



**Estate No.** 35-2466620

## IN THE MATTER OF THE BANKRUPTCY OF THE AGENCY EMPLOYMENT SERVICES LTD., OF THE CITY OF KITCHENER, IN THE PROVINCE OF ONTARIO

## NOTICE OF BANKRUPTCY AND FIRST MEETING OF CREDITORS (Subsection 102(1) of the *Act*)

#### TAKE NOTICE THAT:

- 1. THE AGENCY EMPLOYMENT SERVICES LTD. filed an assignment on June 1<sup>st</sup>, 2019 and the undersigned, A. Farber & Partners Inc., was appointed as Trustee of the Estate of the Bankrupt by the Official Receiver, subject to affirmation by the creditors of the Trustee's appointment or substitution of another Trustee by the creditors.
- 2. The First Meeting of Creditors of the Bankrupt will be held on the June 20<sup>th</sup>, 2019 at 10:00 AM at:

Sunbridge Hotel & Conference Centre Cambridge 200 Holiday Inn Drive Cambridge, Ontario, N3C 1Z4

- 3. To be entitled to vote at the meeting, a creditor must lodge with the Trustee, before the meeting, a Proof of Claim and, where necessary, a proxy.
- 4. Enclosed with this Notice is a form of Proof of Claim, a form of proxy, and a list of creditors with claims amounting to twenty-five (\$25.00) dollars or more, showing the amounts of their claims.
- 5. Creditors must prove their claims against the Estate of the Bankrupt in order to share in any distribution of the proceeds realized from the Estate.

DATED at Toronto this 7<sup>th</sup> day of June, 2019.

A. FARBER & PARTNERS INC.

Ontario

Division No.

Court No. Estate No. 08 - Waterloo

**NO LEGAL ADVICE PROVIDED** 

X 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 THE AGENCY EMPLOYMENT SERVICES LTD. of the City of Kitchener, in the Province of Ontario

To the bankrupt:  Sou are required to carefully and accurately complete the day of	s form and the applicated, this form and the	able attachments showing the state of your affairs on the date of the applicable attachments will constitute the Statement of Affairs and must be	oankrupicy, on the verified by oath or
LIABILITIES (as stated and estimated by the officer)		ASSETS (as stated and estimated by the officer)	
1. Unsecured creditors as per list *A"	3,211,541.25	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0,00
Total unsecured creditors	3,211,541,25	3. Accounts receivable and other receivables, as per list "E"  Good	
2. Secured creditors as per list "B"	0.00	Doubtel	
·		9ad 0.00	
3. Preferred creditors as per list "C"	1,351.00	Estimated to produce	0.00
4. Contingent, trust claims or other liabilities as per list "D"	0.00	4, Blils of exchange, promissory note, etc., as per list "F"	0.00
estimated to be reclaimable for	V.00	5. Deposits in financial institutions	0.00
Total liabilities	3,212,892,25	6, Cash	0.00
		7. Livestock	0.00
Surplus	NIL	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. Securilles (shares, bonds, debentures, etc.)	0.00
		13. Interests under wills	0,00
		14. Vehicles	0.00
		15. Other property, as per list "H"	0,00
	•	If bankrupt is a corporation, add:	<del></del>
		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	0.00
		Deficiency	3,212,892.25
I, Jim Gemmill, of the City of Kitchener in the Province knowledge, a full, true and complete statement of my affairs on the my possession or that may devolve on me in accordance with SWORN (or SOLEMNLY DECLARED) before me at the City of Toronto in the Province of Onlario, on the STEVEN D.E. MATHESON	the Act.	(or solemnly declare) that this statement and the attached lists are to 2019 and fully disclose all property of every discovery discover	the best of my escription that is
BARRISTER, SOLICITOR			
NOTARY PUBLIC, PROVINCE OF ONTARIO			

Ontario

Division No. Court No. 08 - Waterloo

Estate No.

