

CANADA
Province of Québec
District of: Québec
Division No. 04-Saint-François
Court No. 450-11-000056-139
Estate No. 42-1751920

SUPERIOR COURT
In Bankruptcy and Insolvency

**Notice of Application for Discharge of Trustee
(Paragraph 152(5)(c), Rule 61)**

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

Take notice that:

1. There is enclosed with this form a copy of the final statement of receipts and disbursements as taxed.
2. Notice of objection to the final statement must be filed with the registrar at the Court House, Québec Superior Court – Sherbrooke, 375 King Street W., Sherbrooke, QC J1H 6B9, before August 17, 2015, and a copy of the notice served on the undersigned. The notice must state the reasons for the objection.
3. We will apply to the court on September 21, 2015, at the hour of 9:00 A.M., or so soon thereafter as the motion can be heard, for an order of discharge with respect to the above-mentioned estate.
4. Notice of objection to the discharge, setting out the reasons for opposition, must be filed with the registrar at the Court House, Québec Superior Court – Sherbrooke, 375 King Street W., Sherbrooke, QC J1H 6B9 at least five days before the date of the hearing, and a copy of the notice must be served on us within those five days.

Dated at Montréal in the Province of Québec, July 31, 2015.

Richter Advisory Group Inc.
Trustee of the Estate of
9055-8453 Québec Inc.



Yves Vincent, FCPA, FCA, CIRP

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Richter Advisory Group Inc.
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(français - recto)



**CANADA
 PROVINCE OF QUEBEC
 DISTRICT OF QUEBEC
 DIVISION NO. : 04-SAINT-FRANÇOIS
 COUR NO. : 430-11-000058-139
 ESTATE NO. : 43-1751920**

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

IN THE MATTER OF THE BANKRUPTCY OF 9055-8483 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 2880 King West, Sherbrooke, QC J1L 1C5

Bankrupt

TRUSTEE'S FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS (Note 1)

RECEIPTS

1. Realization of assets		\$ 94,518.44
2. Advances from the secured lender to cover a portion of the Trustee's fees and disbursements (Note 2)		25,000.00
3. Transfer of funds from the Receiver's bank account (Note 2)		21,347.58
4. Taxes		
a) GST recovery	\$ -	
b) GST recovery	-	
c) GST reimbursement	128.88	
d) QST reimbursement	4,307.17	
5. Interest and other		407.48
		<u>145,708.52</u>

DISBURSEMENTS

6. Fees paid		
a) To Official Receiver	150.00	
b) To Court	150.00	300.00
7. Notice of first meeting		
a) To 81 creditors	195.00	
b) Postage	79.08	
c) Local paper	263.18	537.24
8. Notice of Trustee's Application for Discharge		
a) To 18 creditors	18.00	
b) Postage	24.00	40.00
9. Inspector's fees		80.00
10. Miscellaneous		
a) Books and records	1,282.57	
b) Evaluation of assets	2,000.00	
c) Telephone	18.59	
d) Photocopies	30.00	
e) Other	38.65	3,350.71
11. Property claim - Revenue Quebec		1,155.80
12. Redemption of security		94,518.44
TOTAL DISBURSEMENTS BEFORE TRUSTEE'S REMUNERATION, LEGAL FEES AND COSTS		<u>99,982.19</u>
13. Taxes		
a) GST paid	2,158.98	
b) QST paid	4,307.17	
c) GST remittance	-	
d) QST remittance	-	8,466.13
14. Trustee's remuneration		28,416.20
15. Legal fees taxed		10,844.00
TOTAL DISBURSEMENTS		<u>145,708.52</u>
16. AMOUNT AVAILABLE FOR DISTRIBUTION		<u>\$ -</u>

REALIZATION OF ASSETS

1. Restaurant and kitchen equipment

	STATEMENT OF AFFAIRS	REALIZATION
	\$ 150,000.00	\$ 94,518.44
	<u>\$ 150,000.00</u>	<u>\$ 94,518.44</u>

**RICHTER ADVISORY GROUP INC. BANKRUPTCY OF 9085-8453 QUÉBEC INC.
FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS (Note 1)**

NOTE :

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 sections 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 interim Receiver controlled the operating activities of the restaurant for the period of March 7 to 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 ESM, effective March 18, 2013. The management mandate with Prime terminated on July 23, 2013, following the sale of the assets of the bankrupt.

