

**Estate No. 31-2354090****IN THE MATTER OF THE BANKRUPTCY OF NISKA NORTH INC., A COMPANY DULY INCORPORATED  
PURSUANT TO THE LAWS OF THE PROVINCE OF ONTARIO WITH A HEAD OFFICE IN THE CITY OF  
CHAPLEAU, IN THE PROVINCE OF ONTARIO****NOTICE OF BANKRUPTCY AND FIRST MEETING OF CREDITORS  
(Subsection 102(1) of the Act)****TAKE NOTICE THAT:**

1. NISKA NORTH INC. filed an assignment on March 13<sup>th</sup>, 2018 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 March 29<sup>th</sup>, 2018 at 10:00AM at A. Farber & Partners Inc., 150 York Street, Suite 1600, in Toronto, Ontario. Creditors of the bankrupt estate may participate in the meeting via telephone. Please contact Ms. Schmidt at 416-496-3753 for details.
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 14<sup>th</sup> day of March, 2018.

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**A. FARBER & PARTNERS INC.**

District of:  
 Division No. -  
 Court No.  
 Estate No.

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  
 NISKA NORTH INC.  
 of the Township of Chapleau, 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 your affairs on the date of the bankruptcy, on the 12th day of March 2018. 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" .....	356,726.18	1. Inventory .....	0.00
Balance of secured claims as per list "B" .....	1,105,887.20	2. Trade fixtures, etc. ....	0.00
Total unsecured creditors .....	1,462,613.38	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B" .....	1,057,909.00	Good .....	232.00
3. Preferred creditors as per list "C" .....	0.00	Doubtful .....	0.00
4. Contingent, trust claims or other liabilities as per list "D"	0.00	Bad .....	0.00
estimated to be reclaimable for .....		Estimated to produce .....	232.00
Total liabilities .....	2,520,522.38	4. Bills of exchange, promissory note, etc., as per list "F" ..	0.00
Surplus .....	NIL	5. Deposits in financial institutions .....	0.00
		6. Cash .....	577.00
		7. Livestock .....	0.00
		8. Machinery, equipment and plant .....	800,000.00
		9. Real property or immovable as per list "G" .....	250,000.00
		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 .....	7,100.00
		15. Other property, as per list "H" .....	0.00
		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 .....	1,057,909.00
		Deficiency .....	1,462,613.38

I, Kevin Lindquist, of the Township of Chapleau 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 my affairs on the 12th day of March 2018 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with the Act.

SWORN (or SOLEMNLY DECLARED)  
 before me at the Township of Chapleau in the Province of Ontario, on this 12th day of March 2018.



  
 Kevin Lindquist

Commissioners for Taking  
 Affidavits Act Section One

District of:  
Division No. -  
Court No.  
Estate No.

FORM 78 -- Continued

List "A"  
Unsecured Creditors  
NISKA NORTH INC.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Hydro One Networks Inc. Attn: Collection Department 200119937336	PO Box 5960 London ON N6A 6C4	1.00	0.00	1.00
2	Kevin Lindquist	141 Monk Street Chapleau ON P0M 1K0	356,699.55	0.00	356,699.55
3	Northern Ontario Grow Bonds Corporation	Roberta Bondar Place 200-70 Foster Drive Sault Ste. Marie ON P6A 6V8	0.00	714,151.76	714,151.76
4	Northern Ontario Heritage Fund Corp.	Roberta Bondar Place 200-70 Foster Drive Sault Ste. Marie ON P6A 6V8	0.00	391,735.44	391,735.44
5	PBL Insurance Limited Policy #501336777	100 Third Ave Timmins ON P4N 1C3	1.00	0.00	1.00
6	Township of Chapleau 5292 000 00405810.0000	20 Pine St. W. P.O. Box 129 Chapleau ON P0M 1K0	24.63	0.00	24.63
<b>Total:</b>			<b>356,726.18</b>	<b>1,105,887.20</b>	<b>1,462,613.38</b>

12-Mar-2018

Date



Kevin Lindquist

District of:  
 Division No. -  
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 Estate No.

