

ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST  
*Ontario Business Corporations Act, R.S.O., Chapter B-16*

THE HONOURABLE )  
JUSTICE )  
*HAINES* )

MONDAY, THE 30<sup>TH</sup>  
DAY OF OCTOBER, 2017

**ABBAS MOHAMMAD**

Applicant

- and -

**STEPHEN CELESTIAL, MUSTAFA ISMAEL and  
2497486 ONTARIO LTD.**

Respondents

**ORDER  
(Claims Solicitation Procedure and Bar Order)**

THIS MOTION, made by Albert Gelman Inc. in its capacity as court-appointed liquidator (the "**Liquidator**") without security, of all of the assets, undertakings and properties of 2497486 Ontario Ltd.. (the "**Company**") for, among other things, an order approving and establishing a procedure for the identification, resolution and barring of certain claims against the Company was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion, the First Report of the Liquidator dated October 18, 2017, the Confidential First Report of the Liquidator dated October 18, 2017, and on hearing the submissions of the lawyers for the Liquidator, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Kelly Barrett sworn October 19, 2017, filed:

**DEFINITIONS**

1. THIS COURT ORDERS that the following terms in this Order shall have the following meanings ascribed to them:

- (a) **“Appointment Order”** means the Order of Madam Justice Conway dated June 20, 2017 in the OBCA Proceeding;
- (b) **“Business Day”** means a day which is not: (a) a Saturday or a Sunday; or (b) a day observed as a holiday under the laws of the Province of Ontario or the federal laws of Canada applicable in the Province of Ontario;
- (c) **“Claim”** means (i) any right or claim of any Person that may be asserted or made in whole or in part against the Company, whether or not asserted or made, in connection with any indebtedness, liability or obligation of any kind whatsoever, and any interest that may accrue thereon in which there is an obligation to pay, and costs which such Person would be entitled to receive pursuant to the terms of any contract with such Person at law or in equity, any right of ownership of or title to property or assets or to a trust or deemed trust (statutory or otherwise) against any property or assets, whether or not reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, unsecured, perfected, unperfected, present, future, known, or unknown, by guarantee, surety or otherwise, and whether or not such right is executory or anticipatory in nature, or any right or ability of any Person to advance a claim for contribution or indemnity or otherwise with respect to any matter, action, cause or chose in action, whether existing at present or commenced in the future, based in whole or in part on facts which exist prior to the Completion Date, together with any other rights or claims, whether or not asserted, made after the Completion Date, in any way, directly or indirectly related to any action taken or power exercised prior to the Completion Date; and (ii) any Tax Claim, and does not include an Excluded Claim;

- (d) **“Claims Bar Date”** means 5:00 p.m. (Eastern Standard Time) on January 19, 2018, or such later date as may be ordered by this Court;
- (e) **“Claims Procedure”** means the claims solicitation procedure and schedules set out herein, as may be amended from time to time;
- (f) **“Completion Date”** means the date on which the Liquidator delivers the Liquidator’s Certificate to the Purchaser, as those terms are defined in the Approval and Vesting Order dated October 30, 2017 and issued in the OBCA Proceeding;
- (g) **“Court”** means the Ontario Superior Court of Justice (Commercial List);
- (h) **“Creditor”** means any Person having a Claim and, if the context requires, an assignee or transferee of a Claim or a trustee, receiver, receiver-manager or other Person acting on behalf of such Person;
- (i) **“Designated Newspapers”** means the National Post (National Edition) and the Toronto Star;
- (j) **“Dollars”** or **“\$”** means lawful money of Canada unless otherwise indicated;
- (k) **“Excluded Claim”** means, subject to further order of this Court, (a) any claims of the Liquidator and its counsel; (b) any claims of the applicant, Abbas Mohammad and the respondents, Stephen Celestial and Mustafa Ismael, or claims of any corporation controlled by any one of them, against the Company; and (c) any claims for amounts due for goods or services actually supplied to the Company on or after the Completion Date; and,
- (l) **“Instruction Letter”** means the instruction letter to Creditors, in substantially the form attached hereto as **Schedule “A”**, regarding completion of a Proof of Claim;

