

District of: Ontario  
Division No. 09-Toronto  
Court No. 31-3058957  
Estate No. 31-3058957

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


In the matter of the bankruptcy of  
Sam Kotzer Limited  
of the City of Richmond Hill, in the Province of Ontario

Take notice that:

1. Sam Kotzer Limited filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Sam Kotzer Limited) on the 22nd day of March, 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 15th day of April 2024 at 11:00 a.m. via Zoom at:  
  
<https://us06web.zoom.us/j/86259207427?pwd=0D9iKyKxpf7bs6B6Dr76kfW2tAxTh9.1>
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 27th day of March, 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:  
 Division No.  
 Court No.  
 Estate No.

Original  Amended

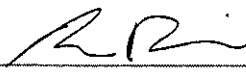
-- Form 78 --  
 Statement of Affairs (Business Bankruptcy) made by an entity  
 (Subsection 49(2) and Paragraph 158(d) of the Act / Subsections 50(2) and 62(1) of the Act)  
 In the Matter of the Bankruptcy of  
 Sam Kotzer Limited  
 of the city of Richmond Hill, in the Province of Ontario


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 21st day of March 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" .....	1. Inventory .....
334,739.11	65,000.00
Balance of secured claims as per list "B" .....	2. Trade fixtures, etc. ....
2,853,483.00	0.00
Total unsecured creditors .....	3. Accounts receivable and other receivables, as per list "E"
3,188,222.11	Good .....
2. Secured creditors as per list "B" .....	0.00
65,000.00	Doubtful .....
3. Preferred creditors as per list "C" .....	0.00
2,800.01	Bad .....
4. Contingent, trust claims or other liabilities as per list "D"	0.00
estimated to be reclaimable for .....	Estimated to produce .....
0.00	0.00
Total liabilities .....	4. Bills of exchange, promissory note, etc., as per list "F" ...
3,256,022.12	0.00
Surplus .....	5. Deposits in financial institutions .....
NIL	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 .....
	65,000.00
	Deficiency .....
	3,191,022.12

I, Sheryl Kotzer, of the city of Richmond Hill 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 21st day of March 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 Sheryl Kotzer stated as being located in the city of Toronto in the Province of Ontario before me at the city of Toronto in the Province of Ontario, on this 21st day of March 2024 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.

  
 Rahn Dodick (Mar 21, 2024 16:28 EDT)  
 Rahn Dodick, Commissioner of Oaths  
 For the Province of Ontario  
 Expires July 20, 2026

  
 Sheryl Kotzer (Mar 21, 2024 16:20 EDT)  
 Sheryl Kotzer

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


FORM 78 -- Continued

In the Matter of the Bankruptcy of  
 Sam Kotzer Limited  
 of the city of Richmond Hill, in the Province of Ontario  
 List "A"  
 Unsecured Creditors  
 Sam Kotzer Limited

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Alectra Utilities (formerly Enersource Hydro) Attn: Payments and Collections 8582610000/582610000/9134610000	55 John St N, 2nd Fl Hamilton ON L8R 3M8	3,983.42	0.00	3,983.42
2	Barcode Application Attn: Albert 0000703677	83 Don Valley Drive Toronto ON M4K 2J3	598.90	0.00	598.90
3	Bell Canada F-88 - Business Attn: Insolvency Department 52666251	1 Carrefour Alexandre-Graham-Bell, Aile E3 Verdun QC H3E 3B3	197.69	0.00	197.69
4	BMO Bank of Montreal (formerly MBank) c/o BankruptcyHighway.com	PO Box 57100 Etobicoke ON M8Y 3Y2	0.00	1.00	1.00
5	C.J. Marketing Ltd. - Head Office	50 East Wilmot St Richmond Hill ON L4B 3Z3	29,926.22	0.00	29,926.22
6	Canada Post Corporation Attn: Credit Management Group 4008319	Bldg B 80250 - 2701 Riverside Dr Ottawa ON K1A 0B1	10,568.25	0.00	10,568.25
7	Catherine (Welch) Gallant		8,000.00	0.00	8,000.00
8	Cheryl Mitchell		5,600.00	0.00	5,600.00
9	Claudio Saroli		14,307.68	0.00	14,307.68
10	CRA - Tax - Ontario 10470 4903 RT001	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	4,315.00	0.00	4,315.00
11	CRA - Tax - Ontario RC Account	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	1.00	0.00	1.00
12	CRA - Tax - Ontario RP Account	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	1.00	0.00	1.00
13	Daniel Matthews		11,538.48	0.00	11,538.48
14	Dream Industrial Management Attn: Rachel Rose	30 Adelaide St. E., Suite 301 Toronto ON M5C 3H1	80,983.34	0.00	80,983.34
15	Enbridge Gas Distribution - Ontario Attn: Back Office Collections Department 06 35 25 09063 1	PO Box 10 Brantford ON N3T 5M4	8,673.83	0.00	8,673.83
16	Enbridge Gas Distribution - Ontario Attn: Back Office Collections Department 06 35 25 09074 6	PO Box 10 Brantford ON N3T 5M4	1,542.06	0.00	1,542.06
17	Fiipp Operations Inc.	T57130C, PO Box 57130, Stn. A Toronto ON M5W 5M5	3,390.00	0.00	3,390.00

