District of: Division No. Ontario 07 - Hamilton 32-1252379

Court No. Estate No.

32-1252379

## FORM 67 Notice of Bankruptcy and First Meeting of Creditors (Subsection 102(1) of the Act)

In the matter of the bankruptcy of
Silcom Canada Inc.
of the City of Niagara Falls, in the Regional Municipality of Niagara
in the Province of Ontario

### Take notice that:

- 1. Silcom Canada Inc. filed (or was deemed to have filed) an assignment on the 31st day of August 2009, and the undersigned, Zeifman Partners Inc., was appointed as trustee of the estate of the bankrupt by the official receiver (or the court), 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 21st day of September 2009, at 11:00 o'clock AM, at the office of Trustee, at 201 Bridgeland Avenue, Toronto, Ontario.
- 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.
- Enclosed with this notice is a form of proof of claim, a form of proxy, and a list of creditors with claims amounting to 25 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 the City of Toronto in the Province of Ontario, this 31st day of August 2009.

Zeifman Partners Inc. - Trustee

201 Bridgeland Avenue

Toronto ON M6A 1YT

Phone: (416) 256-4005 Fax: (416) 256-4001

Court No. 32-1252379

Estate No. 32-1252379

In the matter of the bankruptcy of Silcom Canada Inc. of the City of Niagara Falls, in the Regional Municipality of Niagara in the Province of Ontario

Form 67
Notice of bankruptcy and first meeting of creditors

Zeifman Partners Inc. - Trustee 201 Bridgeland Avenue Toronto ON M6A 1Y7 Phone: (416) 256-4005 Fax: (416) 256-4001 District of: Court No.

Ontario 07 - Hamilton

Court No.

Estate No.

#### - FORM 78 -

Statement of Affairs (Business Bankruptcy) (Paragraph 158(d) of the Act)

In the matter of the bankruptcy of Silcom Canada Inc. of the City of Niagara Falls, in the Regional Municipality of Niagara in the Province of Ontario

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 29th day of August 2009. When completed, this Form and the applicable attached lists 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)

3,000,000.00	Unsecured creditors as per list "A"
0.00	Balance of claims unsecured as per list *A*
3,000,000.00	Total unsecured creditors.
0.00	2. Secured creditors value of security as per list *B*
0.00	3. Preferred creditors as per list *C*
0.00	Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for
3,000,000.00	Total liabilities
nil	Surplus

1. Inventory		0.00
2. Trade fixtures, etc		
3. Accounts receivable and other receivables, as		
Good	0.00	
Doubtful	0.00	
Bad	0.00	
Estimated to produce		0.00
4. Bills of exchange, promissory note, etc., as per		
5. Deposits in financial institutions		0.00
6. Cash		0.00
7. Livestock		
8. Machinery, equipment and plant		
9. Real property or immovable as per list "G"		1,900,000.00
10. Furniture		0.00
11 RRSP, RRIFS, Life Insurance, etc		
12. Securities (shares, bonds, debentures, etc.) .		
13. Interests under wills		
14. Vehicles		
15. Other property, as per list "H"		
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		
Total assets		1,900,000.00
Deficiency	,	

I, Marcelo Gruosso, of the City of Niagara Falls 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 29th day of August 2009 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with section 67 of the Act.

SWORN (or SOLEMNLY DECLARED)

before me at the City of Toronto in the Province of Ontario,

day of August 2009.

Stella Millis, Commissioner of Oaths For the province of Ontario Expires Nov. 26, 2011

> STELLA MILLIS, a Commissioner, etc., Province of Ontario, for Zeifman Partners Inc., Trustee in Bankruptcy. Expires November 26, 2011.

Ontario 07 - Hamilton

- FORM 78 -- Continued -

List "A" Unsecured Creditors

Silcom Canada Inc.

No.	Name of creditor	Address	Unsecured Claim	Balance of Claim Un	Total Claim
	Edscha of Canada LP Attn: Nick Brearton	Suite 3300, 199 Bay Street c/o KPMG Inc., Trustee Toronto ON M5L 1B2	3,000,000.00	0.00	3,000,000.00
		Total:	3,000,000.00	0.00	3,000,000.00

29-Aug-2009

Date

Ontario 07 - Hamilton

- FORM 78 -- Continued -

List "B" Secured Creditors

Silcom Canada 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 unsecured
		Total:	0.00			0.00	0.00	0.00

29-Aug-2009

Date

Ontario 07 - Hamilton

- FORM 78 -- Continued -

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

Silcom Canada 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
		10		Total:	0.00	0.00	0.00

29-Aug-2009

Date

Ontario 07 - Hamilton

- FORM 78 -- Continued -

List "D"
Contingent or Other Liabilities

Silcom Canada 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		

29-Aug-2009

Date

District of Division No.

