

District of: Ontario
Division No. 09 - Toronto
Court No. 31-3104973
Estate No. 31-3104973

FORM 68
Notice of Bankruptcy, First Meeting of Creditors
(Subsection 102(1) of the Act)

In the matter of the bankruptcy of
Jimmy Guaco's Inc.
of the City of Oshawa, in the Province of Ontario

Take notice that:

1. Jimmy Guaco's Inc. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Jimmy Guaco's Inc.) on the 17th day of July, 2024, 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 6th day of August, 2024 at 11:30 a.m. via Zoom at:

<https://us06web.zoom.us/j/84803295831?pwd=aRtab7BLRK0AbartgwXbCr7am9alqm.1>
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, a 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 17th day of July, 2024.

Dodick Landau Inc. – Licensed Insolvency Trustee
Per:



Rahn Dodick – Licensed Insolvency Trustee
951 Wilson Avenue, Suite 15L
Toronto, ON M3K 2A7
Phone: (416) 645-0542 Fax: (866) 874-1791

District of: Ontario
 Division No. 09 - Toronto
 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
 Jimmy Guaco's Inc.
 of the city of Oshawa, 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 July 2024. 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"	746,268.25	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	746,268.25	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"	0.00	Bad	0.00
estimated to be reclaimable for		Estimated to produce	0.00
Total liabilities	746,268.25	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	746,268.25

I, Annette Zupancic, of the city of Whitby 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 12th day of July 2024 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) remotely by Annette Zupancic stated as being located in the city of Whitby in the Province of Ontario before me at the city of Toronto in the Province of Ontario, on this 12th day of July 2024 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.


 Rahn Dodick (Jul 15, 2024 08:30 EDT)
 Rahn Dodick, Commissioner of Oaths
 For the Province of Ontario
 Expires July 20, 2026


 Annette Zupancic (Jul 15, 2024 08:22 EDT)
 Annette Zupancic

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

FORM 78 - Continued

In the Matter of the Bankruptcy of
 Jimmy Guaco's Inc.
 of the city of Oshawa, in the Province of Ontario
 List "A"
 Unsecured Creditors
 Jimmy Guaco's Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	1378064 Ontario Ltd. o/a Seabies Select Produce Ltd. Attr: Nick Misasi	150 Princess St., PO Box 436 Orono ON L0B 1M0	250.00	0.00	250.00
2	2359374 Ontario Inc.	36 Athol Street Oshawa ON L1H 1S7	259,020.64	0.00	259,020.64
3	Annette Zupancic	36 Athol Street Oshawa ON L1H 1J7	349,753.00	0.00	349,753.00
4	Beauty Beyond Skin Deep Attr: Rose Albis	36 Athol Street East Oshawa ON L1H 7L9	250.00	0.00	250.00
5	BMO Financial Group c/o BankruptcyHighway.com Attr: Mike Timko	PO Box 57100 Etobicoke ON M8Y 3Y2	2,767.77	0.00	2,767.77
6	Cintas Canada Ltd. Attr: Michelle Grills	940 Warden Avenue Scarborough ON M1L 4C9	250.00	0.00	250.00
7	Copetti & Co. Professional Corporation Attr: Kimberly Copetti	601 Brock Street South Whitby ON L1N 4L1	367.24	0.00	367.24
8	CRA - Tax - Ontario 81682 6259 RC Account	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	250.00	0.00	250.00
9	CRA - Tax - Ontario 81682 6259 RP Account	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	45,967.33	0.00	45,967.33
10	CRA - Tax - Ontario 81682 6259 RT Account	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	36,379.93	0.00	36,379.93
11	Essex Capital Leasing Corp. Attr: Joe Schmidt	3280 Devon Drive Windsor ON N8X 4L4	250.00	0.00	250.00
12	GM Financial Canada Leasing Ltd. c/o BankruptcyHighway.com Attr: Mike Timko	PO Box 57100 Etobicoke ON M8Y 3Y2	250.00	0.00	250.00
13	Indcom Leasing 14885	5061 Ure Street Oldcastle ON N0R 1L0	250.00	0.00	250.00
14	Indcom Leasing 14965	5061 Ure Street Oldcastle ON N0R 1L0	250.00	0.00	250.00
15	Jimmy Guaco's Franchising Ltd.	36 Athol Street Oshawa ON L1H 1S7	4,531.25	0.00	4,531.25
16	Ministry of Finance - Collections Branch, Non Tax Revenue Collections Unit Attr: Asta Alberry	Michael Starr Bldg 33 King St W, 6th Flr Oshawa ON L1H 8H5	2,886.00	0.00	2,886.00
17	TD Canada Trust C/O FCT Default Solutions 31845243722	PO Box 2514, Station B London ON N6A 4G9	250.00	0.00	250.00
18	TD Canada Trust C/O FCT Default Solutions 38499243722001	PO Box 2514, Station B London ON N6A 4G9	250.00	0.00	250.00
19	TD Canada Trust C/O FCT Default Solutions 81447243722001	PO Box 2514, Station B London ON N6A 4G9	40,000.00	0.00	40,000.00

