

District of: Ontario
Division No. 09-Toronto
Court No. 31-2676844
Estate No. 31-2676844

FORM 68
Notice of Bankruptcy, First Meeting of Creditors

In the matter of the bankruptcy of
Simply Comfort Inc.
of the City of North York, in the Province of Ontario

Take notice that:

1. Simply Comfort Inc. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Simply Comfort Inc.) on the 1st day of October, 2020 and the undersigned, Dodick Landau 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 October, 2020 at 11:00 a.m. to be held by Zoom videoconference. The link to access the Zoom videoconference is as follows: <https://zoom.us/j/94585384796?pwd=L0c0M3g3ek83Zy9nS0cyQWdCMHJ4Zz09>.
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 the city of Toronto in the Province of Ontario, this 6th day of October, 2020.

Dodick Landau Inc. – Licensed Insolvency Trustee
Per:



Rahn Dodick – Licensed Insolvency Trustee
4646 Dufferin St., Suite 6
Toronto, ON M3H 5S4
Phone: (416) 645-0542 Fax: (416) 649-7725

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
Simply Comfort Inc.
of the city of North York, 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 30th day of September 2020. 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"	9,248.00	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	9,248.00	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"		Bad	0.00
estimated to be reclaimable for	635,006.00	Estimated to produce	0.00
Total liabilities	644,254.00	4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
Surplus	NIL	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"	0.00
		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	0.00
		Deficiency	644,254.00

I, Eugene Savitskiy, of the city of Toronto 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 the affairs of the Corporation on the 30th day of September 2020 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 city of Toronto in the Province of Ontario, on this 30th day of September 2020.


Rahn Dodick, Commissioner of Oaths
For the Province of Ontario
Expires July 20, 2023


Eugene Savitskiy

Rahn Dodick, a Commissioner, etc.
Province of Ontario, for Dodick
Landau Inc. and Dodick Landau
Partnership, Expires July 20, 2023

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

FORM 78 – Continued

List "A"
Unsecured Creditors

Simply Comfort Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Cicily George	46 Theodore Dr. Hamilton ON L9A 5J9	1.00	0.00	1.00
2	CRA - Tax - Ontario 835325648	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	1.00	0.00	1.00
3	David Bell	3306 Homark Drive Mississauga ON L4Y 2K4	1.00	0.00	1.00
4	David Mustoe	8 Lampman Lane Barrie ON L4N 5A9	1.00	0.00	1.00
5	Dimitri Serov	59 Bond Crescent Richmond Hill ON L4E 3K5	1.00	0.00	1.00
6	Duran Chan	...	1.00	0.00	1.00
7	Giovanni Caccavo and Maria Caccavo	93 Cabernet Circle Etobicoke ON M9V 5A2	1.00	0.00	1.00
8	Gordon Brunette	111 Thistledown Court Ottawa ON K2J 1J5	1.00	0.00	1.00
9	Hanafi Bassm	...	1.00	0.00	1.00
10	Heather Howell	14 Ashton Crescent Brampton ON L6S 3J9	1.00	0.00	1.00
11	Jeffrey Saylor	...	1.00	0.00	1.00
12	Judith Holly Howard	37 Todd Street Brantford ON N3R 2P8	1.00	0.00	1.00
13	Kalvin Taning	37 Ashurst Crescent Brampton ON L6V 3N6	1.00	0.00	1.00
14	Louise Duffy	27 Sprucewood Place Orleans ON K1W 1K3	9,229.00	0.00	9,229.00
15	Marsha Sinclair	12 Summer Mist Crt. Brampton ON L6R 2Z1	1.00	0.00	1.00
16	Ralph Grubert	522 Third Line Oakville ON L6L 4A7	1.00	0.00	1.00
17	Terry Finch	1385 Vanier Street North Bay ON P1B 6A9	1.00	0.00	1.00
18	Ulo Lougas	5 Dieppe Road Toronto ON M4J 2K8	1.00	0.00	1.00
19	Vera Maharaj	30 Madrid Crescent Brampton ON L6S 2X4	1.00	0.00	1.00
20	Vivienne Robitaille	250 Orton Park Rd., Unit 19 Scarborough ON M1G 3T6	1.00	0.00	1.00
Total:			9,248.00	0.00	9,248.00

30-Sep-2020

Date


Eugene Savitskiy

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

FORM 78 – Continued

List "B"
Secured Creditors

Simply Comfort 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
Total:			0.00			0.00	0.00	0.00

30-Sep-2020

Date



Eugene Savitskiy

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

FORM 78 – Continued

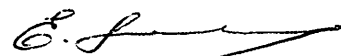
List "C"
Preferred Creditors for Wages, Rent, etc.

