

**BANKRUPTCY AND INSOLVENCY ACT
PROOF OF CLAIM (FORM 31)**

IN THE MATTER OF THE BANKRUPTCY/PROPOSAL OF: _____

AND THE CLAIM OF _____ (NAME)

ALL CORRESPONDENCE REGARDING THIS CLAIM TO BE SENT TO THE FOLLOWING: **ADDRESS**

Street	City/Town	Prov.	Postal Code	Phone No.	Acct. #
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(See Note 1) I, _____ (name of creditor) of _____ (city and province), do hereby certify:

(See Note 2) 1. That I am a creditor of the above named debtor (or that I am) _____ (state position)

(See Note 3) 2. That I have knowledge of all the circumstances connected with the claim referred to in this form.

(See Note 4) 3. That the said debtor was at the date of bankruptcy namely the ___ day of _____, 20__ and still is, indebted to the above-named creditor (referred to in this form as "The Creditor") in the sum of \$ _____, as shown by the statement of account (or affidavit) attached hereto and marked "Schedule A", after deducting any counterclaims to which the debtor is entitled.

(The attached statement of account of affidavit must specify the vouchers or other evidence in support of the claim.)

(See Note 5) 4. Check and complete appropriate category.

A. UNSECURED CLAIM OF \$ _____

That in respect of the said debt, I do not hold any assets of the debtor as security and (Check appropriate description.)

I do not claim a right to a priority

I claim a right to a priority under section 136 of the Act. (Set out on an attached schedule 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 the said 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 the creditor assesses 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 the sales agreement and delivery documents.)

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 AGAINST DIRECTOR \$ _____

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)

G. 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 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)

(See Note 6) 5. That to the best of my knowledge and belief 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 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 within the 12 months) immediately preceding 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.)

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

() 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 _____, 20 X _____ X
Witness Creditor

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

WARNINGS: A trustee, may, pursuant to subsection 128(3) of the Bankruptcy and Insolvency Act, redeem 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 debtor. Subsection 201(1) of the Bankruptcy and Insolvency Act provides severe penalties for making false claim, proof, declaration or statement of account.

(See Note 7)

GENERAL PROXY

In the Matter of Bankruptcy 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 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 _____ 20 _____ , _____
Signature of Witness Signature of Creditor

PLEASE READ THIS CAREFULLY BEFORE YOU PREPARE YOUR PROOF OF CLAIM

Note 1. The person making this claim must personally sign this form. The signature **must** be witnessed.

2. If you're signing this form on behalf of a corporation or other person, you must state the title or capacity in which your acting, such as "credit manager", "accountant", "controller", or "authorized agent", etc. This form must be signed by the person making the declaration.

3. You must have knowledge of the circumstances connected with the claim.

4. Please fill in the debtor's name and date of the bankruptcy as shown on the Notice to Creditors. The proof of claim **is incomplete** unless you include a statement (marked "Schedule A"). The balance on the statement must be complete and agree with the balance claimed by you as of the date of bankruptcy. "Schedule A" should be a detailed statement of account of the last three months of financial activity with the bankrupt. It must show the date, number and amount of all invoices and charges, together with the date, number and amount of all credits or payments. A "balance forward" or one line figure does not meet the disclosure requirements for proof of claim issued the Superintendent of Bankruptcy.

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

- (a) within the three (3) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related or
(b) within the twelve (12) months preceding the bankruptcy of proposal, in the case where the claimant and the debtor are related.

5. Please check (x) the type of claim which applies to you. **"PLEASE DON'T LEAVE THIS SECTION BLANK"**.
If you have a regular unsecured claim, then please check (x) beside the phrase "I do not claim a right to a priority".

A priority claim is only granted to specific creditors under S.136 of The Bankruptcy and Insolvency Act. Please review the legislation to determine if you are eligible to make such a claim in this estate.

If you have a **SECURED CLAIM** you must:

- (a) insert the value that you feel your security is worth, and
(b) prove that you are secured by attaching a copy of your security document (chattel mortgage & a copy of your financing statement issued under the Personal Property Security Act. etc.) If you hold a mortgage over real estate, please provide the trustee with a copy of the mortgage document.

6. If you're related to the bankrupt, please cross out the word "not". If you're related by blood or marriage to the bankrupt, then you should consider yourself 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.

You must provide the full details of all payments and credits received from or allowed to the debtor during the period indicated.

The proof of claim is incomplete UNLESS it has been signed and witnessed.

7. If you want to appoint a proxy, the proxy form must be completed and signed by the creditor. If the creditor is a corporation, the proxy must be signed in the corporate name and not necessarily by the individual signing the proof of claim form. If a corporation grants a proxy to an individual the proxy section should be both signed, dated and witnessed. The Bankruptcy and Insolvency Act permits a proof of claim to be made by a duly authorized agent of a creditor, but this does not give such a person power to vote at the first meeting of creditors or to act as the creditors proxy unless the GENERAL PROXY section has been completed.

GENERAL INFORMATION

A creditor may vote either in person or by proxy

A debtor may not be appointed as proxy to vote at any meeting of the creditors

The trustee may be appointed as proxy to vote on behalf of the creditor

A corporation may vote by an authorized agent at a meeting of creditors

In order for a duly authorized person to have a right to vote he must himself be a creditor or be the holder of property executed proxy. The name of the creditor must appear in the proxy section of the proof of claim.

PLEASE CONTACT THE TRUSTEE'S OFFICE IF YOU HAVE ANY QUESTIONS
ABOUT COMPLETING YOUR PROOF OF CLAIM FORM
SCHWARTZ LEVITSKY FELDMAN INC.
Tel. (416) 785-5353 Fax (416) 784-3025