

District of: Alberta  
Division No: 25  
Court No: 25-2959393  
Estate No: 25-2959393

## FORM 68

**Notice of Bankruptcy, First Meeting of Creditors**

(Subsection 102(1) of the Act)

In the matter of the Bankruptcy of eBuyNow eCommerce Ltd.  
A COMPANY DULY INCORPORATED UNDER THE LAWS OF THE PROVINCE OF BRITISH COLUMBIA HAVING  
ITS HEAD OFFICE IN THE CITY OF CALGARY AND PROVINCE OF ALBERTA

 Original Amended

Take notice that:

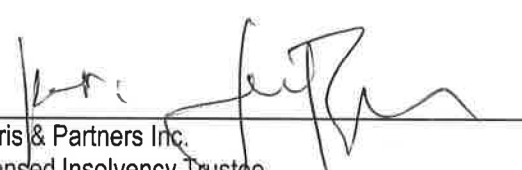
1. eBuyNow eCommerce Ltd. filed an assignment on the 27th day of June, 2023, and the undersigned, Harris & Partners Inc., was appointed as trustee of the estate of the bankrupt by , subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.
2. The first meeting of creditors of the bankrupt will be held on 17th day of July, 2023, at 10:00 AM at <https://us05web.zoom.us/j/9392491080?pwd=Qk91STFoOUp3Vm1PenlrN1F3RjNZZz09>

Meeting ID: 939 249 1080

Passcode: 787qPB.

3. To be entitled to vote at the meeting, a creditor must file with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice are a proof of claim form, proxy form and list of creditors with claims amounting to \$25 or more showing the amounts of their claims.
5. Creditors must prove their claims against the estate of the bankrupt to share in any distribution of the proceeds realized from the estate.

Dated at Markham, Ontario, this 28th day of June, 2023.

  
\_\_\_\_\_  
Harris & Partners Inc.  
Licensed Insolvency Trustee



Industry Canada  
Office of the Superintendent  
of Bankruptcy Canada

Industrie Canada  
Bureau du surintendant  
des faillites Canada

District of: Alberta  
Division No.: 02 - Calgary  
Court No.: 25-2959393  
Estate No.: 25-2959393

In the Matter of the Bankruptcy of:

**eBuyNow eCommerce Ltd.**

Debtor

**HARRIS & PARTNERS INC**

Licensed Insolvency Trustee

Ordinary Administration

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Date and time of bankruptcy:	June 27, 2023, 11:27	Security:	\$0.00
Date of trustee appointment:	June 27, 2023		
Meeting of creditors:	July 17, 2023, 10:00 <a href="https://us05web.zoom.us/j/9392491080?pwd=Qk91STFoOUUp3Vm1PenIrN1F3RjNZZz09">https://us05web.zoom.us/j/9392491080?</a> pwd=Qk91STFoOUUp3Vm1PenIrN1F3RjNZZz09, Calgary, Alberta Canada,		
Chair:	Trustee		

CERTIFICATE OF APPOINTMENT - Section 49 of the Act; Rule 85

I, the undersigned, official receiver in and for this bankruptcy district, do hereby certify that:

- the aforementioned debtor filed an assignment under section 49 of the *Bankruptcy and Insolvency Act*;
- the aforementioned trustee was duly appointed trustee of the estate of the debtor.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable, to call in the prescribed manner a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the official receiver.

Date: June 27, 2023, 13:33

E-File/Dépôt Electronique

Official Receiver

Harry Hays Building, 220 - 4th Ave SE, Suite 478, Calgary, Alberta, Canada, T2G4X3, (877)376-9902

**Canada**

District of: Alberta  
 Division No: 25  
 Court No:  
 Estate No:

FORM 78

**Statement of Affairs (Business Bankruptcy)**

(Subsection 49(2) and Paragraph 158(d) of the Act)

In the matter of the Bankruptcy of eBuyNow eCommerce Ltd.

