

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

**In the Matter of the Bankruptcy of  
Fuel Industries Inc.  
of the City of Ottawa  
in the Province of Ontario**

Original  Amended

Take notice that:

1. On July 26, 2017, Fuel Industries Inc. ("**Fuel Industries**" or the "**Company**") filed a Notice of Intention to Make a Proposal ("**NOI**") pursuant to section 50.4 of the *Bankruptcy and Insolvency Act*. During the Company's NOI proceedings, the Ontario Superior Court of Justice (Commercial List) approved the sale of substantially all of the Company's business and assets. Unfortunately, the proceeds generated from the sale were insufficient to support a distribution to the Company's unsecured creditors and, consequently, Fuel Industries was not in a position to present a proposal to its creditors. As a result of the Company's failure to file a proposal within the prescribed time period (or any extension thereof) following the filing of its NOI, the Company was deemed to have made an assignment in bankruptcy on August 28, 2017.
2. The undersigned, Richter Advisory Group Inc. was appointed as trustee (the "**Trustee**") of the Company's bankrupt estate by the Official Receiver, subject to the affirmation by the creditors of the Trustee's appointment or substitution of another trustee by the creditors.
3. The first meeting of creditors for Fuel Industries will be held on September 14, 2017, at the offices of the Trustee, Bay Wellington Tower, 181 Bay St., Suite 3320, Toronto, ON M5J 2T3 at 11:00 a.m.
4. Enclosed with this notice is (i) a condensed statement of assets and liabilities, including a list of creditors showing the amounts of their claims (as per the Company's records) and (ii) a form of proof of claim and proxy.
5. To be entitled to vote at the meeting, creditors must file with the Trustee, before the meeting, a proof of claim and, where necessary, a proxy. Proofs of claim should be forwarded to Richter Advisory Group Inc., Bay Wellington Tower, 181 Bay St., Suite 3320, Toronto, ON M5J 2T3 to the attention of Caleigh Smith or by facsimile (514) 934-8603 or by email to [claims@richter.ca](mailto:claims@richter.ca).
6. Creditors must prove their claims against the bankrupt estate to share in any distribution of the proceeds realized from the estate.
7. Further information regarding the Company's bankruptcy proceedings as well as materials related to the Company's NOI proceedings may be obtained from the Trustee's website at the following address: <https://www.richter.ca/Folder/Insolvency-Cases/F/Fuel-Industries-Inc>

Dated at Toronto, Ontario, this 1<sup>st</sup> day of September 2017.

Richter Advisory Group Inc.  
Trustee of the Estate of  
Fuel Industries Inc.

T. 416.488.2345 / 1.888.805.1793  
F. 514.934.8603  
[claims@richter.ca](mailto:claims@richter.ca)

Richter Advisory Group Inc.  
181 Bay Street, Suite 3320  
Bay Wellington Tower  
Toronto, ON M5J 2T3  
[www.richter.ca](http://www.richter.ca)

Montréal, Toronto



District of: Ontario  
 Division No. 12 - Ottawa  
 Court No. 33-2276663  
 Estate No. 33-2276663

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  
 Fuel Industries Inc.  
 of the City of Ottawa  
 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 Fuel Industries Inc. affairs on the date of the bankruptcy, on the 28th day of August 2017. 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" .....	2,888,469.16	1. Inventory .....	0.00
Balance of secured claims as per list "B" .....	2,961,817.00	2. Trade fixtures, etc. ....	0.00
Total unsecured creditors .....	5,850,286.16	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B" .....	0.00	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" estimated to be reclaimable for .....	0.00	Bad .....	0.00
Total liabilities .....	5,850,286.16	Estimated to produce .....	0.00
Surplus .....	NIL	4. Bills of exchange, promissory note, etc., as per list "F" .....	0.00
		5. Deposits in financial institutions .....	0.00
		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 .....	0.00
		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" .....	0.01
		If bankrupt is a corporation, add:	
		Amount of subscribed capital .....	0.00
		Amount paid on capital .....	0.00
		Balance subscribed and unpaid .....	0.00
		Estimated to produce .....	0.00
		Total assets .....	0.01
		Deficiency .....	5,850,286.15

I, Julie Allen, of the City of Kanata 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 Fuel Industries Inc. affairs on the 28th day of August 2017 and fully disclose all property of every description that is in Fuel Industries Inc. possession or that may devolve on it in accordance with the Act.