Ontario 07 - Hamilton

Court No. Estate No.

- FORM 78 -- Continued -

List "E" Debts Due to the Bankrupt

Silcom Canada Inc.

No.	Name of debtor	Address and Occupation		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
			Total:	0.00 0.00 0.00			0.00	

29-Aug-2009

Date

District of Onta Division No. 07 - 1 Court No. Estate No.

Ontario 07 - Hamilton

- FORM 78 -- Continued -

List "F"

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

Silcom Canada Inc.

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

29-Aug-2009

Date

Ontario

07 - Hamilton

- FORM 78 -- Continued -

### List "G" Real Property or Immovable Owned by Bankrupt

Silcom Canada Inc.

Description of property	Nature of bankrupts 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 - Niagara Falls - 5795 Don Murie Street	No interest	Silcom Canada Inc.	1,900,000.00		0.00
		Total:	1,900,000.00		0.00

29-Aug-2009

Date

Ontario 07 - Hamilton

- FORM 78 -- Concluded -

List "H" Property

Silcom Canada 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 Institution			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
			Total:	0.00

29-Aug-2009

Date

Marcelo Grusso

Court No.

File No.

In the matter of the bankruptcy of Silcom Canada Inc. of the City of Niagara Falls, in the Regional Municipality of Niagara in the Province of Ontario

Form 78 Eng. Bus.
Statement of affairs (Business bankruptcy)

Zeifman Partners Inc. - Trustee 201 Bridgeland Avenue Toronto ON M6A 1Y7 Phone: (416) 256-4005 Fax: (416) 256-4001

## **FORM 31**

## Proof of Claim

(Section 50.1, 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)

All notices or correspondence regarding this claim must be forwarded to the following address:
In the matter of the bankruptcy (or the proposal, or the receivership) of SILCOM CANADA INC. (name of debtor) of THE CITY OF NIAGARA FALLS, IN THE REGIONAL MUNICIPALITY OF NIAGARA PROVINCE OF ONTARIO (city and province) and the claim of, creditor.
I, (name of creditor or representative of the creditor), o (city and province), do hereby certify:
1. That I am a creditor of the above-named debtor (or that I am
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 31 <sup>st</sup> day of August, 2009, 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 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 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.)

## FORM 31 - Continued

	C. SECURED CLAIM OF \$
	in respect of this debt, I hold assets of the debtor valued at \$as security, particulars ich are as follows:
(Give which	full particulars of the security, including the date on which the security was given and the value an 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 AGAINST DIRECTOR \$
(To b	e 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.)
	G. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$
	I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, culars 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.

#### FORM 31 - Concluded

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.)

(Applicable only in the ca	se of the bankruptcy of a	n individual.)	
·		by the trustee regarding the heat be sent to the above	ne bankrupt's application fo e address.
Dated at	, this	day of	, 2009.
Witness	···	Creditor	
		Phone Number: Fax Number: Email 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.

NOTE: 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.

**ZEIFMAN PARTNERS INC. - TRUSTEE** 

201 Bridgeland Avenue Toronto, Ontario M6A 1Y7 Tel: (416) 256-4005 Fax: (416) 256-4001 District of:

Ontario

Division No. Court No. 07 - Hamilton

Estate No.

32-1252379

32-1252379

Phone: (416) 256-4005 Fax: (416) 256-4001

# FORM 36 Proxy

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

In the matter of the bankruptcy of Silcom Canada Inc. of the City of Niagara Falls, in the Regional Municipality of Niagara in the Province of Ontario

I,	, of	, a creditor in the above matter,
hereby appoint the trustee identif	ied below □ or to be my	proxy in the above matter.
except as to the receipt of divider in his or her place.	nds,(	proxy in the above matter, with or without) power to appoint another proxy
Dated at	, this _	day of,
Witness		Individual Creditor
Witness		Name of Corporate Creditor
	Per	
	, 0,	Name and Title of Signing Officer
Return To:		
Zeifman Partners Inc Trustee		
201 Bridgeland Avenue Toronto ON M6A 1Y7		