A COMPANY DULY INCORPORATED UNDER THE LAWS OF THE PROVINCE OF BRITISH COLUMBIA HAVING ITS HEAD OFFICE IN THE CITY OF CALGARY AND PROVINCE OF ALBERTA

Original

Amended

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 your bankruptcy on the 26th day of June, 2023. When completed, this form and the applicable attachments will constitute your Statement of Affairs and must be verified by oath or solemn declaration.

LIABILITIES (As stated and estimated by Bankrupt)		
1.	Unsecured creditors as per list "A"	\$2,561,201.57
2.	Secured creditors as per list "B"	\$12,589,582.45
3.	Preferred creditors as per list "C"	\$0.00
4.	Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for	\$0.00
		\$0.00
<b>Total Liabilities</b>		<b>\$15,150,784.02</b>
<b>Surplus</b>		<b>\$0.00</b>

ASSETS (As stated and estimated by Bankrupt)		
1.	Inventory	\$1.00
2.	Trade fixtures, etc	\$0.00
3.	Accounts receivable and other receivables, as per List "E"	
	Good	\$0.00
	Doubtful	\$407,000.00
	Bad	\$0.00
	Estimated to produce	\$1.00
4.	Bills of exchange, promissory note, etc., as per List "F"	\$0.00
5.	Deposits in Financial Institutions	\$0.00
6.	Cash	\$337,684.35
7.	Livestock	\$0.00
8.	Machinery, equipment and plant	\$1.00
9.	Real property or immovable as per List "G"	\$0.00
10.	Furniture	\$0.00
11.	RRSPs, RRIFFs, 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"	\$1.00
<i>If Bankrupt is a corporation, add:</i>		
	Amount of subscribed capital	
	Amount paid on capital	
	Balance subscribed and unpaid	
	Estimated to produce	
<b>Total Assets</b>		<b>\$337,688.35</b>
<b>Deficiency</b>		<b>\$14,813,095.67</b>

I, Kalvie Legat, of eBuyNow eCommerce Ltd. of the city of Calgary in the Province of Alberta, do swear(or solemnly declare) that this statement and the attached lists are to the best of knowledge a full, true and complete statement of affairs on the 26th day of June, 2023 and fully disclose all property of every description that is in possession or that may devolve on me in accordance with the Act.

SWORN (or SOLEMNLY DECLARED) remotely by eBuyNow eCommerce Ltd. stated as being located in at Calgary the city, in the Province of Alberta, before me at Calgary the city, in the Province of Alberta, on this 26th day of June, 2023 in accordance with provincial Regulation on Administering Oath or Declaration Remotely



David Adams 342199  
 Commissioner of Oaths  
 for the Province of Alberta



Signature of Bankrupt

David Joseph Anthony Adams,  
 a Commissioner, etc, Province of Alberta,  
 or Harris & Partners Inc. Expires May 15, 2026

List "A"  
Unsecured Creditors  
eBuyNow eCommerce Ltd.