12-Jul-2024

Date


 Annette Zupancic, Annette Zupancic 2024 08:22 EDT

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


FORM 78 - Continued

In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario
List "A"
Unsecured Creditors
Jimmy Guaco's Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
20	Workplace Safety and Insurance Board Attr: Eric Kupka	200 Front St W, 22nd Floor Toronto ON M5V 3J1	2,095.09	0.00	2,095.09
Total:			746,268.25	0.00	746,268.25

12-Jul-2024

Date


Annette Zupancic
RECEIVED: 2024-07-15, 2024-07-15 EDT

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

FORM 78 - Continued


In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario
List "B"
Secured Creditors

Jimmy Guaco's 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

12-Jul-2024

Date


Annette Zupancic, CMAA, CMAA (P), CMAA (S)

Annette Zupancic

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

FORM 78 - Continued

In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario
List "C"
Preferred Creditors for Wages, Rent, etc.

Jimmy Guaco's 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-Jul-2024

Date

CRB
Annette Zupancic

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

FORM 78 - Continued


In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario
List "D"
Contingent or Other Liabilities

Jimmy Guaco's 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-Jul-2024

Date


Annette Zupancic

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

FORM 78 - Continued

In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario
List "E"
Debts Due to the Bankrupt
Jimmy Guaco's 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
				0.00				
			Total:	0.00			0.00	
				0.00				

12-Jul-2024

Date


Annette Zupancic (Jul 12, 2024) 04:12 PM

Annette Zupancic

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

FORM 78 - Continued

In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario
List "F"


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

Jimmy Guaco's 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-Jul-2024

Date


Annetta Zupancic

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

FORM 78 - Continued

In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario
List "G"
Real Property or Immovables Owned by Bankrupt
Jimmy Guaco's 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

12-Jul-2024

Date


ANETTE ZUPANCIC (JUL 15, 2024 09:22 EDT)
Annette Zupancic

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

FORM 78 - Concluded

In the Matter of the Bankruptcy of
 Jimmy Guaco's Inc.
 of the city of Oshawa, in the Province of Ontario
 List "H"
 Property

Jimmy Guaco's 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
			Total:	0.00

12-Jul-2024

Date

CAZ
 Annette Zupancic Jul 15, 2024 09:22 EDT
 Annette Zupancic

Court No.

Estate No.

**In the Matter of the Bankruptcy of
Jimmy Guaco's Inc.
of the city of Oshawa, in the Province of Ontario**

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

**Trustee: Rahn Dodick
License: 3276
Email: rahn.dodick@dodick.ca**

Dodick Landau Inc. - Licensed Insolvency Trustee

**951 Wilson Ave., Unit 15L
Toronto ON M3K 2A7
Phone: (416) 645-0552 Fax: (866) 874-1791**

DODICK LANDAU

PROOF OF CLAIM FORM 31

IN THE MATTER OF THE BANKRUPTCY OF Jimmy Guaco's Inc. referred to in this form as "the debtor")
and the claim of _____ (referred to in this form as "the creditor")

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

Telephone : _____ Fax : _____ Email : _____

I, _____ residing in the _____
(name of person signing claim) (city, town, etc.)
of _____ in the Province of _____
(name of city, town, etc.)

Do hereby certify that:

If an officer of the company, state position or title

1. I am the creditor or I am _____ of the creditor.
(state position or title)

2. I have knowledge of all the circumstances connected with the claim referred to in this form.

The attached statement of account must include invoices or other evidence in support of the claim

3. The debtor was, at the date of the Bankruptcy, namely the 17th day of July, 2024 and still is, indebted to the creditor in the sum of \$ _____, as specified in the statement of account attached hereto and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled.

Check and complete appropriate category.

4. A **Unsecured claim of \$** _____
In respect to the said debt, I do not hold any assets of the debtor as security and

Check appropriate description and attach a separate sheet to detail and support priority claim, if applicable.

(i) I do not claim a right to a priority
or
(ii) I do claim a right to a priority under section 136 of the Bankruptcy and Insolvency Act (the "Act").

Give full particulars of the claim, including the calculations upon which the claim is based.

B **Claim of landlord for disclaimer of a lease of \$** _____
That I hereby makes a claim under subsection 65.2(4) of the Act, 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.

C **Secured claim of \$** _____
In respect of the said debt, I hold assets of the debtor valued at \$ _____ as security, particulars of which are as follows: _____

Attach a copy of sales agreement and delivery receipts.

D **Claim by farmer, fisherman, or aquaculturist of \$** _____
That I hereby makes a claim under subsection 81.2(1) of the Act for the unpaid amount \$ _____.

Check and complete appropriate category.

E **Claim by Wage Earner of \$** _____

Check appropriate description.