- (m) **“Newspaper Notice”** means the notice of this Order to be published in the Designated Newspapers in accordance with paragraph 5 of this Order in substantially the form attached hereto as **Schedule “D”**;
- (n) **“Notice of Revision or Disallowance”** means the notice substantially in the form attached hereto as **Schedule “C”**;
- (o) **“Notice of Dispute”** means a notice given by a Creditor to the Liquidator advising the Liquidator of the Creditor’s objection to the Liquidator’s Notice of Revision or Disallowance;
- (p) **“OBCA”** means the *Business Corporations Act*, R.S.O. 1990, c. B.16, as amended;
- (q) **“OBCA Proceeding”** means the proceedings before the Court in respect of the application by the applicant commenced pursuant to the OBCA;
- (r) **“Order”** means any order of the Court in connection with the OBCA Proceeding;
- (s) **“Person”** means any individual, partnership, joint venture, trust, corporation, unincorporated organization, government or any agency or instrumentality thereof, or any other juridical entity howsoever designated or constituted;
- (t) **“Proof of Claim”** means the form to be completed and filed by a Creditor setting forth its proposed Claim, substantially in the form attached hereto as **Schedule “B”**;
- (u) **“Proof of Claim Document Package”** means a document package which shall include a copy of the Instruction Letter, a Proof of Claim, and such other materials as the Liquidator may consider appropriate or desirable;
- (v) **“Tax”** or **“Taxes”** means any and all amounts subject to a withholding or remitting obligation and any and all taxes, duties, fees and other governmental charges, duties, impositions and liabilities of any kind whatsoever whether or not assessed by the Taxing Authorities (including any Claims by any of the Taxing Authorities),

including all interest, penalties, fines, fees, other charges and additions with respect to such amount;

- (w) **“Taxing Authorities”** means Her Majesty the Queen, Her Majesty the Queen in right of Canada, Her Majesty the Queen in right of any province or territory of Canada, the Canada Revenue Agency, any similar revenue or taxing authority of each and every province or territory of Canada and any political subdivision thereof, and any Canadian or foreign governmental authority, and **“Taxing Authority”** means any one of the Taxing Authorities; and,
- (x) **“Tax Claim”** means any Claim against the Company for any Taxes in respect of any taxation year or period ending on or prior to the date of the Completion Date, for any Taxes in respect of or attributable to the portion of the taxation period commencing prior to the Completion Date, and up to and including the Completion Date.

#### **NOTICE OF CLAIMS**

2. THIS COURT ORDERS that the Liquidator is authorized and directed to send a copy of the Proof of Claim Document Package to each Creditor that it is aware of and the Canada Revenue Agency and any similar revenue or Taxing Authority in Ontario, by ordinary mail, e-mail or facsimile transmission, which method shall be at the sole and unfettered discretion of the Liquidator, as soon as is practicable after the Completion Date.

3. THIS COURT ORDERS that the Liquidator shall cause the Proof of Claim Document Package to be posted on the Liquidator’s website, as soon as is practicable after the Completion Date, until the expiry of the Claims Procedure.

4. THIS COURT ORDERS that the Liquidator shall dispatch by ordinary mail, courier or e-mail, as soon as practicable, following receipt of a request therefore, a copy of the Proof of Claim Document Package to any Person claiming to be a Creditor and requesting such material.

**PUBLICATION OF NEWSPAPER NOTICE**

5. THIS COURT ORDERS that as soon as practicable after the Completion Date, the Newspaper Notice shall be published by the Liquidator in the Designated Newspapers.

6. THIS COURT ORDER that the Newspaper Notice be and is hereby approved.

**NOTICE SUFFICIENT**

7. THIS COURT ORDERS that the publication of the Newspaper Notice and the mailing to the Creditors of the Proof of Claim Document Package in accordance with the requirements of this Order shall constitute good and sufficient service and delivery of notice of this Order and the Claims Bar Date on all Persons who may be entitled to receive notice and who may wish to assert Claims and that no other notice or service need be given or made and no other document or material need be sent to or served upon any Person in respect of this Order.

