

March 23, 2021

To: Creditors of Down Under Pipe and Cable Locating Ltd.

**Re: In the Matter of the Notice of Intention to Make a Proposal of Down Under Pipe and Cable Locating Ltd. ( the “Debtor”) - Estate No.: 35-2721896.**

Please be advised that Down Under Pipe and Cable Locating Ltd. (the “Debtor”) filed a Notice of Intention to Make a Proposal (“NOI”) on March 18, 2021, pursuant to Section 50 of the *Bankruptcy and Insolvency Act* (the “BIA”) and that Albert Gelman Inc. has consent to act as Trustee under the NOI (“Trustee”). A copy of the NOI and a preliminary listing of the Debtor’s creditors is attached hereto.

Please be further advised that the Debtor is not bankrupt, but has availed itself of a process whereby an insolvent person restructures its financial affairs with creditor and Court approval. Our role as Trustee in this matter is to assist with the development of the Proposal and to communicate with creditors to explain same to them.

All liabilities of the Debtor as at March 18, 2021 are frozen by virtue of the BIA and will be subject to the Proposal mentioned above. We wish to reiterate that during this process the Debtor is not bankrupt and is continuing to proceed under protection from BIA.

The Debtor has thirty (30) days from the date of filing the NOI to lodge a Proposal with the Trustee subject to approval of an extension(s) of time by the Court. Once this Proposal is filed with the Official Receiver, the Trustee is required to call a meeting of creditors within twenty-one (21) days thereafter.

At the present time the Debtor’s creditors are not required to file a proof of claim. The Trustee will provide creditors with additional information as well as a proof of claim form in due course.

During these restructuring proceedings:

- no person may terminate or amend any agreement with the Debtor, or claim an accelerated payment, or a forfeiture of the term, under any agreement with the Debtor, by reason only that the Debtor is insolvent or by reason of the filing of the NOI, pursuant to Section 65.1(1) of the BIA; and,
- no creditor has any remedy against the Debtor or its property or shall commence or continue any action, execution, or other proceedings against the Debtor, pursuant to Section 69.1(1) of the BIA.

Please contact Sudhanshu Marwaha at 416-504-1650 ext. 124 or by email at smarwaha@albertgelman.com if you would like any additional information concerning this matter.

Yours very truly,

**ALBERT GELMAN INC., solely in its capacity as Trustee in the  
Notice of Intention to make a Proposal filed by Down Under Pipe and Cable Locating Ltd.**

Per:



Bryan Gelman, *CIRP, LIT*

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


- FORM 33 -  
Notice of Intention To Make a Proposal  
(Subsection 50.4(1) of the Act)

In the matter of the proposal of  
Down Under Pipe and Cable Locating Ltd.  
of the City of Rockwood, in the Province of Ontario

Take notice that:

1. I, Down Under Pipe and Cable Locating Ltd., an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. Albert Gelman Inc. of 100 Simcoe Street, Suite 125, Toronto, ON, M5H 3G2, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the Town of Rockwood in the Province of Ontario, this 18th day of March 2021.

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Down Under Pipe and Cable Locating Ltd.  
Insolvent Person

To be completed by Official Receiver:

\_\_\_\_\_  
Filing Date

\_\_\_\_\_  
Official Receiver


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

- FORM 33 -  
Notice of Intention To Make a Proposal  
(Subsection 50.4(1) of the Act)

In the matter of the proposal of  
Down Under Pipe and Cable Locating Ltd.  
of the City of Rockwood, in the Province of Ontario

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
2602763 Ontario Limited	.		47,058.40
	...		
Royal Bank of Canada Ian Aversa	Brookfield Place, 181 Bay Street, Suite 1800 Toronto ON M5J 2T9		2,046,082.76
<b>Total</b>			2,093,141.16

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Down Under Pipe and Cable Locating Ltd.  
Insolvent Person

- Proposal Consent -


In the matter of the proposal of  
Down Under Pipe and Cable Locating Ltd.  
of the Town of Rockwood, in the Province of Ontario

To whom it may concern,

This is to advise that we hereby consent to act as trustee under the Bankruptcy and Insolvency Act for the proposal of  
Down Under Pipe and Cable Locating Ltd.

Dated at the City of Toronto in the Province of Ontario, this 18th day of March 2021.

Albert Gelman Inc. - Licensed Insolvency Trustee

 Digitally  
signed by  
Bryan Gelman

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100 Simcoe Street, Suite 125  
Toronto ON M5H 3G2

Phone: (416) 504-1650 Fax: (416) 504-1655



Industry Canada  
Office of the Superintendent  
of Bankruptcy Canada

Industrie Canada  
Bureau du surintendant  
des faillites Canada

District of Ontario  
Division No. 08 - Waterloo  
Court No. 35-2721896  
Estate No. 35-2721896

In the Matter of the Notice of Intention to make a proposal of:

**Down Under Pipe and Cable Locating Ltd.**

Insolvent Person

**ALBERT GELMAN INC.**

Licensed Insolvency Trustee

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Date of the Notice of Intention:

March 18, 2021

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CERTIFICATE OF FILING OF A NOTICE OF INTENTION TO MAKE A PROPOSAL  
Subsection 50.4 (1)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that the aforementioned insolvent person filed a Notice of Intention to Make a Proposal under subsection 50.4 (1) of the Bankruptcy and Insolvency Act;

Pursuant to subsection 69. (1) of the Act, all proceedings against the aforementioned insolvent person are stayed as of the date of filing of the Notice of Intention.

Date: March 19, 2021, 11:49

E-File/Dépôt Electronique

Official Receiver

Federal Building - London, 451 Talbot Street, Suite 303, London, Ontario, Canada, N6A5C9, (877)376-9902

**Canada**