FORM 78 - Continued

List "A" Unsecured Creditors

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	1958341 Ontario Inc. Attn: Ian Donaldson	105 4th Ave W. Owen Sound ON N4K 4V1	251,00	0.00	251.00
2		35 Royalavon Cres Toronto ON M9A 2E7	251.00	0.00	251.00
3		125 Wallace Ave N Listowel ON N4W 1K8	25,300.00	0.00	25,300.00
4		2358 Woodstock Trail Oakville ON L6M 5G5	4,000.00	0.00	4,000.00
************************	ACSESS	Suite 304 2233 Argentian Road Mississauga ON L5N 2X7	5,400.00	0.00	5,400.00
6	BDC Capital Attn: Ms. Margaret Bernat	Suite 1202 70 York Street Toronto ON M5J 1S9	750,000.00	0.00	750,000.00
·········	Bell Canada	Stn. Don Mills PO Box 9000 North York ON M3C 2X7	300,00	0.00	300.00
	Blackburn Radio Inc	Unit 102 700 Richmond St London ON N6A 5C7	1,000.00	0.00	1,000.00
	Borden Ladner Gervais LLP	Bay Adelaide Centre, East Tower, 22 Adelaide St W Toronto ON M5H 4E3	11,000.00	0.00	11,000.00
	Сапорсо	Suite 3740 155 Wellington St W Toronto ON M5V 3H1	251,00	0.00	251.00
	Cherrey Bus Lines Inc	Box 307 Listowel ON N4W 3H4	124,300.00	0.00	124,300.00
	Christopher Van Staveren	35 Royalavon Cres Toronto ON M9A 2E7	50,000.00	0.00	50,000.00
	CRA - Tax - Ontario	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	1,542,746.25	0.00	1,542,746.25
I	CWB National Leasing Inc./ (formerly National Leasing Group Inc) Attn: Bankruptcy Designate	1525 Buffalo PI Winnipeg MB R3T 1L9	251,00	0.00	251.00
	Deborah Donaldson Attn: Ian Donaldson	105 4th Ave W. Owen Sound ON N4K 4V1	251.00	0.00	251.00
16	DLL Financial Solutions Partner	3450 Superior Court Unit 1 Oakville ON L6L 0C4	1,200.00	0.00	1,200.00
	Document Imaging Partners	Unit 600 280 Woolwich St S Breslau ON N0B 1M0	1,000.00	0.00	1,000.00
18	Driverseat Inc	259 Gage Ave Kitchener ON N2M 2C9	18,000.00	0.00	18,000.00
	Durham Recruiting Inc.	63 Heath Cres. Port Perry ON L9L 1K9	251.00	0.00	251.00
20	Eastlink	PO Box 8720 Halifax NS B3K 5M4	200,00	0.00	200.00

June 3/2019

Ontario

Division No. Court No. Estate No. 08 - Waterloo

#### FORM 78 -- Continued

### List "A" Unsecured Creditors

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
21	•	605 Boxwood Drive Cambridge ON N3E 1A5	400.00	0.00	400.00
22	FIPA Capital Partners Inc. Attn: Graham McBride	1420 Avonbridge Drive Mississauga ON L5G 3G5	50,000.00	0.00	50,000.00
23	Fund Through	Suite 400 260 Spadina Ave Toronto ON M5T 2E4	1.00	0.00	1.00
24	Gerbers Workwear Ltd	235 Wallace Ave N Listowel ON N4W 1L1	1,900,00	0,00	1,900.00
25	GM Financial	Suite 600 2001 Sheppard Ave Toronto ON M2J 4Z8	400.00	0.00	400.00
26	GM Financial Canada Leasing Ltd. c/o BankruptcyHighway.com Attn: Mike Timko	PO Box 57100 Etobicoke ON M8Y 3Y2	251.00	0.00	251.00
27	Grand River Occupational Health and Safety	45 Commerce Court Cambridge ON N3C 4P7	6,000.00	0.00	6,000.00
28	Gregory J. Van Staveren	Unit 1003 30 Old Mill Road Etobicoke ON M8X 0A5	200,000.00	0.00	200,000.00
29	Harrison Pensa	P.O. Box 3237 450 Talbot Street London ON N6A 4K3	22,700.00	0.00	22,700.00
30	Human Resources Professionals (HRPA)	Suite 200 150 Bloor Street West Toronto ON M5S 2X9	5,000.00	0.00	5,000.00
31	lan Donaldson	105 4th Ave., W. Owen Sound ON N4K 4V1	251.00	0.00	251.00
32	Intact Insurance	700 University Ave Toronto ON M5G 0A1	1,000.00	0.00	1,000.00
33	Lantern Hill IT	109 Randall Dr Waterloo ON N2V 1C5	400.00	0.00	400.00
34	M & T Printing	907 Frederick St Kitchener ON N2B 2B9	300.00	0.00	300.00
35	Municipality of North Perth	330 Wallace Ave N Listowel ON N4W 1L3	251,00	0.00	251.00
	North Perth Chamber of Commerce	580 Main St West Listowel ON N4W 1A8	251.00	0,00	251.00
37	Office Central	Bldg 7 498 Markland Street Markham ON L6C 1Z6	300.00	0.00	300.00
38	Ottewell & Lynn	22 Nelson Street E Goderich ON N7A 1R6	23,000.00	0.00	23,000.00
39	PBJ Cleaning Depot Inc	540 Maitland Ave S Listowel ON N4W 2M6	100,00	0.00	100.00
40	Profile Screening Services	110 5525 Eglinton Avenue W Etobicoke ON M9C 5K5	300.00	0.00	300.00
41	Purolator Courier	Etobicoke Postal Stn A P.O. Box 1100 Etobicoke ON M9C 5K2	1,700.00	0.60	1,700.00