SWORN (or SOLEMNLY DECLARED)  
 before me at the City of Ottawa in the Province of Ontario, on this 31st day of August 2017.



Wendy Patricia Sauriol, a Commissioner, etc.,  
 Province of Ontario, for Mann Lawyers LLP,  
 Barristers and Solicitors.  
 Expires October 9, 2020.

  
 Julie Allen

District of: Ontario  
 Division No. 12 - Ottawa  
 Court No. 33-2276663  
 Estate No. 33-2276663

FORM 78 -- Continued

List "A"  
 Unsecured Creditors

Fuel Industries Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	* US EXCH Rate 1.3008	- --	466,221.70	0.00	466,221.70
2	AARON MACWILLIAM	111 TALL FOREST DR. CARP ON K0A 1L0	2,825.00	0.00	2,825.00
3	ADAM FIKE	6666 BALCOM AVE RESEDA CA 91335 USA	750.00	0.00	750.00
4	ADTHEORENT INC. *	SVB LOCKBOX - PO BOX 392302 PITTSBURG PA 15251-9302 USA	80,000.00	0.00	80,000.00
5	ALEXANDER MALIARNEKO *	1800 SHEVCHENKO ST., 127 CHERKASY, UKRAINE --	4,153.86	0.00	4,153.86
6	ALEXANDER SCRIPKA *	MISHUGI STR, HOUSE 2, APT 92 KIEV, UKRAINE - _	6,092.28	0.00	6,092.28
7	ALSCO	2500 RUE SENKUS LASALLE QC H8N 2X9	599.10	0.00	599.10
8	AMAZON WEB SERVICE INC. *	PO BOX 84023 SEATTLE WA 98124 USA	2,999.37	0.00	2,999.37
9	ANDREW WING *	1380 DOHENY PLACE LOS ANGELES CA 90069 USA	50,851.59	0.00	50,851.59
10	ANDREWS ROBICHAUD PROFESSIONAL CORP	215-1673 CARLING AVENUE OTTAWA ON K2A 1C4	2,077.50	0.00	2,077.50
11	ARTEM KOSHELEV *	29-427 OKTYABR'SKAYA ST MOSKVA, RUSSIA --	1,218.46	0.00	1,218.46
12	AUDIENCE UNLOCK, INC. *	120 E 8TH STREET #903 LOS ANGELES CA 90014 USA	120,000.00	0.00	120,000.00
13	BELL CANADA (613-224-6738)	P.O. BOX 9000 STN. DON MILLS NORTH YORK ON M3C 2X7	971.10	0.00	971.10
14	BELL CANADA (A/C N607 0481)	PO BOX 1550 NORTH YORK ON M3C 3N5	1,018.39	0.00	1,018.39
15	BERNARD L. WEINER	1400 - 10940 WILSHIRE BOUL. Los Angeles CA 90024 USA	0.00	0.00	0.00
16	BLACK GOLD COFFEE INC.	1604 MICHAEL STREET OTTAWA ON K1B 3T7	8,597.73	0.00	8,597.73
17	BLACKIRON AGENCY INC	422 SPARKS ST. OTTAWA ON K1R 0B2	184,429.88	0.00	184,429.88
18	BLANK STARE PROD. INC. *	307-10866 WASHINGTON BLVD CULVER CITY CA 90232 USA	1,750.00	0.00	1,750.00
19	BLUE JEANS NETWORK, INC.*	516 CLYDE AVENUE MOUNTAIN VIEW CA 94043 USA	3,528.95	0.00	3,528.95
20	BLUEWHALEWEB *	152 W. CENTER CT SCHAUMBURG IL 60195 USA	990.00	0.00	990.00
21	BRADEN BAILEY	938 GIANT CEDARS CRESC. OTTAWA ON K1V1R6	176.62	0.00	176.62
22	BURNS, MIKE	20536 PACIFIC COAST HWY Malibu CA 90265 USA	514.00	0.00	514.00
23	CHOU ASSOCIATES MGMT	110 SHEPPARD AVE.E NORTH YORK ON M2N 6Y8	0.00	2,961,817.00	2,961,817.00
24	CLS LEXI-TECH LTD.	20 EGLINTON AVENUE WEST, SUITE 1301PO BOX 2074 TORONTO ON M4R 1K8	3,235.27	0.00	3,235.27

