

CANADA  
Province of Québec  
District of: Québec  
Division No.: 04-Saint-François  
Court No.: 450-11-000056-139  
Estate No.: 42-045364

SUPERIOR COURT  
(Commercial Division)  
In Bankruptcy and Insolvency

**Final Report and Statement of Accounts of the Receiver**  
(Subsection 246(3) and Rule 127 of the Bankruptcy and Insolvency Act)

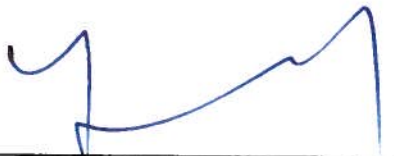
**In the Matter of the Receivership of  
9055-8453 Québec Inc.  
Of the City of Sherbrooke  
In the Province of Quebec**

The Receiver gives notice and declares that:

1. On March 7, 2013, Me Maryse Gauthier, the Court registrar, granted an Order appointing Richter Advisory Group Inc. ("Richter") as Interim Receiver with respect to the assets of the Debtor, and granted to the Interim Receiver the powers specified in the Order, all in accordance with section 47 of the BIA. The mandate ended on March 18, 2013.
2. On March 18, 2013, Me Maryse Gauthier, the Court registrar, granted an Order appointing Richter as Receiver with respect to the assets of the Debtor, and granted to the Receiver the powers specified in the Order ("Receiver Order"), all in accordance with section 243 of the BIA.
3. On May 28, 2013, Richter in its capacity as Receiver, filed an Assignment in Bankruptcy on behalf of the Debtor, in accordance with article 49 of the BIA, and Richter was appointed as Trustee to the Estate.
4. On March 27, 2013, the Receiver sent its *Notice and Statement of the Receiver* in accordance with s. 245(1) and 246(1) of the BIA.
5. The realization of assets has been completed and Prime, the secured creditor, was not paid in full.
6. The Receiver's *Final Statement of Receipts and Disbursements* dated November 27, 2013 is attached hereto.

Dated at Montréal, Province of Québec, on January 14, 2014.

Richter Advisory Group Inc. - Receiver  
Per:



Yves Vincent, FCPA, FCA, CIRP  
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CANADA  
 PROVINCE DE QUÉBEC  
 DISTRICT DE QUÉBEC  
 NO DE DIVISION : 04-SAINT-FRANÇOIS  
 NO DE COUR : 450-11-000056-139  
 NO DE DOSSIER : 42-045364

**SUPERIOR COURT**  
 (Commercial Division)  
 Bankruptcy and Insolvency Act

IN THE MATTER OF THE RECEIVERSHIP OF 9055-8453 QUÉBEC INC. (operating under the name of East Side Mario's ("ESM")), a body politic and corporate, duly incorporated according to law and having its head office and principal place of business at 2660 King West, Sherbrooke, QC J1L 1C5

**FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS (Note 1)**

**Bankrupt**

**RECEIPTS:**

1. Sales		\$ 509 425,77
2. Advances from the secured lender (Note 4)		-
a) Operating expenses	\$ 77 592,68	
b) Fees and disbursements of the Receiver	59 077,16	136 669,84
3. Transfer of funds from the Interim Receiver's account		4 074,48
4. Interest		103,55
		<u>650 273,64</u>

