépôt Electronique

Official Receiver

151 Yonge Street, 4th Floor, Toronto, Ontario, Canada, M5C2W7, (877)376-9902

Canada

District of: Ontario
 Division No. 09 - Toronto
 Court No. 31-2868298
 Estate No. 31-2868298

Original

Amended

-- 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
 Capital Build Construction Management Corp.
 of the City of Vaughan, in the Province of Ontario

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 4th day of October 2022. 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"	1,283,612.43	1. Inventory	0.00
Balance of secured claims as per list "B"	889,354.59	2. Trade fixtures, etc.	2.00
Total unsecured creditors	2,172,967.02	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B"	5,645.41	Good	0.00
3. Preferred creditors as per list "C"	0.00	Doubtful	0.00
4. Contingent, trust claims or other liabilities as per list "D"	0.00	Bad	0.00
estimated to be reclaimable for		Estimated to produce	0.00
Total liabilities	2,178,612.43	4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
Surplus	NIL	5. Deposits in financial institutions	926.41
		6. Cash	0.00
		7. Livestock	0.00
		8. Machinery, equipment and plant	0.00
		9. Real property or immovable as per list "G"	0.00
		10. Furniture	4,715.00
		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"	2.00
		If bankrupt is a corporation, add:	
		Amount of subscribed capital	100.00
		Amount paid on capital	100.00
		Balance subscribed and unpaid	0.00
		Estimated to produce	0.00
		Total assets	5,645.41
		Deficiency	2,172,967.02

I, Michael James Smith, of the City of Oakville in the Province of Ontario, 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 7th day of October 2022 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 Mississauga in the Province of Ontario, on this 7th day of October 2022.



Michael James Smith

District of: Ontario
 Division No. 09 - Toronto
 Court No. 31-2868298
 Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Capital Build Construction Management Corp.
 of the City of Vaughan, in the Province of Ontario

List "A"
 Unsecured Creditors

Capital Build Construction Management Corp.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Bodkin Leasing Corporation 50015893, 50015999, 50016202,	102 - 1465 North Service Rd E Oakville ON L6H 1A7	250.00	0.00	250.00
2	Business Development Bank of Canada - Mississauga Attn: Bankruptcy Department 192-268-01	121 King Street West, Suite 1200 Toronto ON M5H 3T9	51,014.30	0.00	51,014.30
3	Cameron Stephens Financial Corporation	25 Adelaide St. East suite 600 Toronto ON M5C 3A1	250.00	0.00	250.00
4	canada ici capital Corporation	10180-101 Street NW suite 3540 Edmonton AB T5J 3S4	250.00	0.00	250.00
5	CRA - GST/HST - Shawinigan-Sud Attn: Quebec Insolvency Intake Centre 84046 8193 RT0001	Shawinigan - Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-sud QC G9P 5H9	20,574.32	0.00	20,574.32
6	CRA - Toronto North Tax Services Office 84046 8193 RC/RP 0001	1000 - 5001 Yonge Street North York ON M2N 6R9	250.00	0.00	250.00
7	Frankline Investments Limited	330 Applewood Cres Concord ON L4K 3V2	250.00	0.00	250.00
8	Harrison Pensa LLP Attn: Hogan	450 Talbot St London ON N6A 4K3	250.00	0.00	250.00
9	Meridian Onecap Credit Corporation (formerly Roynat Lease Finance - Toronto)	PO Box 30597 RPO Madison Burnaby BC V5C 6J5	250.00	0.00	250.00
10	Michael J. Smith Shareholder Loan	197 Huguenet Rd. Oakville ON L6H 7C3	989,843.98	0.00	989,843.98
11	Ministry of Finance - ON PST, EHT & Other Taxes Attn: Mrs. Asta Albery 84046 8193TE0001	Ministry of Revenue 33 King Street West 6th Floor Oshawa ON L1H 8H5	250.00	0.00	250.00
12	R.A.G Painting Inc.	47 Dolores Rd Toronto ON M3L 2B2	8,701.00	0.00	8,701.00
13	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen 06032-1080837	PO Box 57100 Etobicoke ON M8Y 3Y2	250.00	0.00	250.00
14	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen 07512 19616508-001	PO Box 57100 Etobicoke ON M8Y 3Y2	1.00	889,354.59	889,355.59
15	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen 4514-****-****-5524	PO Box 57100 Etobicoke ON M8Y 3Y2	60,000.00	0.00	60,000.00
16	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen 4516-****-****8966	PO Box 57100 Etobicoke ON M8Y 3Y2	73,914.72	0.00	73,914.72
17	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen 4516-****-****-9295	PO Box 57100 Etobicoke ON M8Y 3Y2	74,563.01	0.00	74,563.01
18	Regency Law Group Professional Corporation Attn: Carolynne J. Wahlman CV-21-00075246-0000	25 Main Street West, Suite 2010 Hamilton ON L8P 1H1	250.00	0.00	250.00