June 3/2019

Ontario

Division No.

08 - Waterloo

Court No. Estate No.

FORM 78 - Continued

List "A" Unsecured Creditors

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
42		2 Lansing Square North York ON M2J 4P8	251.00	0.00	251.00
	Rogers Wireless	Box 9100 Don Mills ON M3C 3P9	251.00	0.00	251.00
44	Shred-It International ULC	PO Box 15781 Station A Toronto ON M5W 1C1	251.00	0.00	251.00
45	TD Canada Trust Attn: CC&R Insolvency and Credit Counselling	4880 Tahoe Blvd Mississauga ON L4W 5P3	251.00	0.00	251.00
	Techify Inc	Unit 11 4 Scarsdale Rd North York ON M3B 2R2	19,000.00	0,00	19,000.00
	Transline Resource Group (Canada) Inc. Attn: Trevor S. Whiffen	c/o Dickson Wright LLP 199 Bay Street, Suite 2200, PO BOX 447, Commerce Court Postal Station Toronto ON M5L 1G4	251.00	0.00	251.00
	Transline Resourse Group (Canada) Inc.	Suite 217, 2nd Floor 6200 Dixie Road Mississauga No L5T 2E1	251.00	0.00	251.00
49	UniFirst Canada Ltd	Attention Accounts Receivable 171 Bysham Park Dr Woodstock ON N4T 1P1	251.00	0,00	251.00
	United Taxi	150 Victoria Street North Kitchener ON N2H 5C8	1,200.00	0.00	1,200.00
	various employees		251.00	0.00	251.00
	WSIB	200 Front Street West Toronto ON M5V 3J1	338,576.00	0.00	338,576.00
53	Yellow Pages Group	Succ Centre Ville PO Box 11788 Montreal QC H3C 0C2	300.00	0.00	300.00
		Total:	3,211,541.25	0.00	3,211,541.25

June 3/2019

District of: Ontario
Division No. 08 - Waterloo

Court No. Estate No.

FORM 78 - Continued

List "B" Secured Creditors

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
		Total:	0.00			0.00	0.00	0.00

Jane 3/2019

Ontario

Division No. Court No. Estate No. 08 - Waterloo

FORM 78 - Continued

List "C"
Preferred Creditors for Wages, Rent, etc.

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of creditor	Address and occupation	Nature of claim	Period during which claim accrued	Amount of claim	Amount payable in full	Difference ranking for dividend
	2287670 Ontario Inc. Attn: Richard Boyer			-	251.00	0.00	251.00
2	Cul-Bridge Developments Ltd	257 Deerhurst Drive Brampton ON L6T 5K3			1,100,00	0,00	1,100.00
				Total:	1,351.00	0.00	1,351.00

Jane 3/2001

Ontario

Division No.