21-Mar-2024

Date

  
 Sheryl Kotzer (Mar 21, 2024 16:20 EDT)  
 Sheryl Kotzer

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

FORM 78 - Continued

In the Matter of the Bankruptcy of  
 Sam Kotzer Limited  
 of the city of Richmond Hill, in the Province of Ontario


List "A"  
 Unsecured Creditors

Sam Kotzer Limited

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
18	FreightCom	1 - 77 Pillsworth Road Bolton ON L7E 4G4	2,277.51	0.00	2,277.51
19	Kin Wai Li		7,152.00	0.00	7,152.00
20	Kroeger Inc. 671114	727 Tapscott Road Toronto ON M1X 1A2	32,007.42	0.00	32,007.42
21	Leonardo Montico		10,048.00	0.00	10,048.00
22	Little Guys Delivery Acct 221	620 Alden Road, Unit 105 Markham ON L3R 9R7	50.94	0.00	50.94
23	Malgorzata Rutkowska		6,080.00	0.00	6,080.00
24	Marcello Sardi		6,710.40	0.00	6,710.40
25	Marcia Robichaud-Harris		4,000.00	0.00	4,000.00
26	Mark Welch		14,615.36	0.00	14,615.36
27	MGA Logistics Attr: Brad or Greg	279 Norseman Street Etobicoke ON M8Z 2R5	7,599.90	0.00	7,599.90
28	MPS Canada Corporation	250 Vaughan Valley Blvd. Woodbridge ON L4H 3C3	10,222.83	0.00	10,222.83
29	Nizza Enterprises Limited	77 Fima Crescent Toronto ON M8W 3R1	0.00	2,853,482.00	2,853,482.00
30	Oscar Alvarado		7,040.00	0.00	7,040.00
31	Peter Almeida		6,880.00	0.00	6,880.00
32	Quadiant Canada Ltd. 120123	150 Steelcase Rd. W. Markham ON L3R 3J9	2,670.91	0.00	2,670.91
33	Regina Nascimento		8,636.00	0.00	8,636.00
34	RMI - Cookstown Outlet Mall Attr: Tamara Zawadi	3311 County Road 89, Unit A23 Cookstown ON L6L 1L0	4,520.00	0.00	4,520.00
35	Telus Mobility Services Attr: Rick Wan Accl. #37867697	4-4519 Canada Way Burnaby BC V5G 4S4	226.08	0.00	226.08
36	Tomasz Michalik		13,076.88	0.00	13,076.88
37	Town of Richmond Hill 357721 902191 6	P.O. Box 1998, Stn. B Toronto ON M5T 3G6	1,529.82	0.00	1,529.82
38	Walker Lupo-Flewelling		5,288.45	0.00	5,288.45

21-Mar-2024

Date

  
 Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer

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


FORM 78 - Continued

In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario  
List "A"  
Unsecured Creditors  
Sam Kotzer Limited

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
39	Workplace Safety and Insurance Board Attn: Eric Kupka 2351099	200 Front St W, 22nd Floor Toronto ON M5V 3J1	479.74	0.00	479.74
<b>Total:</b>			<b>334,739.11</b>	<b>2,853,483.00</b>	<b>3,188,222.11</b>