31-Aug-2017

Date

  
 Julie Allen



District of: Ontario  
 Division No. 12 - Ottawa  
 Court No. 33-2276663  
 Estate No. 33-2276663

FORM 78 -- Continued

List "A"  
 Unsecured Creditors

Fuel Industries Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
25	COCHRANE'S DAIRY LTD.	PO BOX 310 RUSSEL ON K4R 1E1	216.72	0.00	216.72
26	COLIN TISDALL	28 FURLONG CRES KANATA ON K2M 2J1	358.95	0.00	358.95
27	COMWAVE	61 WILDCAT RD. TORONTO ON M3J 2P5	319.85	0.00	319.85
28	CONVERSIS TRANSLATION EXPERTS *	BIGNELL PARK BARNES, A4095 CHESTERTON, BICESTER, ENGLAND - OX26 ITD UK	8,529.18	0.00	8,529.18
29	CORPORATION SERVICE COMPANY*	PO BOX 13397 PHILADELPHIA PA 191013397 USA	1,564.00	0.00	1,564.00
30	DAVE OZIPKO	253 MCLEOD ST. OTTAWA ON K2P 1A1	31,114.75	0.00	31,114.75
31	DELOITTE & TOUCHE LLP	1600-100 QUEEN STREET OTTAWA ON K1P 5T8	98,475.24	0.00	98,475.24
32	DENIS OFFICE SUPPLIES AND FURNITURE	2990 BOUL. LE CORBUSIER LAVAL QC H7L 3M2	159.87	0.00	159.87
33	DENTONS CANADA LLP *	99 BANK STREET, SUITE 1420 OTTAWA ON K1P1H4	99,438.10	0.00	99,438.10
34	DESPATIE & ASSOCIES LTEE/LTD	1010 POLYTEK, UNIT 5 OTTAWA ON K1J 9H8	98.88	0.00	98.88
35	EAGLE PROFESSIONAL RESOURCES INC.	2 QUEEN STREET EAST, SUITE 1400 TORONTO ON M5C 3G7	12,373.50	0.00	12,373.50
36	EMPLOYEES	- ---	1.00	0.00	1.00
37	ENGAGEMENT LABS SERVICES INC.	284 COLLEGE ST. TORONTO ON M5T 1R9	16,385.00	0.00	16,385.00
38	EVGENY POLYAKOV *	7-82 KRASNOARMEYSKAYA STREET KIROV, RUSSIA --	7,338.48	0.00	7,338.48
39	EXCELHR	102 BANK ST, SUITE 300 OTTAWA ON K1P 5N4	10,519.56	0.00	10,519.56
40	FEDERAL EXPRESS	PO BOX 4626, TORONTON STN A TORONTO ON M5W 5B4	405.63	0.00	405.63
41	FISH MUSIC INC.	771 EASTBOURNE AVE. Ottawa ON K1K 0H8	9,040.00	0.00	9,040.00
42	GDI SERVICES (CANADA) LP	580 INDUSTRIAL AVE., UNIT 1 OTTAWA ON K1G 0Y9	19,017.90	0.00	19,017.90
43	GOOGLE INC. *	PO BOX 39000 SAN FRANCISCO CA 94139 USA	30,337.69	0.00	30,337.69
44	GREENBERG TRAURIG, LLP *	1900-1840 CENTURY PARK EAST LOS ANGELES CA 90067 USA	213,612.42	0.00	213,612.42
45	HOUSE OF MOVES, INC *	PO BOX 1656 EL SEGUNDO CA 90245 USA	49,600.00	0.00	49,600.00
46	HYDRO OTTAWA	PO BOX 4483 TORONTO ON M5W 5Z1	2,607.69	0.00	2,607.69
47	INTERACTIVE ONTARIO	181 CARLAW AVE SUITE 251 TORONTO ON M4M 2S1	2,260.00	0.00	2,260.00
48	JEFF DOIRON *	1124 FRANKLIN STREET SANTA MONICA CA 90403 USA	34,358.57	0.00	34,358.57