08 - Waterloo

Court No. Estate No.

FORM 78 - Continued

List "D"
Contingent or Other Liabilities

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of creditor or claimant	Address and occupation	Amount of liability or claim	Amount expected to rank for dividend	Date when liability incurred	Nature of liability
		Total:	0.00	0.00		

June 3/2019

District of: Division No. Ontario 08 - Waterloo

Court No. Estate No.

FORM 78 - Continued

List "E" Debts Due to the Bankrupt

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of debtor	Address and occupation	Nature of debt	Amount of debt (good, doubtful, bad)	Folio of ledgers or other book where particulars to be found	When contracted	Estimated to produce	Particulars of any securities held for debt
				0.00				
			Total:	0.00			0.00	
				0.00				

23/2019

Ontario

Division No. Court No. 08 - Waterloo

Estate No.

FORM 78 - Continued

List "F"

Bills of Exchange, Promissory Notes, Lien Notes, Chattel Mortgages, etc., Available as Assets

#### THE AGENCY EMPLOYMENT SERVICES LTD.

No.	Name of all promissory, acceptors, endorsers, mortgagors, and guarantors	Address	Occupation	Amount of bill or note, etc.	Date when due	Estimated to produce	Particulars of any property held as security for payment of bill or note, etc.
			Total:	0.00		0.00	

June 3/2019

Ontario

Division No.

08 - Waterloo

Court No. Estate No.

FORM 78 - Continued

List "G"

Real Property or Immovables Owned by Bankrupt

THE AGENCY EMPLOYMENT SERVICES LTD.

Description of property	Nature of bankrupt interest	In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances (name, address, amount)	Equity or surplus
		Total:	0.00		0.00

Jane 3/2014

District of: Division No. Ontario

Court No. Estate No. 08 - Waterloo

).

#### FORM 78 - Concluded

List "H" Property

## THE AGENCY EMPLOYMENT SERVICES LTD. FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade			0.00	0.00
(b) Trade fixtures, etc.			0.00	0.00
(c) Cash in financial institutions			0,00	0.00
(d) Cash on hand			0,00	0.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant			0.00	0.00
(g) Furniture			0.00	0.00
(h) Life insurance policies, RRSPs, etc.			0.00	0.00
(i) Securities			0.00	0.00
(j) Interests under wills, etc.			0.00	0.00
(k) Vehicles			0.00	0.00
(i) Taxes			0.00	0.00
(m) Other			0.00	0.00
			Total:	0.00

Jane 3/2011

Court No.

File No.

In the matter of the bankruptcy of THE AGENCY EMPLOYMENT SERVICES LTD. of the City of Kitchener, in the Province of Ontario

Form 78 (Bill C-12)

Statement of affairs (Business bankruptcy)

A. FARBER & PARTNERS INC., LIT - Licensed Insolvency Trustee

150 York Street, Suite 1600 Toronto ON M5H 3S5 Phone: (416) 497-0150 Fax: (416) 496-3839



# Bankruptcy and Insolvency Act **PROOF OF CLAIM**

150 York Street, Suite 1600 Toronto, ON M5H 3S5 P: 1.855.775.8777 F: 1.416.496.3839

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

IN clai	HE MATTER OF THE BANKRUPTCY of THE AGENCY EMPLOYMENT SERVICES LTD., of Kitchener, Ontario and the of, creditor.
I, _	(name of creditor or representative of the creditor), (city and province) do hereby certify:
1.	That I am a creditor of the above-named debtor (or that I am
	representative of the creditor)).
2.	That I have knowledge of all the circumstances connected with the claim referred to below.
3.	That the debtor was, at the date of <b>bankruptcy</b> , namely the <b>1</b> <sup>st</sup> <b>day of June, 2019</b> , and still is, indebted to the creditor in the sum of \$
	leducting 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 \$
	That in respect of this debt, I do not hold any assets of the debtor as security and <i>(check appropriate description)</i> :
	Regarding the amount of \$, I claim a right to a priority under section 136 of the Act.
	Regarding the amount of \$
	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 \$ 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.)
	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 81.5 of the Act in the amount of \$
	G. CLAIM AGAINST DIRECTOR \$
	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