**FILING OF PROOFS OF CLAIM**

8. THIS COURT ORDERS that, except as otherwise provided herein, each Creditor that asserts a Claim against the Company shall file a written Proof of Claim so as to be received by the Liquidator on or before the Claims Bar Date, by registered mail, personal delivery, courier, facsimile transmission or e-mail.

9. THIS COURT ORDERS that a Proof of Claim shall be deemed timely filed only if mailed or delivered by registered mail, personal delivery, courier, facsimile transmission or e-mail so as to be actually received by the Liquidator on or before the Claims Bar Date.

**CLAIMS BAR**

10. THIS COURT ORDERS that any Creditor that does not file a Proof of Claim in respect of a Claim in accordance with this Order on or before the Claims Bar Date, shall: (a) be forever barred, estopped and enjoined from asserting or enforcing any Claim (or filing a Proof of Claim with respect to such Claim) against the Company and such Claim shall be forever extinguished;

(b) not be entitled to participate in or receive any distribution in the OBCA Proceeding on account of any such Claim; and (c) shall not be entitled to notice of any further matters in the OBCA Proceeding.

#### **DETERMINATION OF CLAIMS**

11. THIS COURT ORDERS that the Liquidator shall review each Proof of Claim received by the Claims Bar Date, and shall either accept, revise or reject the amount claimed for purposes of distribution.

12. THIS COURT ORDERS that if the Liquidator disputes the amount of a Claim set forth in a Proof of Claim, the Liquidator may attempt to consensually resolve the amount of the Claim with the Creditor, and/or send a Notice of Revision or Disallowance to the Creditor by no later than 21 days after the Claims Bar Date.

13. THIS COURT ORDERS that if the Liquidator does not deliver a Notice of Revision or Disallowance in accordance with this Order, with respect to the value of a Claim, then, subject to further order of this Court, such a Proof of Claim shall be deemed to be accepted as final and binding.

14. THIS COURT ORDERS that any Creditor who receives a Notice of Revision or Disallowance and who objects to same, shall deliver to the Liquidator a Notice of Dispute within 15 days of the issuance of the Notice of Revision or Disallowance, or, if the Creditor does not deliver the Notice of Dispute within such time, the value of such Creditor's Claim shall be deemed to be as set out in the Notice of Revision or Disallowance.

15. THIS COURT ORDERS that any Creditor who delivers a Notice of Dispute to the Liquidator in accordance with this Order, shall, unless otherwise agreed by the Liquidator in writing, by no later than 5:00 p.m. on the day that is 15 days after the service of the Notice of Dispute, serve, and file with this Court, a Notice of Motion seeking to appeal the Liquidator's determination, returnable on a date to be fixed by this Court, and in any event, no later than 30 days from the date of the service of the Notice of Dispute. If an appeal is not filed within such

period, then the Notice of Revision and Disallowance shall, subject to further order of this Court, be deemed to be final and binding.

16. THIS COURT ORDERS that Excluded Creditors shall not be required to participate in the Claims Procedure in respect of their Excluded Claims. The Monitor will not review or consider any Proof of Claim filed in respect of an Excluded Claim.

### **GENERAL PROVISIONS**

17. THIS COURT ORDERS that the Liquidator is authorized to use reasonable discretion as to adequacy of compliance with respect to the manner in which Proofs of Claim and Notices of Revision or Disallowance are completed and executed, and may, where the Liquidator is satisfied that a Claim has been adequately proven, waive strict compliance with the requirements of this Claims Procedure as to completion and execution of Proofs of Claim or Notices of Revision or Disallowance.