31-Aug-2017

Date



Julie Allen

District of: Ontario  
 Division No. 12 - Ottawa  
 Court No. 33-2276663  
 Estate No. 33-2276663

FORM 78 -- Continued

List "A"  
 Unsecured Creditors

Fuel Industries Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
49	JESSE HILDEBRAND	54-265 DALY AVE OTTAWA ON K1N 6G4	44.11	0.00	44.11
50	JETBRAINS AMERICAS INC. *	1900 SOUTH NORFOLK ST. STE 350 SAN MATEO CA 94403 USA	3,554.00	0.00	3,554.00
51	JIM MANDUCA	132 STREAMSIDE CR OTTAWA ON K2W 0A8	812.55	0.00	812.55
52	JORDAN BELL *	16131 HAYNES ST LAKE BALBOA CA 91406 USA	5,000.00	0.00	5,000.00
53	JUICE DMS ADVERTISING LIMITED	600-555 RICHMOND ST. W., SUITE 600 Toronto ON M5V 3B1	13,801.37	0.00	13,801.37
54	JULIE ALLEN	56 MEADOWBREEZE DR. KANATA ON K2M 2L7	63,188.60	0.00	63,188.60
55	KIMBALL, TIREY & ST. JOHN LLP	ATT: K. SCHLECHT / A. BURTON 500 - 2040 MAIN STREET Irvine CA 92614 USA	0.00	0.00	0.00
56	KOCHAVA, INC. *	201 CHURCH SANDPOINT IL 83864 USA	3,582.32	0.00	3,582.32
57	LABARGE WEINSTEIN	515 LEGGET DRIVE, SUITE 800 KANATA ON K2K 3G4	1,000.00	0.00	1,000.00
58	LAW OFFICES OF KATHY M. LOMBARD *	31 ROCKINGHORSE ROAD RANCHO PALOS VERDES CA 90275 USA	600.00	0.00	600.00
59	LBEL INC. Attn: C/O DEREK GAMLEM	5035 SOUTH SERVICE ROAD BURLINGTON ON L7R 3Y8	0.00	0.00	0.00
60	LEYLA NOBATOVA *	186 BLAGOVISNA ST. CHERKASY, UKRAINE --	4,615.40	0.00	4,615.40
61	LINKEDIN IRELAND (USD) *	PO BOX 4090 STN A TORONTO ON M5W 0E10	1,650.00	0.00	1,650.00
62	LINKEDIN IRELAND LIMITED	PO BOX 4090 STN A TORONTO ON M5W 0E9	12,375.00	0.00	12,375.00
63	MARTIN WALKER	1303-250 LETT ST OTTAWA ON K1R 0A8	2,131.58	0.00	2,131.58
64	MCCRACKEN HOLDINGS, LLC *	5041 PARK TERRACE MINNEAPOLIS MN 55436 USA	5,000.00	0.00	5,000.00
65	METCALFE REALTY COMPANY LIMITED	2700 QUEENSVIEW DR. OTTAWA ON K2B 8H6	335,764.82	0.00	335,764.82
66	MICROSOFT CORPORATION *	ONE MICROSOFT WAY REDMOND WA 98052 USA	4,055.11	0.00	4,055.11
67	MIDNIGHT PRODUCTIONS INC. *	25815 PARADA DRIVE VALENCIA CA 91355 USA	14,000.00	0.00	14,000.00
68	MINICLIP SA	RUE DES BEAUX-ARTS 8 NEUCHATEL, SWITZERLAND --	124.06	0.00	124.06
69	NATALIIA DEVIATKINA *	APT #91, 32/18 ANNY AKHMATOVOI KIEV, UKRAINE --	5,538.48	0.00	5,538.48
70	NATALYA POLYKOVA *	22-127 FERENZA MUNNIHA ST. TOMSK, RUSSIA --	6,923.10	0.00	6,923.10
71	NFL PROPERTIES LLC *	PO BOX 27278 NEW YORK NY 10087-7278 USA	36,000.00	0.00	36,000.00
72	NUEDGE COMMUNICATIONS	244 WINDHURST DR. OTTAWA ON K2G 6H9	248.60	0.00	248.60