No	Name of Creditor	Address	Amount of Claim
1	80LC20 Holdings	1753 Broadmead Ave, Victoria, British Columbia, Canada, V8P 2V8	\$442,496.48
2	Adobe Creative Cloud	Adobe Creative Cloud 29322 Network Place, Chicago, Illinois, USA, 60673-	\$40.14
3	AgileBits Inc.	4711 Yonge St, North York, Ontario, Canada, M2N 6K8	\$3,068.24
4	Apilayer	10801 N Mopac Expressway Building 1, Suite 100, Austin, Texas, USA, 78759-	\$20.34
5	Atlassian	L16-311 George St N, Peterborough, Ontario, Canada, K9J 3H3	\$378.69
6	Buy Box Experts	1172 W 700 N #200, Lindon, Utah, Canada, 84042	\$20,334.61
7	Canada Revenue Agency, Pacific/Prairies Regions	9755 King George Boulevard, Surrey, British Columbia, Canada, V3T 5E1	\$1.00
8	ChannelAdvisor	3025 Carrington Mill Blvd #500, Morrisville, North Carolina, USA, 27560-	\$21,297.30
9	CommerceHub	P.O. Box 15291, Station A, Toronto, Ontario, Canada, M5W 1C1	\$190.34
10	Connor Tobin	3171 Woodpark Drive, Victoria, British Columbia, Canada, V9C 1P2	\$12,010.25
11	Co-Pilot cx Ltd.	122 Grand St Fl 2, New York, New York, USA, 25210-13	\$3,697.91
12	Craig Smith	104-8920 Woodbine Ave, Markham, Ontario, Canada, L3R 9W9	\$390,233.10
13	Dariusz Zand	104-8920 Woodbine Ave, Markham, Ontario, Canada, L3R 9W9	\$2,615.09
14	Diane Tobin	3171 Woodpark Drive, Victoria, British Columbia, Canada, V9C 1P2	\$115,000.05
15	DLA Piper Canada LLP	Suite 1000, Livingston Place West, 250 2nd St SW,, Calgary, Alberta, Canada, T2P 0C1	\$8,363.25
16	eBuy Now Hong Kong	Unit 1901, 19/F, Tower 2, Phase 1, Enterprise Square, Hong Kong, Hong Kong, China	\$35,966.26
17	eBuy Now USA	470 Olde Worthington RD. Suite 200, Westerville, Ohio, USA, 43082-	\$118,623.51
18	Export Development Canada (EDC)	308 4 Ave SW Suite #2403, Calgary, Alberta, Canada, T2P 0H7	\$9,853.81
19	Figma Inc.	760 Market Street Floor 10, San Fransisco, California, Canada, 941 02	\$81.24
20	Google LLC	601N 34th Street, Seattle, Washington, USA, 98103-	\$34.94
21	Grupo Esole	Av. Acanceh Sm. 11, Mza. 2 Lote 3, Piso Cancun QROO, Piso, Cancun, Mexico, OV30S74	\$2,423.13
22	Igor Institute	105 S Main Street #238, Seattle, Washington, USA, 98104-	\$39,370.55
23	Infinity Law	200-931 Fort Street, Victoria, British Columbia, Canada, V8V 3K3	\$384.39
24	Instorage Distribution Ltd.	2-250 Chrysler Dr, Brampton, Ontario, Canada, L6S 6B6	\$1,491.46
25	Integral Wealth Securities Ltd.	555 4 Ave SW, Calgary, Alberta, Canada, T2P 3E7	\$29,400.00
26	Intrado Digital Media Canada Inc.	5995 Avebury Rd, Mississauga, Ontario, Canada, L5R 3P9	\$12,641.21
27	Jason Lee	Blk 131, Choa Chu Kang Ave, 1, #13-24,, Singapore, Singapore, Singapore, 680131	\$131,432.93
28	Kelvin Siu	G/f, 1A Robinson Road, Hong Kong, Hong Kong, China	\$153,759.68
29	Lee Huang Siong	Blk 131, Choa Chu Kang Ave, 1, Singapore, Singapore, Singapore, 680131	\$22,326.75
30	Mailchimp	675 Ponce De Leon Ave NE, Suite 5000, Atlanta, Georgia, USA, 30308-	\$716.69
31	Melanie Posthuma	104-8920 Woodbine Ave, Markham, Ontario, Canada, L3R 9W9	\$179,252.75
32	Motorola Mobility LLC	222 W.Merchandise Mart Plaza, Chicago, Illinois, USA, 60654-	\$439,286.25
33	New Relic Inc.	188 Spear Street, San Francisco, California, USA, 94105-	\$93.65
34	Odyssey Trust Company	1230-300 5 Ave SW, Calgary, Alberta, Canada, T2P 3C4	\$2,429.71
35	Ontario Securities Commission	20 Queen St W, Toronto, Ontario, Canada, M5H 3S8	\$11,200.00
36	Oracle Canada ULC	401 9 Ave SW, Calgary, Alberta, Canada, T2P 3C5	\$29,065.76
37	Pipedrive	530 Fifth Ave, 9th Floor, Suite 802, New York, New York, USA, 11111-	\$332.77
38	Platform Group Ltd.	88 Welland Ave, Toronto, Ontario, Canada, M4T 2J2	\$14,400.00
39	Quirk Consulting	1919 Wylie St, Vancouver, British Columbia, Canada, V5Y 0E7	\$1,837.50
40	Regus Canada	1321 Blanshard St, Victoria, British Columbia, Canada, V8W 0B6	\$243.60
41	Regus USA	470 Olde Worthington Road, Colombus, Ohio, USA, 43082-	\$168.26
42	Riverbend Consulting	766 Shrewsbury Ave, Titon Falls, New Jersey, USA, 07724-	\$2,153.53
43	Royal Bank of Canada	c/o BankruptcyHighway, PO Box 57100, Toronto, Ontario, Canada, M8Y 3Y2	\$1.00
44	Sean Croft	302-103 Gorge Rd E, Victoria, British Columbia, Canada, V9A 6Z2	\$77.39