On May 15, 2013, Prime filed a Motion to authorize the Receiver to file an Assignment in Bankruptcy and appoint Richter Advisory Group Inc. 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 section 49 of the BIA, and Richter was appointed Trustee to the Estate.

Note 2 : Prime, in its capacity as secured creditor, authorized the Receiver to transfer an amount of \$ 21,347.58 generated during the receivership as well as funded an amount of \$ 25,000.00 to cover certain of the bankruptcy costs.

Note 3 : On July 23, 2013, the Trustee sold the assets of the bankrupt to Prime for a value of \$94,519.44 (we refer you to Exhibit 1 attached).

Pursuant to the sale transaction, the management agreement entered into with Prime was terminated.

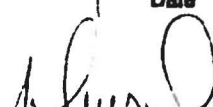
Note 4 : The Interim Receiver was discharged by the Official Receiver on February 13, 2014 (we refer you to Exhibit 2 attached)

Note 5 : The Receiver was discharged by the Official Receiver on July 22, 2014 (we refer you to Exhibit 3 attached)

Richter Advisory Group Inc.
Trustee

Per : Yves Vincent, FCPA, FCA, CIRP

Approved by :

28/11/14
Date

Maryse Quessnel - Inspector

Equipments located at 2660 King West, Sherbrooke, Quebec

DISTRICT OF QUEBEC

In the matter of the Bankruptcy of 9055-8453 Québec Inc. (operating under the name of East Side Mario's)

I, Yves Vincent, of Richter Advisory Group Inc., Trustee, report to the Office of the Superintendent of Bankruptcy on the following:

1. As at the date of the sale transaction, the amount due to Prime Restaurant Inc., as secured lender, amounted to \$94,518.44, as per the Assignment and Assumption Agreement as at June 21, 2013.
2. Since the appointment of Richter Advisory Group Inc. as Receiver and Trustee, no interested party was identified.
3. The Trustee sold the encumbered assets on July 23, 2013 for an amount of \$94,518.44:

Price	\$ 94,518.44	
Related disbursements	-	(see 4)
Trustee's fees	-	(see 4)
Net realization value	<u>\$ 94,518.44</u>	

4. Prime, in its capacity as secured creditor, authorized the Receiver to transfer an amount of \$ 21,347.58 generated during the receivership as well as funded an amount of \$ 25,000.00 to cover certain of the bankruptcy costs.
5. On July 23, 2013, The Trustee redeemed the security of Prime Restaurant Inc. and delivered the amount of \$94,518.44, generating \$1.00 for the estate.

Dated at Montréal, this 28th day of November 2014.

Richter Advisory Group Inc.
Trustee



Yves Vincent, FCA, FCPA

Exhibit 2

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE QUÉBEC
NO DE DIVISION : 04-SAINTE-FRANÇOIS
NO DE COUR : 450-11-000058-139
NO DE DOSSIER : 42-048385

SUPERIOR COURT
(Commercial Division)
Bankruptcy and Insolvency Act

RICHTER ADVISORY GROUP INC.
INTERIM RECEIVER OF
9055-8453 QUÉBEC INC.

Debtor

FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS (Note 1)

RECEIPTS:

1. Sales		\$ 42,644.91
2. Advance from the secured lender to cover Interim Receiver's fees and disbursements		<u>33,318.52</u>
		<u>75,961.43</u>

DISBURSEMENTS:

3. Notice of Interim Receiver's Application for Discharge			
a) To 55 creditors, the Superintendent	\$	55.00	
b) Postage		<u>82.50</u>	137.50
4. Purchases			
a) Cash operating disbursements		1,041.10	
b) Gift certificates		318.32	
c) Laundry/linen services		60.12	
d) Accounting fees		653.00	
e) Safety & Security measures		955.02	
f) GST/QST (net)		1,573.25	
g) Repair and maintenance of equipment and building		3,290.78	
h) Purchases of beer, liquor and wine		5,198.44	
i) Purchases of food		8,542.67	
j) Insurance		553.50	
k) Credit card service charges		938.98	
l) Payroll and deductions at source		17,230.42	
m) Bank charges		83.33	
n) Travel		<u>430.77</u>	38,863.70
5. Transfer to the Receiver's account			<u>4,074.48</u>
TOTAL DISBURSEMENTS BEFORE INTERIM RECEIVER'S FEES			<u>43,075.68</u>
6. Interim Receiver's remuneration (net of GST/QST)			<u>32,885.75</u>
TOTAL DISBURSEMENTS			<u>75,961.43</u>
7. FUNDS AVAILABLE			<u>\$ -</u>

**RICHTER ADVISORY GROUP INC. INTERIM RECEIVER OF 8055-8483 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.

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.

Note 2 : The statement of receipts and disbursements summarizes the transactions in the account of the Interim Receiver for the period March 5 to March 17, 2013.

Note 3 : Surplus funds generated during the mandate of the Interim Receiver were transferred to the Receiver's account.

**Richter Advisory Group Inc.
Interim Receiver**

November 27th 2013

Date

(signed) Yves Vincent

Per : Yves Vincent, FCPA, FCA, CIRP

Exhibit 3

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE QUÉBEC
NO DE DIVISION : 04-SAINT-FRANÇOIS
NO DE COUR : 450-11-000058-139
NO DE DOSSIER : 42-048384

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 2880 King West, Sherbrooke, QC J1L 1C5

Bankrupt

FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS (Note 1)

RECEIPTS:

1. Sales		\$ 509,425.77
2. Advances from the secured lender (Note 4)		-
a) Operating expenses	\$ 77,592.88	
b) Fees and disbursements of the Receiver	<u>59,077.16</u>	138,669.84
3. Transfer of funds from the Interim Receiver's account		4,074.48
4. Interest		<u>103.55</u>
		<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	<u>35.91</u>	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	1,141.38	
h) Travel	1,733.88	
i) Laundry/linen services	2,018.89	
j) Accounting fees	1,228.42	
k) Telephone	2,690.41	
l) Waste removal	3,539.83	
m) Safety & security measures	4,508.36	
n) Recruitment	8,815.00	
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	18,528.09	
s) Purchases of beer, liquor and wine	47,805.24	
t) Rent	74,938.75	
u) Purchases of food	129,457.66	
v) Insurance	2,883.38	
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	<u>900.80</u>	569,778.92
8. Administrative expenses		88.25
9. Transfer of funds to Trustee's bank account		<u>21,347.58</u>
TOTAL DISBURSEMENTS BEFORE RECEIVER'S FEES		591,413.64
10. Receiver's remuneration (net of GST/QST)		<u>58,860.00</u>
TOTAL DISBURSEMENTS		<u>650,273.64</u>
11. FUNDS AVAILABLE FOR DISTRIBUTION		<u>\$ -</u>

**RICHTER ADVISORY GROUP INC. RECEIVERSHIP OF 8055-8453 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 ESM, 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 2880 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 23rd 2013.

Note 4 : Under the term of the management agreement entered into with the Receiver, Prime was responsible to fund any operating deficit.

**Richter Advisory Group Inc.
Receiver**

November 27th 2013
Date

(signed) Yves Vincent
Per : Yves Vincent, FCPA, FCA, CIRP

CANADA
Province de Québec
District de : Québec
No division : 04-Saint-François
No cour : 450-11-000056-139
No dossier : 42-1751920

COUR SUPÉRIEURE
En matière de faillite et d'insolvabilité

150\$
129056
AMP

Certificat de Taxation

**Dans l'affaire de la faillite de
9055-8453 Québec Inc.
de la ville de Sherbrooke
dans la province de Québec**

Ordonnance est rendue fixant les déboursés du syndic à la somme de 117 292,32 \$,
ainsi que sa rémunération à la somme de 28 416,20 \$.

Daté le 15 juillet 2015, à Sherbrooke en la province de Québec.



REGISTRAIRE

COPIE CONFORME

PAR: A. Mailhot
OFFICIER DUMENT AUTHORIZÉ

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