31-Aug-2017

Date

  
 Julie Allen



District of: Ontario  
 Division No. 12 - Ottawa  
 Court No. 33-2276663  
 Estate No. 33-2276663

FORM 78 -- Continued

List "A"  
 Unsecured Creditors

Fuel Industries Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
73	OLEKSANDR BOZHKO *	OLEKSANDRA MYSHUHY ST APT #18, 8 KIEV, UKRAINE --	6,646.14	0.00	6,646.14
74	OWENS WRIGHT LLP	300-20 HOLLY STREET TORONTO ON M4S 3B1	8,440.31	0.00	8,440.31
75	PINTEREST INC. *	PO BOX 74008066 CHICAGO IL 23826-37 USA	23,826.37	0.00	23,826.37
76	PITNEY BOWES	PO BOX 190 ORANGEVILLE ON L9W 2Z6	218.03	0.00	218.03
77	PITNEYWORKS	P.O. BOX 280 Orangeville ON L9W 2Z7	422.40	0.00	422.40
78	PRINTING HOUSE, THE	1403 BATHURST STREET TORONTO ON M5R 3H8	80.68	0.00	80.68
79	PROTOSTUDIO *	671 CHAPARRAL RD SIERRA MADRE CA 91024 USA	3,300.00	0.00	3,300.00
80	RCC VENTURES *	11 BROADWAY SUITE 500 New York NY 10004 USA	15,000.00	0.00	15,000.00
81	RECRUITING IN MOTION	1600 CARLING AVENUE SUITE 620 OTTAWA ON K1Z 1G3	1,167.50	0.00	1,167.50
82	REDDIT INC. *	PO BOX 204387 DALLAS TX 204387 USA	29,327.59	0.00	29,327.59
83	REGINA KUTS *	12 BAVARSKAYA STREET KHARKOV, UKRAINE --	4,153.86	0.00	4,153.86
84	ROGERS COMMUNICATIONS	P.O. BOX 2000 STND SCARBOROUGH ON M1R 5P4	1,243.00	0.00	1,243.00
85	ROGERS WIRELESS	PO BOX 9100, A/C# 5-2293-5907 DON MILLS ON M3C 3P9	1,916.10	0.00	1,916.10
86	RUSSELL MULLINS	37 DUNOON PL OTTAWA ON K2L 2V7	280.24	0.00	280.24
87	SERHII HEVKO *	- SUMY, UKRAINE --	4,707.72	0.00	4,707.72
88	SHEKNOWS, LLC *	DEPT CH 19495 PALATINE IL 60055-9495 USA	80,000.00	0.00	80,000.00
89	SHRED-IT INTERNATIONAL INC.	PO BOX 15617, STN A TORONTO ON M5W 1C1	218.51	0.00	218.51
90	SIMWAVE CONSULTING INC.	232-329 MARCH ROAD Ottawa ON K2K 2E1	16,950.00	0.00	16,950.00
91	SOCIETY OF DIGITAL AGENCIES *	280 INTERSTATE NORTH NORT CIRCLE, SE. SUITE 300 ATLANTA GA 30339 USA	6,500.00	0.00	6,500.00
92	SPRINT COURIER	2617 EDINBURGH PLACE OTTAWA ON K1B 5M1	52.67	0.00	52.67
93	STAPLES	4141 AUTOROUTE 440 OUEST LAVAL QC H7P 4W6	124.77	0.00	124.77
94	STARMAKER INTERACTIVE *	520 HAMPSHIRE ST. STE. 202 SAN FRANCISCO CA 94110 USA	50,000.00	0.00	50,000.00
95	STEPHEN DAGGITT	451 MEADOWBREEZE DRIVE KANATA ON K2M 0L1	869.81	0.00	869.81
96	STERLINGBACKCHECK CANADA CORP.	200 - 19433 96TH AVENUE SURREY BC V4N 4C4	1,194.96	0.00	1,194.96

