

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:  
 Southern District of New York

Case number (if known): \_\_\_\_\_ Chapter 15

Check if this is an amended filing

# Official Form 401 Chapter 15 Petition for Recognition of a Foreign Proceeding 12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name 4093887 Canada Ltd.

2. Debtor's unique identifier

**For non-individual debtors:**

Federal Employer Identification Number (EIN) 9 8 -0 3 8 1 5 3 4

Other \_\_\_\_\_ Describe identifier \_\_\_\_\_

**For individual debtors:**

Social Security number: xxx - xx- \_\_\_\_\_

Individual Taxpayer Identification number (ITIN): 9 xx - xx - \_\_\_\_\_

Other \_\_\_\_\_ Describe identifier \_\_\_\_\_

3. Name of foreign representative(s) Richter Advisory Group Inc.

4. Foreign proceeding in which appointment of the foreign representative(s) occurred Receivership Proceeding, Court of Queen's Bench Manitoba, Canada, CI 20-01-26627

5. Nature of the foreign proceeding

Check one:

Foreign main proceeding

Foreign nonmain proceeding

Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.

A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.

Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.

\_\_\_\_\_

\_\_\_\_\_

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)

Yes

Debtor 4093887 Canada Ltd.  
Name

Case number (if known) \_\_\_\_\_

**8. Others entitled to notice**

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

**9. Addresses**

**Country where the debtor has the center of its main interests:**

Canada

**Debtor's registered office:**

1771 Inkster Boulevard  
Number Street

P.O. Box \_\_\_\_\_

Winnipeg, MB, R2X 1R3  
City State/Province/Region ZIP/Postal Code

Canada  
Country

**Individual debtor's habitual residence:**

\_\_\_\_\_  
Number Street

P.O. Box \_\_\_\_\_

\_\_\_\_\_  
City State/Province/Region ZIP/Postal Code

\_\_\_\_\_  
Country

**Address of foreign representative(s):**

181 Bay Street #3510  
Number Street

P.O. Box \_\_\_\_\_

Toronto, ON M5J 2T3  
City State/Province/Region ZIP/Postal Code

Canada  
Country

**10. Debtor's website (URL)**

nygard.com

**11. Type of debtor**

Check one:

- Non-individual (check one):
  - Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.
  - Partnership
  - Other. Specify: \_\_\_\_\_
- Individual

Debtor 4093887 Canada Ltd.  
Name

Case number (if known) \_\_\_\_\_

**12. Why is venue proper in this district?**

Check one:

- Debtor's principal place of business or principal assets in the United States are in this district.
- Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:

\_\_\_\_\_

- If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:

\_\_\_\_\_

**13. Signature of foreign representative(s)**

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct,

**X** /s/ Gilles Benchaya

Signature of foreign representative

Richter Advisory Group Inc.

Printed name

Executed on 03/18/2020  
MM / DD / YYYY

**X**

Signature of foreign representative

Printed name

Executed on \_\_\_\_\_  
MM / DD / YYYY

**14. Signature of attorney**

**X** /s/ Steven J. Reisman

Signature of Attorney for foreign representative

Date 03/18/2020

MM / DD / YYYY

Steven J. Reisman

Printed name

Katten Muchin Rosenman LLP

Firm name

575 Madison Avenue

Number Street

New York

City

NY

State

10022

ZIP Code

(212) 940-8700

Contact phone

sreisman@katten.com

Email address

2434967

Bar number

NY

State