FORM 78 -- Continued

List "B"  
 Secured Creditors

NISKA NORTH 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	Northern Ontario Grow Bonds Corporation	Roberta Bondar Place 200-70 Foster Drive Sault Ste. Marie ON P6A 6V8	714,151.76	Business Assets - Machinery - Equipment  Cash on Hand - Cash in Bank Debts Due - Business - H.S.T. Receivable Furniture - Office Furniture Real Property or Immovable - Building and Land - 303 Martel Road, Chapleau, ON Motor Vehicles - Automobile - Vehicles		0.00  0.00 0.00 0.00 0.00		714,151.76
2	Northern Ontario Heritage Fund Corp.	Roberta Bondar Place 200-70 Foster Drive Sault Ste. Marie ON P6A 6V8	1,449,644.44	Business Assets - Machinery - Equipment  Real Property or Immovable - Building and Land - 303 Martel Road, Chapleau, ON Motor Vehicles - Automobile - Vehicles Cash on Hand - Cash in Bank Debts Due - Business - H.S.T. Receivable Furniture - Office Furniture		800,000.00  250,000.00 7,100.00 577.00 232.00 0.00		391,735.44
<b>Total:</b>			<b>2,163,796.20</b>			<b>1,057,909.00</b>	<b>0.00</b>	<b>1,105,887.20</b>

12-Mar-2018

Date



Kevin Lindquist

District of:  
Division No. -  
Court No.  
Estate No.

FORM 78 -- Continued

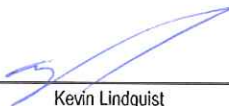
List "C"  
Preferred Creditors for Wages, Rent, etc.

NISKA NORTH INC.

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
Total:					0.00	0.00	0.00

12-Mar-2018

Date



Kevin Lindquist

District of:  
Division No. -  
Court No.  
Estate No.

FORM 78 -- Continued

List "D"  
Contingent or Other Liabilities

NISKA NORTH INC.

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		

12-Mar-2018

Date



Kevin Lindquist

District of:  
 Division No. -  
 Court No.  
 Estate No.

FORM 78 -- Continued

List "E"  
 Debts Due to the Bankrupt  
 NISKA NORTH INC.

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
1	H.S.T. Receivable	N/A	H.S.T. Receivable	232.00 0.00 0.00		29-Mar-2007	232.00	N/A
Total:				232.00 0.00 0.00			232.00	

12-Mar-2018

Date



Kevin Lindquist

District of:  
Division No. -  
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FORM 78 -- Continued

List "F"

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

NISKA NORTH INC.

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	

12-Mar-2018

Date

  
Kevin Lindquist



District of:  
 Division No. -  
 Court No.  
 Estate No.

FORM 78 -- Continued


List "G"  
 Real Property or Immovables Owned by Bankrupt

NISKA NORTH INC.

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
Building and Land - 303 Martel Road, Chapleau, ON Panet Con 1 PT Lot 5 RP 53R18530	100% owner	Niska North Inc.	250,000.00	Northern Ontario Heritage Fund Corp. Roberta Bondar Place 200-70 Foster Drive Sault Ste. Marie ON P6A 6V8 1,449,644.44 Northern Ontario Grow Bonds Corporation Roberta Bondar Place 200-70 Foster Drive Sault Ste. Marie ON P6A 6V8 714,151.76	0.00
<b>Total</b>			<b>250,000.00</b>		<b>0.00</b>

12-Mar-2018

Date

  
 Kevin Lindquist

District of:  
 Division No. -  
 Court No.  
 Estate No.

FORM 78 -- Concluded

List "H"  
 Property

NISKA NORTH INC.

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		Cash on hand	577.00	577.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant		Equipment	2,263,349.00	800,000.00
(g) Furniture		Office Furniture	4,975.00	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		Automobile - Vehicles	9,304.85	7,100.00
(l) Taxes			0.00	0.00
(m) Other			0.00	0.00
			<b>Total:</b>	<b>807,677.00</b>

12-Mar-2018

Date



Kevin Lindquist

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

IN THE MATTER OF THE **Bankruptcy** of **NISKA NORTH INC.**, of **Chapleau, 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 the circumstances connected with the claim referred to below.
3. That the debtor was, at the date of **Bankruptcy** namely the **13<sup>th</sup> day of March, 2018**, 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 \$ \_\_\_\_\_**  
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 claim a right to a priority under section 136 of the Act.
- Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.  
(Set out on 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.)
- 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 \$ \_\_\_\_\_**  
(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 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.*)

7. (*Applicable only in the case of the bankruptcy of an individual*)

- Whenever the trustee reviews the financial situation of a bankrupt to re-determine whether or not the bankrupt is required to make payments under section 68 of the Act, I request to be informed, pursuant to paragraph 68(4) of the Act, of the new fixed amount or of the fact that there is no longer surplus income.
- I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address. (*Applicable only in the case of the bankruptcy of an individual.*)

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Witness: \_\_\_\_\_

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: **Geanina Schmidt**  
A. Farber & Partners Inc., Trustee  
150 York Street, Suite 1600  
Toronto, ON M5H 3S5

Fax: 416 496-3839

Email: Geanina Schmidt at [gschmidt@farbergroup.com](mailto:gschmidt@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.

**GENERAL PROXY**

IN THE MATTER OF THE **BANKRUPTCY OF NISKA NORTH INC.**

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 dividends, with (*or without*) power to appoint 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 (Telephone no.)