31-Aug-2017

Date

  
 Julie Allen

District of: Ontario  
 Division No. 12 - Ottawa  
 Court No. 33-2276663  
 Estate No. 33-2276663

FORM 78 -- Continued

List "A"  
 Unsecured Creditors

Fuel Industries Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
97	TAXITAB	455 COVENTRY RD OTTAWA ON K1K 2C5	291.09	0.00	291.09
98	TOSHIBA BUSINESS SOLUTIONS	141A - 7075 PLACE ROBERT JONCAS ST-LAURENT QC H4M 2Z2	368.91	0.00	368.91
99	TUBEMOGUL *	1250 53RD STREET, SUITE 1 EMERYVILLE CA 94608 USA	365,814.69	0.00	365,814.69
100	WELLFLEET PARTNERS, INC. *	ONE PENN PLAZA, 24TH FLOOR NEW YORK NY 10119 USA	1,704.42	0.00	1,704.42
101	WELOCALISE *	LYNWOOD HOUSE, 373-375 STATION ROAD HARROW, MIDDLESEX - H1A 2AW UK	2,882.00	0.00	2,882.00
102	WILLIAM REID	51 SILVER HORSE CRESCENT OTTAWA ON K2M 2J2	424.51	0.00	424.51
103	WYLDIFIRE INC. (HEARTBEAT) *	1507 7TH ST #441 SANTA MONICA CA 90401 USA	80,000.00	0.00	80,000.00
104	ZIOSK *	12404 PARK CENTRAL DR STE 350 DALLAS TX 75251 USA	69,200.00	0.00	69,200.00
<b>Total:</b>			<b>2,888,469.16</b>	<b>2,961,817.00</b>	<b>5,850,286.16</b>

31-Aug-2017

Date

  
 Julie Allen

District of: Ontario  
Division No. 12 - Ottawa  
Court No. 33-2276663  
Estate No. 33-2276663

FORM 78 -- Continued

List "B"  
Secured Creditors

Fuel Industries Inc.

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	CHOU ASSOCIATES MGMT	110 SHEPPARD AVE.E NORTH YORK ON M2N 6Y8	2,961,817.00	Other - Other		0.00		2,961,817.00
Total:			2,961,817.00			0.00	0.00	2,961,817.00

31-Aug-2017

Date



Julie Allen



# RICHTER

## THIS INFORMATION SHEET IS SUPPLIED IN ORDER TO ASSIST YOU IN COMPLETING THE PROOF OF CLAIM FORM

- The proof of claim must be signed by the individual completing the form.
- The signature of the claimant must be witnessed.
- Give the complete address (including postal code) where all notices and correspondence are to be forwarded.
- The amount on the statement of account must agree with the amount claimed on the proof of claim.

### PARAGRAPH 1 OF THE PROOF OF CLAIM

- If the individual completing the proof of claim is not the creditor himself, he must state his position or title.
- The creditor must state the full and complete legal name of the Company or the claimant.