Bankrupt

26th day of June, 2023

Date

List "A"  
**Unsecured Creditors**  
eBuyNow eCommerce Ltd.

No	Name of Creditor	Address	Amount of Claim
45	Shipwire	3131 Jay Street, Suite 210, Santa Clara, California, USA, 95054-	\$6,967.87
46	SPS Commerce Inc.	PO Box99205, Toronto, Ontario, Canada, M5W 0J6	\$753.42
47	Stikeman Elliott LLP	199 Bay St, Toronto, Ontario, Canada, M5L 1B9	\$116,603.66
48	TSX Venture Exchange	685 Centre St SW, Calgary, Alberta, Canada, T2G 1S5	\$3,085.34
49	UPS Canada	22 Aero Dr NE, Calgary, Alberta, Canada, T2E 8Z9	\$348.10
50	Various Employees	104-8920 Woodbine Ave, Markham, Ontario, Canada, L3R 9W9	\$250.00
51	Vidarmy	486 E 7320 South Street, Salt Lake City Utah, Utah, USA, 84121-	\$3,217.69
52	Walmart Media Group	702 SW 8th Street, Bentonville, Arizona, USA, 72716-0160	\$16,020.10
53	Webflow Inc.	398 11th Street, floor 2, San Francisco, California, USA, 94103-	\$54.52
54	WK Wong	Block 247 Pasir Ris Street, 21 04-151, Singapore, Singapore, Singapore, 510247	\$131,432.93
55	Wong Wing Kiong	Block 247 Pasir Ris Street, 21 04-151, Singapore, Singapore, Singapore, 510247	\$22,326.75
56	Zendesk	1019 Market Street, San Francisco, California, USA, 94103-	\$1,345.68
<b>Total:</b>			<b>\$2,561,201.57</b>



Bankrupt

26th day of June, 2023

Date

List "B"  
**Secured Creditors**  
 eBuyNow eCommerce Ltd.

No	Name and Address of Creditor Nature of Claim Particulars of Security	When Given	Amount of Claim	Estimated Value of Security	Estimated Surplus from Security	Balance of Claims Unsecured
1	Choco Facility 18 Cross Street Cross Street Exchange 02-101 Singapore, Singapore, 048423		\$2,140,294.00	\$0.00	\$0.00	\$2,140,294.00
2	Vesta Wealth Parnters 330 5 Ave SW #640 Calgary, Alberta, T2P 0L4		\$10,449,288.45	\$0.00	\$0.00	\$10,449,288.45
<b>Totals</b>			<b>\$12,589,582.45</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$12,589,582.45</b>



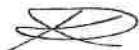
Bankrupt

26th day of June, 2023

Date

List "C"  
**Preferred Creditors for Wages, Rent, etc.**  
 eBuyNow eCommerce Ltd.