21-Mar-2024

Date

  
Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer

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

FORM 78 -- Continued


In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario  
List "B"  
Secured Creditors

Sam Kotzer Limited

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	BMO Bank of Montreal (formerly MBanx) c/o BankruptcyHighway.com	PO Box 57100 Etobicoke ON M8Y 3Y2	1.00	Business Assets - Stock In Trade - Inventory	02-Dec-2021	0.00		1.00
2	Nizza Enterprises Limited	77 Fima Crescent Toronto ON M8W 3R1	2,918,482.00	Business Assets - Stock In Trade - Inventory	08-Nov-2019	65,000.00		2,853,482.00
Total:			2,918,483.00			65,000.00	0.00	2,853,483.00

21-Mar-2024

Date

  
Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer

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

FORM 78 – Continued

In the Matter of the Bankruptcy of  
 Sam Kotzer Limited  
 of the city of Richmond Hill, in the Province of Ontario  
 List "C"  
 Preferred Creditors for Wages, Rent, etc.

Sam Kotzer Limited

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
1	Catherine (Welch) Gallant	ON M3K 2A7		-	39.00	0.00	39.00
2	Davika Doodnauth	ON M3K 2A7		-	100.01	0.00	100.01
3	Epher Melendres	ON M3K 2A7		-	446.32	0.00	446.32
4	Leonardo Montico	ON M3K 2A7		-	233.62	0.00	233.62
5	Malgorzata Rutkowska	ON M3K 2A7		-	627.30	0.00	627.30
6	Oscar Alvarado	ON M3K 2A7		-	251.46	0.00	251.46
7	Pavita Doodnauth	ON M3K 2A7		-	127.47	0.00	127.47
8	Peter Almeida	ON M3K 2A7		-	778.39	0.00	778.39
9	Regina Nascimento	ON M3K 2A7		-	58.30	0.00	58.30
10	Shing Chi Kwok	ON M3K 2A7		-	96.07	0.00	96.07
11	Xiao Hong Yep Liu	ON M3K 2A7		-	42.07	0.00	42.07
<b>Total:</b>					<b>2,800.01</b>	<b>0.00</b>	<b>2,800.01</b>

21-Mar-2024

Date

Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer

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

FORM 78 - Continued


In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario  
List "D"  
Contingent or Other Liabilities

Sam Kotzer Limited

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
			0.00	0.00		
Total:			0.00	0.00		

21-Mar-2024

Date

  
Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer



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


FORM 78 - Continued

In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario  
List "E"  
Debts Due to the Bankrupt  
Sam Kotzer Limited

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				

21-Mar-2024

Date

  
Sheryl Kotzer (Mar 21, 2024 16:29 EDT)

Sheryl Kotzer

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario  
List "F"

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

Sam Kotzer Limited

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	

21-Mar-2024

Date

Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer

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


FORM 78 -- Continued

In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario  
List "G"  
Real Property or Immovables Owned by Bankrupt  
Sam Kotzer Limited

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

21-Mar-2024

Date

  
Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer

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

FORM 78 - Concluded

In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario

List "H"  
Property

Sam Kotzer Limited  
FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade		Inventory	0.00	65,000.00
(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
			<b>Total:</b>	<b>65,000.00</b>

21-Mar-2024

Date

Sheryl Kotzer (Mar 21, 2024 16:20 EDT)

Sheryl Kotzer

Court No.

File No.

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In the Matter of the Bankruptcy of  
Sam Kotzer Limited  
of the city of Richmond Hill, in the Province of Ontario

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

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Dodick Landau Inc. - Licensed Insolvency Trustee

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951 Wilson Ave., Unit 15L  
Toronto ON M3K 2A7  
Phone: (416) 736-4357 Fax: (866) 874-1791

# DODICK LANDAU

## PROOF OF CLAIM FORM 31

IN THE MATTER OF THE BANKRUPTCY OF **Sam Kotzer Limited** 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 **22nd day of March, 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 (March 22, 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](mailto:brenda.mcknight@dodick.ca)



District of: Ontario  
Division No. 09 - Toronto  
Court No. 31-3058957  
Estate No. 31-3058957

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  
Sam Kotzer Limited  
of the city of Richmond Hill, 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: talya.psek@dodick.ca