(i) That I hereby make a claim under subsection 81.3(8) of the Act in the amount of \$ _____
(ii) That I hereby make a claim under subsection 81.4(8) of the Act in the amount of \$ _____

**PROOF OF CLAIM
FORM 31
PAGE TWO**

To be filed when a proposal provides for the compromise of claims against directors.

F **Claim against Director of \$** _____
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 of \$** _____
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: _____

Strike out "is" or "is not".

5. To the best of my knowledge, the creditor **is / is not** related to the debtor within the meaning of section 4 of the Act.

Attach a separate schedule if necessary.

6. The following are the payments that the creditor has received from and the credits that the creditor has allowed to the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act, within the twelve months) immediately before the date of the initial bankruptcy event (July 17, 2024) within the meaning of section 2 of the Act.

_____, _____
_____, _____

Dated at _____, this _____ day of _____, 20_____

Must be signed and witnessed

Witness (Signature of individual completing this form)

Print Name: _____ Print Name: _____

Notes: All references to "the Act" refer to the Bankruptcy and Insolvency Act. 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.

If an affidavit or solemn declaration is attached, it must have been made before a person qualified to take affidavits or solemn declarations.

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.

Instructions for completing proof of claim forms

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. As well, in order to vote at a meeting of creditors, a properly completed Proof of Claim must be returned to the Trustee's office before the time of the meeting.

In completing the attached form, your attention is directed to the marginal notes on the form and to the following requirements:

Proof of Claim:

1. The form must be completed by an individual and not by a corporation. If you are acting for a corporation or other person, you must state the capacity in which you are acting, such as, "Credit Manager", "Treasurer", "Authorized Agent", etc.
2. The person signing the form must have knowledge of the circumstances connected with the claim.
3. The debtor's name and date of the bankruptcy must be filled in and a Statement of Account containing details of the claim must be attached and marked "Schedule A". The date at which claims are to be calculated and the correct name of the debtor may be found as well on the Notice sent to the creditor.
4. The nature of the claim must be indicated by placing a check mark at the type of claim which applies, for example:

Check mark at A indicates the claim is unsecured and

Check mark at A(i) indicates that the creditor is not claiming any priority or

Check mark at A(ii) indicates the creditor is claiming preferred status under section 136 of the Act. Details to support the priority claim must be set out on an attached schedule.

Check mark at B indicates a claim of landlord for disclaimer of a lease under subsection 65.2(4) of the Act. Details to support this claim must be set out on an attached schedule.

Check mark at C indicates the claim is secured and the value at which the creditor assesses the security must be inserted. Details of each item of security held should be attached as a separate schedule and submitted with a copy of the chattel mortgage, conditional sales contract, security agreement, etc.

Check mark at D indicates that the creditor is a farmer, fisherman or aquaculturist who supplied goods within 15 days prior to the date of receivership or bankruptcy and has not yet been paid for those goods.

Check mark at E indicates that the creditor is a wage earner under subsection 81.3(8) or 81.4(8) of the Act. Details to support this claim must be set out on an attached schedule.

Check mark at F indicates the claim is against a director under subsection 50(13) of the Act. It is applicable only in the case of a proposal which provides for the compromise of claims against directors. Details to support this claim must be set out on an attached schedule.

Check mark at G indicates the claim is of a Customer of a Bankrupt Securities Firm, who is a customer for net equity as contemplated by section 262 of the Act. Details to support this claim must be set out on an attached schedule.

5. The person signing the form must indicate (by striking out "is" or "is not") whether the creditor and the debtor are related. Section 4 of the Act defines persons related to a debtor. If the creditor is related by blood or marriage to the debtor, the creditor should consider itself to be a related person. If the debtor is a corporation, a creditor would be related if it was controlled by the same shareholders as the debtor.

6. The person signing the form must provide full details of all payments and credits received from or allowed to the debtor during the period indicated. Leaving a blank will indicate that there were no such payments and credits.

7. The person signing the form must insert the place and date and the signature must be witnessed. If an affidavit is attached, it must have been made before a person qualified to take affidavits.

General Proxy:

If it is desired to appoint a proxy, the proxy form must be completed and signed by the creditor: if the creditor is a corporation, the proxy form must be signed in the corporate name (not necessarily by the individual signing the proof of claim form) and the proxy must be witnessed.

If there are any questions in completing the proof of claim, please write, email or telephone the office of the trustee:

Dodick Landau Inc.
951 Wilson Avenue, Suite 15L
Toronto, ON M3K 2A7
Telephone: 416-645-0542
Fax: 866-874-1791
Email: brenda.mcknight@dodick.ca

District of: Ontario
Division No. 09 - Toronto
Court No. 31-3104973
Estate No. 31-3104973

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
Jimmy Guaco's Inc.
of the city of Oshawa, 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

951 Wilson Ave., Unit 15L
Toronto ON M3K 2A7
Fax: (866) 874-1791
E-mail: brenda.mcknight@dodick.ca