No	Name of Creditor Address Occupation	Nature of Claim	Period During Which Claim Occured	Amount of Claim	Amount Payable in Full	Difference Ranking for Dividend
<b>Totals:</b>						




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Bankrupt

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26th day of June, 2023

Date

List "D"  
 Contingent or Other Liabilities  
 eBuyNow eCommerce 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
<b>Total:</b>					




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Bankrupt

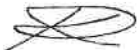
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26th day of June, 2023  
Date



List "E"  
**Debts Due to the Bankrupt**  
 eBuyNow eCommerce Ltd.

No	Name of Debtor Address Occupation	Nature of Debt Particulars of Security Folio Ledger for Particulars	Debt Good Doubtful Bad	When contracted	Estimated to produce
1	Accounts Receivables 585, 255 - 5 Avenue SW Calgary, Alberta, T2P 3G6	Accounts Receivables	\$0.00 \$407,000.00 \$0.00		\$1.00
<b>Total:</b>					\$1.00




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Bankrupt

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26th day of June, 2023


Date

List "F"

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

eBuyNow eCommerce Ltd.

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




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Bankrupt

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26th day of June, 2023

Date

List "G"  
**Real Property or Immovable Owned by Bankrupt**  
 eBuyNow eCommerce Ltd.

No	Description of property, Nature of Bankrupt's interest, In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances		Equity or surplus
			Name, Address	Amount	
<b>Total</b>					



\_\_\_\_\_  
 Bankrupt

\_\_\_\_\_  
 26th day of June, 2023

Date

List "H"  
Property  
eBuyNow eCommerce Ltd.

No	Nature of Property	Location and Details of Property	Original Cost	Estimated to Produce
1	Inventory	Inventory 585, 255 - 5 Avenue SW, Calgary, Alberta, Canada, T2P 3G6	\$1,046,416.67	\$1.00
2	Cash	Various bank accounts 585, 255 - 5 Avenue SW, Calgary, Alberta, Canada, T2P 3G6	\$0.00	\$337,684.35
3	Machinery, Equipment, Plant	Fixed Assets 585, 255 - 5 Avenue SW, Calgary, Alberta, Canada, T2P 3G6	\$9,850.53	\$1.00
4	Other Properties	Prepaid Deposits and Prepayments 585, 255 - 5 Avenue SW, Calgary, Alberta, Canada, T2P 3G6	\$517,940.54	\$1.00
<b>Total:</b>			<b>\$1,574,207.74</b>	<b>\$337,687.35</b>



Bankrupt

26th day of June, 2023

Date

**Proof of Claim**

(Sections 50.1, 81.5, 81.6, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 102(2), 124(2), 128(1), and Paragraphs 51(1)(e) and 66.14(b) of the Act)  
 In the Matter of the bankruptcy (Proposal/Notice of Intention/Receivership) of eBuyNow eCommerce Ltd. (25-295393)

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

Creditor Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Creditor Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
 \_\_\_\_\_ Email: \_\_\_\_\_

**I hereby certify:**

1. That I am a creditor of the above named estate (or 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 (or the date of the receivership, or in the case of a proposal, the date of the notice of intention or of the proposal, if no notice of intention was filed) , namely the 27th day of June, 2023, 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 the appropriate category
  - 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
    - Regarding the amount of \$ \_\_\_\_\_, I claim a right to a priority under section 136 of the Act. (Attach supporting documentation)
    - Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.
  - 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)
  - 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.)
  - 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.)
  - 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 \$ \_\_\_\_\_,
  - 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 \$ \_\_\_\_\_
  - 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 )
  - 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. To the best of my knowledge,  I am (or the above-named creditor is) /  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.)
7. (Applicable only in the case of the bankruptcy of an individual.)
  - Whenever the trustee reviews the financial situation of a bankrupt to redetermine 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.