### PARAGRAPH 3 OF THE PROOF OF CLAIM

- A detailed statement of account must be attached to the proof of claim and must show the date, the invoice number and the dollar amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments. A statement of account is not complete if it begins with an amount brought forward. In addition, a creditor must indicate his/her address, phone number, fax number and E-mail address.

### PARAGRAPH 4 OF THE PROOF OF CLAIM

- An unsecured creditor (subparagraph (A)) must check and state whether or not a priority rank is claimed under Section 136 of the Bankruptcy and Insolvency Act.
- A claim of landlord (subparagraph (B)) for disclaim of lease must be completed with full particulars and calculations.
- A secured creditor must complete subparagraph (C) and attach a copy of the security documents.
- A farmer, fisherman or aquaculturist must complete subparagraph (D).
- A wage earner must complete subparagraph (E), if applicable.
- Section F must be completed with regard to a pension plan.
- A claim against director(s) (subparagraph (G)), in a proposal which compromises a creditor's claim, must contain full particulars and calculations.
- A customer of a bankrupt securities firm must complete subparagraph (H).

### PARAGRAPH 5 OF THE PROOF OF CLAIM

- The claimant must indicate whether he/she **is** or **is not related** to the debtor, as defined in the Bankruptcy and Insolvency Act, by striking out that which is not applicable.

### PARAGRAPH 6 OF THE PROOF OF CLAIM

- The claimant must attach a detailed list of all payments received and/or credits granted, as follows:
  - a) within the **three months** preceding the initial bankruptcy event, in the case where the claimant and the debtor are **not related**;
  - b) within the **twelve months** preceding the initial bankruptcy event, in the case where the claimant and the debtor are **related**.

### PROXY

- a) A creditor may vote either in person or by proxy;
- b) A debtor may not be appointed as proxy to vote at any meeting of the creditors;
- c) The Trustee may be appointed as a proxy for any creditor;
- d) In order for a duly authorized person to have a right to vote he must himself be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy.

T. 416.488.2345 / 1.888.805.1793

F. 514.934.8603

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Montréal, Toronto

(français – recto)



# RICHTER

## PROOF OF CLAIM

(Section 50.1, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 81.5, 81.6, 102(2), 124(2), 128(1), and Paragraphs 51(1)(e) and 66.14(b) of the Act)

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

\_\_\_\_\_  
\_\_\_\_\_

In the Matter of the Bankruptcy of **Fuel Industries Inc.** of the City of Ottawa, Province of Ontario, and the claim of \_\_\_\_\_, creditor.

I, \_\_\_\_\_ (name of creditor or representative of the creditor), of \_\_\_\_\_ (city and province), do hereby certify:

1. That I am a creditor of the above-named debtor (or that I am \_\_\_\_\_ (state position or title) of \_\_\_\_\_ (name of creditor or representative of the creditor).
2. That I have knowledge of all of the circumstances connected with the claim referred to below.
3. That the debtor was, at the date of the bankruptcy, namely August 28, 2017, 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 do not claim a right to a priority.  
("Ordinary Creditor")

- Regarding the amount of \$ \_\_\_\_\_, I claim a right to a priority under section 136 of the Act.  
("Preferred Creditor")

(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).

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- 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 (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 have received from, 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 subsection 2(1) of the Act: (provide details of payments, credits and transfers at undervalue)

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Signature of creditor

\_\_\_\_\_  
Signature of witness

Telephone 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.

**PROXY**

(Subsection 102(2) and paragraphs 51(1)e) and 66.15(3)b) of the Act)

In the Matter of the Bankruptcy of **Fuel Industries Inc.**

I, \_\_\_\_\_, of \_\_\_\_\_  
(name of creditor) (name of town or city)

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 \_\_\_\_\_

\_\_\_\_\_  
Signature of creditor

Per: \_\_\_\_\_  
Name and Title of Signing Officer

\_\_\_\_\_  
Signature of witness