Simply Comfort 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

30-Sep-2020

Date



Eugene Savitskiy

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

FORM 78 – Continued

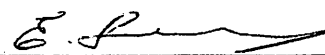
List "D"
Contingent or Other Liabilities

Simply Comfort 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
1	Cicily George	46 Theodore Dr. Hamilton ON L9A 5J9	35,000.00	0.00		First Execution Creditor
2	David Bell	3306 Homark Drive Mississauga ON L4Y 2K4	35,000.00	0.00		First Execution Creditor
3	David Mustoe	8 Lampman Lane Barrie ON L4N 5A9	35,000.00	0.00		First Execution Creditor
4	Dimitri Serov	59 Bond Crescent Richmond Hill ON L4E 3K5	250,000.00	0.00		First Execution Creditor
5	Duran Chan	...	1.00	0.00		First Execution Creditor
6	Giovanni Caccavo and Maria Caccavo	93 Cabernet Circle Etobicoke ON M9V 5A2	1.00	0.00		First Execution Creditor
7	Gordon Brunette	111 Thistledown Court Ottawa ON K2J 1J5	1.00	0.00		First Execution Creditor
8	Hanafi Bassm	...	1.00	0.00		First Execution Creditor
9	Heather Howell	14 Ashton Crescent Brampton ON L6S 3J9	35,000.00	0.00		First Execution Creditor
10	Jeffrey Saylor	...	1.00	0.00		First Execution Creditor
11	Judith Holly Howard	37 Todd Street Brantford ON N3R 2P8	35,000.00	0.00		First Execution Creditor
12	Kalvin Taning	37 Ashurst Crescent Brampton ON L6V 3N6	35,000.00	0.00		First Execution Creditor
13	Marsha Sinclair	12 Summer Mist Crt. Brampton ON L6R 2Z1	35,000.00	0.00		First Execution Creditor
14	Ralph Grubert	522 Third Line Oakville ON L6L 4A7	35,000.00	0.00		First Execution Creditor
15	Terry Finch	1385 Vanier Street North Bay ON P1B 6A9	1.00	0.00		First Execution Creditor
16	Ulo Lougas	5 Dieppe Road Toronto ON M4J 2K8	35,000.00	0.00		First Execution Creditor
17	Vera Maharaj	30 Madrid Crescent Brampton ON L6S 2X4	35,000.00	0.00		First Execution Creditor
18	Vivienne Robitaille	250 Orton Park Rd., Unit 19 Scarborough ON M1G 3T6	35,000.00	0.00		First Execution Creditor
Total:			635,006.00	0.00		

30-Sep-2020

Date



Eugene Savitskiy

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

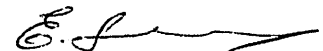
FORM 78 – Continued

List "E"
Debts Due to the Bankrupt
Simply Comfort 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
Total:				0.00 0.00 0.00			0.00	

30-Sep-2020

Date



Eugene Savitskiy

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

FORM 78 – Continued

List "F"

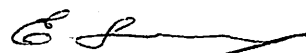
Bills of Exchange, Promissory Notes, Lien Notes, Chattel
Mortgages, etc., Available as Assets

Simply Comfort 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	

30-Sep-2020

Date



Eugene Savitskiy

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

FORM 78 -- Continued

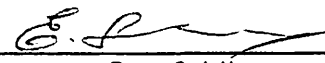
List "G"
Real Property or Immovables Owned by Bankrupt

Simply Comfort 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
Total:			0.00		0.00

30-Sep-2020

Date



Eugene Savitskiy

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

FORM 78 -- Concluded

List "H"
Property

Simply Comfort 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			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
(l) Taxes			0.00	0.00
(m) Other			0.00	0.00
			Total:	0.00

30-Sep-2020

Date


Eugene Savitskiy

Court No.

File No.

In the matter of the bankruptcy of
Simply Comfort Inc.
of the city of North York, in the Province of Ontario

Form 78 (Bill C-12)
Statement of affairs (Business bankruptcy)

Dodick Landau Inc. - Licensed Insolvency Trustee

4646 Dufferin St., Suite 6
Toronto ON M3H 5S4
Phone: (416) 736-4357 Fax: (416) 649-7725

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2676844
Estate No. 31-2676844

FORM 31
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 of
Simply Comfort Inc.
of the city of North York, in the Province of Ontario

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

In the matter of the bankruptcy of Simply Comfort Inc. of the city of North York in the Province of Ontario and the claim of
_____, creditor.

I, _____ (name of creditor or representative of the creditor), of the city of _____ in the
province of _____, do hereby certify:

1. That I am a creditor of the above named debtor (or I am _____ (position/title) of _____
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 1st day of October 2020, 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.)

☐ 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 81.6 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/am not) (or the above-named creditor _____ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and _____ (have/has/have not/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, and 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 Section 2 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 _____, this _____ day of _____.

 Witness

 Creditor

Phone 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 20(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2676844
Estate No. 31-2676844

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
Simply Comfort Inc.
of the city of North York, in the Province of Ontario

I, _____, of _____, 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 _____, _____.