Dated at \_\_\_\_\_ (City) this \_\_\_\_\_ (day) of \_\_\_\_\_ (month), \_\_\_\_\_ (Year)

\_\_\_\_\_  
 Creditor

\_\_\_\_\_  
 Witness

Notes: 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 / PROPOSAL / RECEIVERSHIP of eBuyNow eCommerce Ltd. (Debtor)

I, \_\_\_\_\_ (Name of Creditor), of \_\_\_\_\_ (City), in \_\_\_\_\_ (Province) a creditor in the above matter, hereby appoint \_\_\_\_\_ (Name of Proxy) of \_\_\_\_\_, to be my proxyholder in the above matter except as to the receipt of dividends with / without power to appoint another proxyholder in his / her place

Dated at \_\_\_\_\_ (City), in the Province of \_\_\_\_\_, this \_\_\_\_\_ (day) of \_\_\_\_\_ (Month), \_\_\_\_\_ (Year)

\_\_\_\_\_  
Individual Creditor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Name of Corporate Creditor

\_\_\_\_\_  
Witness

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

**General Proxy Information**

The Bankruptcy and Insolvency Act permits a Proof of Claim to be made by a duly authorized agent of a creditor; however, this does not give such a person power to vote at the First Meeting of Creditors or to act as the proxy of the creditors.

**GENERAL**

- A creditor may vote either in person or by proxy.
- The Trustee may be appointed as a proxy for any creditor.
- A Corporation may vote by an authorized agent at a meeting of creditors.
- Debtors may not be appointed a proxy to vote at any meeting of their creditors.
- In order for a duly authorized person to have a right to vote, they must be a creditor themselves or be the holder of a properly executed proxy, showing the name of the creditor.

**Directions to Completing a Proof of Claim Form**

The checklist below is provided to assist in the preparation of a Proof of Claim (Form31) and if required a Proxy (form36). Every creditor who does not prove his claim is not entitled to share in any distribution. Claims not completed correctly in every respect will be returned.

**GENERAL**

- The signature of a witness is required.
- This document must be signed personally by the person completing the Proof of Claim.
- Give the complete address, including postal code, where any notice or correspondence is to be forwarded.
- The amount on the Statement of Account must correspond with the amount indicated on the Proof of Claim.

**PARAGRAPH I**

- The creditor must state the full and complete legal name of the company or firm.
- If the individual completing the Proof of Claim is not the creditor himself, he must state his position or title.

**PARAGRAPH III**

- The Schedule A or Statement of Account must be complete and detailed, showing the date, number and amount of all invoices or charges, together with the date, number and amount of all creditors or payments. A Statement of Account is not complete if it begins with an amount brought forward.

**PARAGRAPH IV**

- An unsecured creditors must specify if they do or do not have a right to a priority. A schedule must be attached to support the priority claim. Details of Section 136 are available from the trustee upon request
- Secured creditors must attach a certified copy of the security documents to the proof of claim for each claim
- For claims arising from a realization of lease the creditor must provide full details of the claim including the relating calculations
- A claim by a farmer, fisherman or aquaculturist must attach a copy of the sales agreement and delivery documents.

**PARAGRAPH V**

- All claimants must indicate if they are / are not related to the debtor, as defined in Section 4 of the Bankruptcy and Insolvency Act, "If you are related by blood or marriage to the bankrupt, then you should consider yourself to be a related person pursuant to Section 4. 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."

**PARAGRAPH VI**

- All claimants must attach a detailed list of all payments or credits received or granted as follows:
- Within the three months preceding the bankruptcy / proposal, in the case where the claimant and debtor are not related;
- Within the twelve months preceding the bankruptcy / proposal, in the case where the claimant and debtor are related.