18. THIS COURT ORDERS that any document to be sent to any Creditor or Person pursuant to this Claims Procedure may be sent by e-mail, ordinary mail, registered mail, courier or facsimile transmission to the address last shown on the books and records of the Company or whatever specific formal address has been provided to the Liquidator either through counsel or directly. A Creditor or Person shall be deemed to have received any document sent pursuant to this Claims Procedure five (5) business days after such document is sent by ordinary mail or registered mail and one business day after such document is sent by e-mail, courier or facsimile transmission.

19. THIS COURT ORDERS that any notice or other communication to be given under this Order by a Creditor to the Liquidator shall be in writing in substantially the form, if any, provided for in this Order, and will be sufficiently given only if delivered by registered mail, courier, personal delivery, facsimile transmission, or e-mail addressed to:

**Albert Gelman Inc. in its capacity as court-appointed liquidator  
of 2497486 Ontario Ltd.**

100 Simcoe Street

Suite 125

Toronto, ON M5H 3G2

**Attention: Tom McElroy**

Phone: 416.504-1650 ext. 117

Fax: 416.504.1655

Email: [tmcelroy@albertgelman.com](mailto:tmcelroy@albertgelman.com).

20. THIS COURT ORDERS that the following Schedules form part of this Order:

- (a) **Schedule "A"** - Instruction Letter
- (b) **Schedule "B"** - Proof of Claim
- (c) **Schedule "C"** - Notice of Revision or Disallowance
- (d) **Schedule "D"** - Newspaper Notice

21. THIS COURT ORDERS that, notwithstanding the terms of this Order, the Liquidator may apply to this Court from time to time for such further order or orders as it considers necessary or desirable to amend, supplement or replace this Order.

**AID AND ASSISTANCE OF OTHER COURTS**

22. THIS COURT HEREBY REQUESTS the aid and recognition of any court or any judicial, regulatory or administrative body in any province or territory of Canada and any judicial, regulatory or administrative tribunal or other court constituted pursuant to the Parliament of Canada or the legislature of any province or any court or any judicial, regulatory or administrative body of the United States and of any other nation or state to act in aid of and to be complementary to this Court in carrying out the terms of this Order.

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## Schedule “A” – INSTRUCTION LETTER

### A. Claims Procedure

By Order of the Honourable Justice \_\_\_\_\_ dated October 30, 2017, (the “**Claims Solicitation Procedure and Bar Order**”), which is attached hereto, under the *Ontario Business Corporations Act* (the “*OBCA*”) the Liquidator has been authorized to conduct a claims solicitation procedure (“**Claims Procedure**”) in respect of all claims against 2497486 Ontario Ltd. (the “**Company**”).

The letter provides instructions for responding to or completing the Proof of Claim. Defined terms, which are not defined herein, shall have the meaning ascribed thereto in the Claims Solicitation Procedure and Bar Order.

The Claims Procedure is intended for any Person with any Claims of any kind or nature whatsoever, against the Company on or prior to [*date of completion of sale transaction*], unliquidated, contingent or otherwise.

If you have any questions regarding the Claims Procedure, please contact the Liquidator at the address provided below.

All notices and enquiries with respect to the Claims Procedure should be addressed to:

Albert Gelman Inc., Court Appointed Liquidator of 2497486 Ontario Ltd.  
100 Simcoe Street, Suite 125  
Toronto, ON M5H 3G2  
Attention: Tom McElroy  
Phone: (416) 504-1650 Ext. 117  
Fax: (416) 504-1655  
Email: [tmcelroy@albertgelman.com](mailto:tmcelroy@albertgelman.com)

### B. General Instructions for Completing the Proof of Claim

The Proof of Claim must be completed by an individual, or an individual acting on behalf of a corporation. The individual acting for a corporation or other person must state the capacity in which he/she is acting, such as “Credit Manager”, “Treasurer”, “Authorized Agent”, etc. The individual completing the Proof of Claim must have knowledge of the circumstances connected with the Claim. All Proofs of Claim must be sworn and dated before a duly appointed Commissioner of Oaths or Notary public. The full legal name of the Creditor must be filled out in its entirety. Creditors who file a Proof of Claim by a division, or who file several Proofs of Claim by divisions, may have their Proof of Claim disallowed. Only one Proof of Claim may be

filed per legal entity notwithstanding that separate divisions or operating units of a Creditor may have separate Claims against the Company.