Revised: September 2011 1of 3

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.

tl c w	That the following are the payments that I have received the meaning of subsection 2(1) of the Act that I have reditor and the debtor are related within the meaning within the 12 months) immediately before the date of the Provide details of payments, credits and transfers at undervalue.)	been privy to or party to with the soft section 4 of the Act or were the initial bankruptcy event within	ne debtor within the three months (or, if the not dealing with each other at arm's length,	
7. (4	oplicable only in the case of the bankruptcy of an individual)			
	Whenever the trustee reviews the financial situation payments under section 68 of the Act, I request to or of the fact that there is no longer surplus income I request that a copy of the report filed by the trust 170(1) of the Act be sent to the above address. (Ap	be informed, pursuant to paragraps. stee regarding the bankrupt's app	oh 68(4) of the Act, of the new fixed amount lication for discharge pursuant to subsection	
Dated	at this	day of	20	
Witne	vss:	Creditor:		
		Phone Number:		
		Fax Number:		
		Email:		

**NOTES:** If an affidavit is attached, it must have been made before a person qualified to take affidavits.

If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed

in Form 1.1 must be added at the end of the document.

**WARNING:** 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.

#### General

The signature of a witness is required.

This document *must be signed* personally by the individual completing the declaration.

Give the complete address where all notices or correspondence is to be forwarded.

For your claim to be valid, you must provide *supporting documentation* (i.e., invoice or statement of account). The amount on the *statement of account* must correspond to the amount indicated on the proof of claim (see Item 3 below).

Item 1 – Creditor must state full and complete legal name of company or firm. If the individual completing the proof of claim is not the creditor himself, he must state his position or title.

Item 3 – The statement of account must be complete. A detailed statement of account of the last three months must be attached to the proof of claim and must show the date, the number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments.

Item 4 – Please *strike out* those phrases that do not apply.

- An unsecured creditor must indicate whether he does or does not claim a right to a priority. A schedule must be attached to support
  priority claims.
- If you are filing as a secured creditor, a certified copy of the security documents must be attached to the proof of claim.
- If making a claim as a farmer, fisherman or aqua culturist, attach a copy of sales agreement and delivery documents.

Item 5 – All claims must indicate if they *are or are not related* to the debtor, as defined in Section 4 of the Bankrupt Act, by striking out "are" or "are not." If you are related by blood or marriage to the debtor, you should consider yourself to be 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.

Item 6 – All Claimants must attach a detailed list of all payments or credits received or granted as follows:

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

#### **PROXY**

#### All signatures must be witnessed.

A creditor may vote either in person or by proxy.

A debtor may not be appointed a proxy to vote at any meeting of his creditors.

The trustee may be appointed as a proxy for any creditor.

In order for a duly authorized person to have a right to vote he must himself be a creditor or be holder of a properly executed proxy.

The name of the creditor must appear in the proxy.

Completed forms can be sent by:

Mail: Amanda Binelli

A. Farber & Partners Ltd., Trustee 150 York Street, Suite 1600 Toronto, ON M5H 3S5

Fax: 416 496-3839

Email: abinelli@farbergroup.com

Note: As an original claim is not necessary, multiple copies of your claim do not need to be sent. One copy of your claim and

supporting documentation, either by mail, fax or email, would suffice.

IN THE MATTER OF THE RANKRUPTCY of THE AGENCY EMPLOYMENT SERVICES LTD

#### **GENERAL PROXY**

IN THE WATTLER OF THE BILLINGE I	er of the fideric	of End Ectivities a services i	110.
an insolvent person. I (or We),			
(name of creditor), of		(name of city, town or village), a creditor in the	
above matter, hereby appoint		or,	to be my (or
our) general proxy in the above except as to	the receipt of divide	ends, with (or without) power to app	oint another general proxy in his or her
place.			
Dated at	this	day of	, 20
Witness		Individual Creditor	(Telephone no.)
		Name of Corporate Creditor	
Witness		Per: Name and Title of Signing Officer	(Talanhana na )
Witness		Name and Thie of Signing Officer	. (Telephone no.)