**DISBURSEMENTS:**

5. Fees paid to Official Receiver		70,00
6. Notice and Statement of the Receiver		
a) To 57 creditors, the debtor, the Superintendent	93,00	
b) Postage	35,91	128,91
7. Purchases:		
a) Cash operating disbursements	13 268,97	
b) Tableware, cutlery and glass	139,83	
c) Music, video and NTN charges	308,10	
d) Postage and courier	373,57	
e) Pest control	423,68	
f) Business promotions	687,05	
g) Purchases of merchandise	1 141,36	
h) Travel	1 733,88	
i) Laundry/linen services	2 016,89	
j) Accounting fees	1 226,42	
k) Telephone	2 690,41	
l) Waste removal	3 539,83	
m) Safety & security measures	4 508,36	
n) Recruitment	6 615,00	
o) Cleaning supplies	7 217,18	
p) GST/QST (net)	22 989,22	
q) Utilities	17 257,58	
r) Repair and maintenance of equipment and building	18 526,09	
s) Purchases of beer, liquor and wine	47 805,24	
t) Rent	74 936,75	
u) Purchases of food	129 457,66	
v) Insurance	2 893,36	
w) Credit card service charges	4 980,94	
x) Royalty and "Ad Fund" payable to the franchisor	43 393,64	
y) Payroll and deductions at source	160 747,31	
z) Bank charges	900,60	569 778,92
8. Administrative expenses		88,25
9. Transfer of funds to Trustee's bank account		21 347,56
<b>TOTAL DISBURSEMENTS BEFORE RECEIVER'S FEES</b>		<u>591 413,64</u>
10. Receiver's remuneration (net of GST/QST)		58 860,00
<b>TOTAL DISBURSEMENTS</b>		<u>650 273,64</u>
<b>11. FUNDS AVAILABLE FOR DISTRIBUTION</b>		<u>\$ -</u>

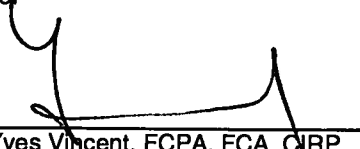
**RICHTER ADVISORY GROUP INC. RECEIVERSHIP OF 9055-8453 QUÉBEC INC.  
FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS (Note 1)**

**NOTES :**

- Note 1 :** On March 5, 2013, Prime Restaurant Inc., the franchisor of the debtor ("Franchisor" or "Prime"), filed a Motion for the Issuance of Orders Appointing an Interim Receiver and a Receiver, pursuant to section 47 and 243 of the *Bankruptcy and Insolvency Act* ("BIA"), with the Superior Court of Quebec, in the District of St-François ("Court").
- On March 7, 2013, Me Maryse Gauthier, the Court registrar, granted an Order appointing Richter Advisory Group Inc. ("Richter") as Interim Receiver with respect to the assets of the Debtor, and granted to the Interim Receiver the powers specified in the Order, all in accordance with section 47 of the BIA. The mandate ended on March 18, 2013.
- On March 18, 2013, Me Maryse Gauthier, the Court registrar, granted an Order appointing Richter as Receiver with respect to the assets of the Debtor, and granted to the Receiver the powers specified in the Order ("Receiver Order"), all in accordance with section 243 of the BIA.
- On March 22, 2013, Richter, acting in its capacity as Receiver and in accordance with the powers of the Receiver Order, signed a management agreement with Prime to manage the operations of ESG, effective March 18, 2013.
- On May 15, 2013, Prime filed a Motion to authorize the Receiver to file an Assignment in Bankruptcy and appoint Richter Advisory Group Inc. ("Richter") as Trustee and for the issuance of a safeguard order, in accordance with sections 49, 243, 249 and 250 of the BIA.
- On May 23, 2013, Me Maryse Gauthier, the Court registrar, granted an Order authorizing the Receiver to file an Assignment in Bankruptcy under the BIA.
- On May 28, 2013, Richter in its capacity as Receiver, filed an Assignment in Bankruptcy, on behalf of the Debtor in accordance with article 49 of the BIA, and Richter was appointed as Trustee to the Estate.
- On July 23, 2013, Richter in its capacity as Trustee sold the assets of the bankrupt and on the same day Prime's management agreement was terminated.
- Note 2 :** Effective on March 18, 2013, Prime assumed the responsibility for the management of the restaurant known as East Side Mario's, operating at 2660 King West, Sherbrooke, Quebec. Under the mandate, Prime was responsible for the operations of the restaurant. Prime controlled the revenues and the operating expenses.
- Note 3 :** The statement of receipts and disbursements summarizes the transactions related to the operations of the restaurant, as reported by Prime, for the period from March 18, 2013 to July 23<sup>rd</sup> 2013.
- Note 4 :** Under the term of the management agreement entered into with the Receiver, Prime was responsible to fund any operating deficit.

November 27<sup>th</sup> 2013  
Date

**Richter Advisory Group Inc.**  
Receiver

  
Per : Yves Vincent, FCPA, FCA, CRP