A Statement of Account containing full details of the Claim must be attached to the Proof of Claim. The Proof of Claim should include all amounts owing by the Company before [*date of completion of sale transaction*]. These Claims shall be reduced by the amount of any subsequent payment thereon, the application of any volume or other discounts in respect thereof and any other subsequent credits that are properly applicable against such Claims.

For Claims made in respect of debts owing as a result of advances or loans to, or investments made in the Company, submitted with the Proof of Claim must be proof of all advances made to, and all payments received from or on account of any of the Company. Including copies of all cheques, money orders, drafts, wire transfers, etc. advances and received, as well as copies of any promissory notes or other loan or investment documentation evidencing the debt owing.

If the Creditor holds security for the indebtedness, a statement of the value and nature of the security must accompany the Proof of Claim, as must a copy of the agreement granting security.

If the Creditor holds a contingent or unliquidated Claim, the details of any guarantee giving rise to such contingent or unliquidated Claim, or reasons for the Claim must be provided in addition to the basis upon which the Claim has been valued.

If the Claim or a portion thereof has been sold or assigned, the name of the party purchasing the Claim, the amount of the Claim sold or assigned, as well as supporting documentation, must be attached to the Proof of Claim submitted. The Proof of Claim can be completed by either the original Creditor or by the assignee, but not both. Creditors and assignee(s) must determine amongst themselves who will file the Proof of Claim.

### **C. For Creditors Submitting a Proof of Claim**

If you believe that you have a Claim against the Company you will have to file a Proof of Claim with the Liquidator. ***THE PROOF OF CLAIM MUST BE RECEIVED BY 5:00 P.M. (EASTERN STANDARD TIME) ON OR BEFORE JANUARY 19, 2018,*** unless the Court orders otherwise (the “**Claims Bar Date**”).

Additional Proof of Claim forms can be obtained by contacting the Liquidator at the telephone and fax numbers indicated above and providing particulars as to your name, address and facsimile number. Once the Liquidator has this information, you will receive, as soon as practicable, additional Proof of Claim Forms.

**SCHEDULE "B" - PROOF OF CLAIM**

**Proof of Claim**

Please read carefully the enclosed Instruction Letter for completing this Proof of Claim form. Defined terms not defined within this Proof of Claim form shall have the meaning ascribed therein.

**A. PARTICULARS OF THE CREDITOR:**

(1) Full Legal Name of Creditor (include trade name, if different):

.....  
.....

(the "**Creditor**"). The full legal name should be the name of the Creditor of 2497486 Ontario Ltd. (the "**Company**"), notwithstanding whether an assignment of a Claim, or a portion thereof, has occurred prior to or following *[date of completion of sale transaction]*.

(2) Full Mailing Address of Creditor: (The mailing address should be the mailing address of the Creditor and not any assignee)

.....  
.....

(3) Telephone Number of Creditor: .....

(4) Facsimile Number of Creditor: .....

(5) E-mail Address of Creditor: .....

(6) Attention (Contact Person): .....

Has the claim set out herein been sold, transferred or assigned by the Creditor to another party?

Yes: [ ]      No: [ ]

**B. PARTICULARS OF THE ASSIGNEE(S) (IF APPLICABLE)**

*If the Claim set out herein has been sold, transferred or assigned, complete the required information set out below. If there is more than one assignee, please attach a separate sheet which contains all of the required information set out below for each assignee.*

(1) Full Legal Name of the Assignee:

.....  
.....

(2) Full Mailing Address of the Assignee:

.....  
.....

(3) Telephone Number of Creditor: .....

(4) Facsimile Number of Creditor: .....

(5) E-mail Address of Creditor: .....

(6) Attention (Contact Person): .....

**C. PROOF OF CLAIM**

**THE UNDERSIGNED HEREBY MAKES OATH AND SAYS AS FOLLOWS:**

(1) That I:

am a Creditor of the Company; or *(if applicable)*

am

.....