Witness

Individual Creditor

Witness

Name of Corporate Creditor

Per _____
Name and Title of Signing Officer

Return To:

Dodick Landau Inc. - Licensed Insolvency Trustee

4646 Dufferin St., Suite 6
Toronto ON M3H 5S4
Phone: (416) 645-0542 Fax: (416) 649-7725
E-mail: brenda.mcknight@dodick.ca

CHECKLIST FOR PROOF OF CLAIM

This checklist is provided to assist you in preparing the proof of claim form and, if appropriate, the proxy form in a complete and accurate manner. Please check each requirement.

GENERAL

- The signature of a witness is required.
- The document must be signed by the individual completing the declaration.
- Provide the complete address where all notices or correspondence are to be forwarded along with your phone number, fax number and email address where appropriate.

Notes:

- It is permissible to file a proof of claim by fax.
- A creditor may vote either in person or by proxy at any meeting of creditors if the proof of claim is filed with the trustee prior to the time appointed for the meeting.
- A quorum at any meeting of creditors is at least one creditor with a valid proof of claim in attendance in person or by proxy.
- A corporation may vote by an authorized agent or mandatary at meetings of creditors.
- In order for a duly authorized person to have a right to vote, they must be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy.
- A creditor who is participating in any distribution from an estate must have filed a proof of claim prior to the distribution being declared.
- In the case of an individual bankrupt, by checking the appropriate box or boxes at the bottom of the proof of claim form, you may request that the trustee advise you of any material change in the financial situation of the bankrupt or the amount the bankrupt is required to pay into the bankruptcy, and a copy of the trustee's report on the discharge of the bankrupt.

PARAGRAPH 1

- Creditor must state full and complete legal name of the individual, company or firm.
- If the individual completing the proof of claim is a representative of the creditor, the individual's position or title must be identified.

PARAGRAPH 3

- The amount owing must be set out in paragraph 3.
- A detailed statement of account must be attached to the proof of claim and marked "Schedule A" and must show the date, number and amount of all invoices or charges, together with the date, number and amount of all credits or payments. The amount on the statement of account must correspond to the amount indicated on the proof of claim.

PARAGRAPH 4

Notes:

- Paragraph A applies to *ordinary unsecured claims*. In addition to recording the amount of the claim, please indicate whether the claim has a priority pursuant to section 136 of the Act.
- Paragraph B applies to *lessor claims* in a commercial proposal. Please ensure that the claim applies to a commercial proposal and, if so, include the full particulars of the claim.
- Paragraph C applies to *secured claims*. Please indicate the dollar value of the security and attach copies of the security document. In addition, please attach copies of the security registration documents, where appropriate.
- Paragraph D applies to *inventory claims of farmers, fishermen and aquaculturists*. Please note that such claims apply only to inventory supplied from farmers, fishermen and aquaculturists within 15 (fifteen) days of the date of bankruptcy. In addition, please attach copies of any applicable sales agreements and delivery slips.
- Paragraph E applies to *claims by wage earners*. Please note that such claims apply only for unpaid wages owed upon the bankruptcy of an employer or when the employer becomes subject to a receivership.

- Paragraph F applies to *claims by employees for unpaid amounts regarding pension plans*. Please note that such claims apply only to unremitted pension contributions outstanding when the sponsoring employer becomes bankrupt or is subject to a receivership.
- Paragraph G applies to *claims against directors*. Please note that such claims apply only to directors of corporations that have filed a commercial proposal to creditors that includes a compromise of statutory claims against directors.
- Paragraph H applies to *claims of customers of a bankrupt securities firm*. Please ensure that the claim of the customer is for net equity and, if so, include the full particulars of the claim, including the calculations upon which the claim is based.

PARAGRAPH 5

- All claimants must indicate whether or not they are related to the debtor, as defined in section 4 of the Act, or dealt with the debtor in a non-arm's-length manner.

PARAGRAPH 6

- All claimants must attach a detailed list of all payments or credits received or granted, as follows:
 - (a) within the three (3) months preceding the initial bankruptcy event (including the bankruptcy or the proposal);
 - (b) within the twelve (12) months preceding the initial bankruptcy event (including the bankruptcy or the proposal) in the case where the claimant and the debtor were not dealing at arm's length.

- PROXYHOLDER -

NOTE

The Act permits a proof of claim to be made by a duly authorized representative of a creditor but, in the absence of a properly executed proxy, does not give such an individual the power to vote at the first meeting of creditors nor to act as the proxyholder of the creditors.

GENERAL

- In order for duly authorized persons to have a right to vote, they must themselves be creditors or be the holders of a properly executed proxy. The name of the creditor must appear in the proxy.

Notes:

- A creditor may vote either in person or by proxyholder.
- A proxy may be filed at any time prior to a vote at a meeting of creditors.
- A proxy can be filed with the trustee in person, by mail or by any form of telecommunication.
- A proxy does not have to be under the seal of a corporation unless required by its incorporating documents or its bylaws.
- The individual designated in a proxy cannot be substituted unless the proxy provides for a power of substitution.
- Bankrupts/debtors may not be appointed as proxyholders to vote at any meeting of their creditors.
- The trustee may be appointed as a proxyholder for any creditor.
- A corporation cannot be designated as a proxyholder.