23-Sep-2022

Date



Michael James Smith

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario

List "A"
Unsecured Creditors

Capital Build Construction Management Corp.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
19	Rob Pellegrino - KBFP	100 Bass Pro Mill Drive Vaughan ON L4K 5X1	250.00	0.00	250.00
20	Safex Workplace Safety Managers	5 - 185 Riviera Dr. Markham ON L3R 5J6	2,000.10	0.00	2,000.10
21	Workplace Safety and Insurance Board Attn: Eric Kupka 57202741	200 Front St W, 22nd Floor Toronto ON M5V 3J1	250.00	0.00	250.00
Total:			1,283,612.43	889,354.59	2,172,967.02

23-Sep-2022

Date



Michael James Smith

District of: Ontario
 Division No. 09 - Toronto
 Court No. 31-2868298
 Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Capital Build Construction Management Corp.
 of the City of Vaughan, in the Province of Ontario
 List "B"
 Secured Creditors

Capital Build Construction Management Corp.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
1	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen 07512 19616508-001	PO Box 57100 Etobicoke ON M8Y 3Y2	895,000.00	Furniture - Office Furniture & Equipment Cash on Hand - Chequing - 06032 1080837 - Royal Bank of Canada Business Assets - Book Debts - Receivable from Two Related Entities - Both Entities advised to be in Receivership Business Assets - Book Debts - Receivables from multiple corp of same group which are under receivership, Business Assets - Trade Fixtures - Computers, Office Equipment Business Assets - Trade Fixtures - Leasehold Improvements - Affixed to structure/Not readily realisable		4,715.00 926.41 1.00 1.00 1.00 1.00		889,354.59
Total:			895,000.00			5,645.41	0.00	889,354.59

23-Sep-2022

Date



Michael James Smith

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario
List "C"
Preferred Creditors for Wages, Rent, etc.

Capital Build Construction Management Corp.

No.	Name of creditor	Address and occupation	Nature of claim	Period during which claim accrued	Amount of claim	Amount payable in full	Difference ranking for dividend
Total:					0.00	0.00	0.00

23-Sep-2022

Date



Michael James Smith

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario
List "D"
Contingent or Other Liabilities

Capital Build Construction Management Corp.

No.	Name of creditor or claimant	Address and occupation	Amount of liability or claim	Amount expected to rank for dividend	Date when liability incurred	Nature of liability
Total:			0.00	0.00		

23-Sep-2022

Date



Michael James Smith

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario

List "E"
Debts Due to the Bankrupt

Capital Build Construction Management Corp.

No.	Name of debtor	Address and occupation	Nature of debt	Amount of debt (good, doubtful, bad)	Folio of ledgers or other book where particulars to be found	When contracted	Estimated to produce	Particulars of any securities held for debt
			Total:	0.00 0.00 0.00			0.00	

23-Sep-2022

Date



Michael James Smith

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario
List "F"

Bills of Exchange, Promissory Notes, Lien Notes, Chattel
Mortgages, etc., Available as Assets

Capital Build Construction Management Corp.

No.	Name of all promissory, acceptors, endorsers, mortgagors, and guarantors	Address	Occupation	Amount of bill or note, etc.	Date when due	Estimated to produce	Particulars of any property held as security for payment of bill or note, etc.
Total:				0.00		0.00	

23-Sep-2022

Date



Michael James Smith

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 78 -- Continued

In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario

List "G"

Real Property or Immovables Owned by Bankrupt

Capital Build Construction Management Corp.

Description of property	Nature of bankrupt interest	In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances (name, address, amount)	Equity or surplus
Total:			0.00		0.00

23-Sep-2022

Date



Michael James Smith

District of: Ontario
 Division No. 09 - Toronto
 Court No. 31-2868298
 Estate No. 31-2868298

FORM 78 -- Concluded

In the Matter of the Bankruptcy of
 Capital Build Construction Management Corp.
 of the City of Vaughan, in the Province of Ontario

List "H"
 Property

Capital Build Construction Management Corp.

FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade			0.00	0.00
(b) Trade fixtures, etc.	Possession of bankrupt	Leasehold Improvements - Affixed to structure/Not readily realisable	35,633.25	1.00
		Computers, Office Equipment	17,850.00	1.00
(c) Cash in financial institutions	Royal Bank of Canada Hwy 404 & Hwy 7, Branch, 260 East Beaver Creek Rd. Richmond Hill ON L4B 3M3	06032 1080837	926.41	926.41
(d) Cash on hand			0.00	0.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant			0.00	0.00
(g) Furniture		Office Furniture & Equipment	21,856.33	4,715.00
(h) Life insurance policies, RRSPs, etc.			0.00	0.00
(i) Securities			0.00	0.00
(j) Interests under wills, etc.			0.00	0.00
(k) Vehicles			0.00	0.00
(l) Taxes			0.00	0.00
(m) Other		Book Debts - Receivables from multiple corp of same group which are under receivership,	555,920.36	1.00
		Book Debts - Receivable from Two Related Entities - Both Entities advised to be in Receivership	220,647.23	1.00
			Total:	5,645.41

23-Sep-2022

Date



Michael James Smith

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

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
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario

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

In the matter of the bankruptcy of Capital Build Construction Management Corp. of the City of Vaughan in the Province of Ontario and the claim of _____, creditor.

I, _____ (name of creditor or representative of the creditor), of the city of _____ in the province of _____, do hereby certify:

1. That I am a creditor of the above named debtor (or I am _____ (position/title) of _____, 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, namely the 4th day of October 2022, 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 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 \$ _____

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.)

District of Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

FORM 31 --- Concluded
In the Matter of the Bankruptcy of
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario

- E. 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 \$ _____,
- F. 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 \$ _____,
- G. 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.)

- H. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$ _____

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/am not) (or the above-named creditor _____ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and _____ (have/has/have not/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 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 Section 2 of the Act: (Provide details of payments, credits and transfers at undervalue.)

7. (Applicable only in the case of the bankruptcy of an individual.)

- Whenever the trustee reviews the financial situation of a bankrupt to redetermine 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 be sent to the above address.

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 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.

CHECKLIST FOR PROOFS OF CLAIM

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.

PROOF OF CLAIM

- ▶ The signature of a witness is required;
- ▶ The claim must be signed personally by the individuals;
- ▶ If the creditor is a corporation, the full and complete legal name of the company or firm must be stated;
- ▶ Give the complete address, including postal code, where all notices or correspondence is to be forwarded, the name of the person to contact, the phone number and fax number.

PARAGRAPH 1

- ▶ Please state your name, city of residence, and if you are completing the declaration for a corporation or another person, your position or title.

PARAGRAPH 3

- ▶ State the date of bankruptcy, proposal of receivership and the amount of your claim;
- ▶ A detailed statement of account must be attached and must show the date, number and amount of all the invoices, charged credits or payments;
- ▶ A statement of account is not complete if it begins with an amount brought forward;
- ▶ The amount of the statement of account must agree with the amount claimed on the proof of claim.

PARAGRAPH 4

- ▶ An ordinary creditor must check subparagraph A. A preferred creditor must set out on an attached schedule the particulars of your priority;
- ▶ A secured creditor must check subparagraph C. You must insert the value at which you assess each of your securities and provide a certified true copy of the security documents as registered.

PARAGRAPH 5

Strike out “are” or “are not” as applicable to you. You would be considered a related person if:

- ▶ You are related to blood or marriage to the debtor;
- ▶ If the debtor is a corporation and you were a shareholder or if your company was controlled by the same shareholders as the debtor corporation.

PARAGRAPH 6

All creditors must attach a detailed list of all payments or credits received or granted, as follows:

- ▶ Within the 3 months preceding the bankruptcy or proposal, if the creditor and the debtor are not related;
- ▶ Within 12 months preceding the bankruptcy or proposal, if the creditor and debtor are related.

In the case of an individual’s bankruptcy only, you may request some or all of the items stated after paragraph 6.

GENERAL PROXY

A creditor may appoint a proxy by completing the proxy form, if the creditor is a corporation, the proxy form must be completed in the corporate name and signature witness.

NOTES

- ▶ Only creditors who have filed claims in the proper manner before the time appointed for the meeting of creditors are entitled to vote;
- ▶ A creditor may vote either in person or by proxy;
- ▶ A debtor may not be appointed a proxy at any meeting of his creditors;
- ▶ The trustee may be appointed as a proxy to for any creditors;
- ▶ A corporation may vote by an authorized agent at the meeting of creditors;
- ▶ In order to have the right to vote, a person must himself be a creditor or be the holder of a property executed proxy showing the name of the creditor;
- ▶ Only creditors who filed claims in the proper form with the trustee are entitled to share in any distribution that may be made.

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2868298
Estate No. 31-2868298

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
Capital Build Construction Management Corp.
of the City of Vaughan, in the Province of Ontario

I, _____, of _____, a creditor in the above matter, hereby
appoint _____, of _____, to be
my proxyholder in the above matter, except as to the receipt of dividends, _____ (with or without)
power to appoint another proxyholder in his or her place.

Dated at _____, this _____ day of _____, _____.

Witness

Individual Creditor

Witness

Name of Corporate Creditor

Per _____
Name and Title of Signing Officer

Return To:

Goldhar & Associates Ltd. - Licensed Insolvency Trustee

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