(state position or title)

of

.....

(Name of Creditor)

- (2) That I have knowledge of all of the circumstances connected with the Claim described and set out below:
- (3) The Claim seeks payment of \$..... [Insert \$ value of claim] CAD in the Company on account of principal ..... and ..... on account of interest [Provide particulars of interest claim and calculation of same]
- (4) The Creditor has received ..... [Insert \$ in Canadian Dollars regardless of whether amount received was from repayment of principal owing pursuant to the Claim or return on principal or interest from, or on an account of the Company in conjunction with the Claim]

*NOTE: Claims in a foreign currency are to be converted to Canadian Dollars at the Bank of Canada noon spot rate as of [date of completion of sale transaction].*

**D. PARTICULARS OF CLAIM**

Other than as already set out herein, the particulars of the undersigned's total Claim against the Company are attached on a separate sheet.

*Provide all particulars of the Claim and supporting documentation, including amount, description of transaction(s), copies of cheques, bank draft, money orders, wire transfers, etc., loan documents, promissory notes or other agreement(s) giving rise to the Claim and particulars of any Claim.*

**SWORN BEFORE ME** at the \_\_\_\_\_ )  
 \_\_\_\_\_, in the \_\_\_\_\_ )  
 Province of \_\_\_\_\_ )  
 this \_\_\_\_ day of \_\_\_\_\_, 2017 )

\_\_\_\_\_  
 A Commissioner , or Notary Public, etc.

\_\_\_\_\_  
*Name of Deponent:*

**D. FILING OF CLAIM**

This Proof of Claim form must be received by the Liquidator by no later than 5:00 p.m. (Eastern Standard time) on **January 19, 2018**, by either registered mail, personal delivery courier, facsimile transmission or email at the following address:

Albert Gelman Inc., Court Appointed Liquidator of 2497486 Ontario Ltd.  
100 Simcoe Street, Suite 125  
Toronto, ON M5H 3G2  
Attention: Tom McElroy  
Phone: (416) 504-1650 Ext. 117  
Fax: (416) 504-16555  
Email: [tmcelroy@albertgelman.com](mailto:tmcelroy@albertgelman.com)

**Failure to file your Proof of Claim and any required documentation as directed in relation to any Claim by 5:00 p.m. (Eastern Standard Time) on January 19, 2018 will result in your Claim being forever barred and extinguished and you will be prohibited from making or enforcing a Claim against the Company and shall not be entitled to further notice or distribution, if any, and shall not be entitled to participate as a Creditor in these proceedings.**

**SCHEDULE "C" - NOTICE OF REVISION OR DISALLOWANCE**

**Notice of Revision or Disallowance**

Name of Creditor: \_\_\_\_\_

Reference #: \_\_\_\_\_

Defined terms not defined within this Notice of Revision or Disallowance form have the meaning ascribed thereto in the Order of Justice \_\_\_\_\_ dated October 30, 2017 (the "**Claims Solicitation Procedure and Bar Order**"). Pursuant to paragraphs 11 through 15 of the Claims Solicitation Procedure and Bar Order, Albert Gelman Inc., in its capacity as Liquidator of 2497486 Ontario Ltd., hereby gives you notice that it has reviewed your Proof of Claim and has revised or rejected your Claim as follows:

A) Revision or Disallowance:

	<b>Proof of Claim as Submitted</b>	<b>The Revised Claim as Accepted</b>
<b>Claim arising prior to</b> <i>[date of completion of sale transaction]</i>		

B) Reason for Revision or Disallowance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IF YOU DO NOT AGREE WITH THIS NOTICE OF REVISION OR DISALLOWANCE, PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. You must deliver to the Liquidator a notice of your objection to the Notice of Revision or Disallowance ("Notice of Dispute") within 15 days of the issuance of the Notice of Revision or Disallowance;
2. If you do not serve the Notice of Dispute within such time, the value of your Claim shall be deemed to be as set out in the Notice of Revision or Disallowance.
3. Following the service of the Notice of Dispute, you must, unless otherwise agreed by the Liquidator in writing, by no later than 5:00 p.m. on the day that is 15 days after the service of the Notice of Dispute, serve, and file with the Court, a Notice of Motion seeking to appeal the Liquidator's determination, returnable on a date to be fixed by the

Court, and in any event, no later than 30 days from the date of the service of the Notice of Dispute.

4. If an appeal is not filed within such period, then the Notice of Revision and Disallowance shall, subject to further order of this Court, be deemed to be final and binding.

***IF YOU FAIL TO TAKE ACTION WITHIN THE PRESCRIBED TIME PERIODS, THIS NOTICE OF REVISION OR DISALLOWANCE WILL BE BINDING UPON YOU FOR DISTRIBUTION PURPOSES.***

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**ALBERT GELMAN INC.,**

in its capacity as Court Appointed Liquidator of  
2497486 Ontario Ltd. and not in its personal  
capacity

Per:

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TOM MCELROY

100 Simcoe Street, Suite 125

Toronto, ON M5H 3G2

Phone: (416) 504-1650 Ext. 117

Fax: (416) 504-16555

Email: [tmcelory@albertgelman.com](mailto:tmcelory@albertgelman.com)

**SCHEDULE “D” – NEWSPAPER NOTICE****2497486 ONTARIO LTD.**

On June 20, 2017, Albert Gelman Inc. (“AGI”) was appointed, pursuant to an order made by the Ontario Superior Court of Justice (the “Court”), as Liquidator of 2497486 Ontario Ltd. (the “Company”).

By Order of the Court dated October 30, 2017 (the “Claims Solicitation Procedure and Bar Order”), a process was established in order for creditors to prove claims against the Company in existence as at *[date of completion of sale transaction]*. In accordance with the Claims Solicitation Procedure, the Liquidator is authorized and directed to send a copy of the Proof of Claim Document Package to each Creditor. Any Creditor who does not receive a Proof of Claim form may obtain this form on the Liquidator’s website, <insert link> or by contacting the Liquidator using the contact information set out below.

Creditors must complete and deliver the Proof of Claim form to the Liquidator by **no later than 5:00 p.m. (Eastern Standard Time) on January 19, 2018** or such later date as ordered by the Court (the “Claims Bar Date”).

**IF YOUR PROOF OF CLAIM IS NOT RECEIVED BY THE LIQUIDATOR BY THE CLAIMS BAR DATE, YOUR CLAIM AGAINST THE COMPANY WILL BE FOREVER BARRED AND EXTINGUISHED.**

Contact information of the Liquidator

Albert Gelman Inc., Court Appointed Liquidator of 2497486 Ontario Ltd.  
100 Simcoe Street, Suite 125  
Toronto, ON M5H 3G2  
Attention: Tom McElroy  
Phone: (416) 504-1650 Ext. 117  
Fax: (416) 504-16555  
Email: [tmcelroy@albertgelman.com](mailto:tmcelroy@albertgelman.com)

Dated at Toronto, this \_\_\_\_\_ day of \_\_\_\_\_, 2017

**ABBAS MOHAMMAD**

Applicant

-and-

**STEPHEN CELESTIAL, MUSTAFA ISMAEL AND 2497486  
ONTARIO LTD.**

Respondents

Court File No. CV-17-11740-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**PROCEEDING COMMENCED AT  
TORONTO**

**CLAIMS SOLICITATION PROCEDURE  
AND BAR ORDER**

**KRONIS, ROTSZTAIN,  
MARGLES, CAPPEL LLP**  
Barristers and Solicitors  
25 Sheppard Avenue West, Suite 1100  
Toronto, Ontario M2N 6S6

Philip Cho LSUC #45615U  
Tel: (416) 225-8750  
Fax: (416) 225-6751

Lawyers for Albert Gelman Inc., in its  
capacity as Court-appointed Liquidator of  
2497486 Ontario Ltd.