

CANADA
PROVINCE OF QUEBEC
DISTRICT OF QUEBEC
Division N°: 01-Montréal
Court N°: 500-11-
Estate N°: 41-3180691

SUPERIOR COURT
(Commercial Division)

IN THE MATTER OF THE BANKRUPTCY OF:

6317138 Canada Inc., body politic and corporate, duly incorporated according to Law, and having its head office and principal place of business at 1400 rue Antoine-Barbeau, Suite 102, in the city of Montreal, province of Quebec, H4N 1H5.

Debtor

- AND -

C.S. ADJAMI INC., 3333 Graham Blvd., Suite 400, Montreal, Quebec, H3R 3L5.

Licensed Insolvency Trustee

NOTICE OF BANKRUPTCY AND FIRST MEETING OF CREDITORS
(Subsection 102(1) of the Act)

Take notice that:

1. **6317138 Canada Inc.** filed an assignment in bankruptcy on the 30th day of January 2025, and the undersigned, C.S. Adjami Inc., was appointed as trustee of the estate of the bankrupt by the official receiver, 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 18th day of February 2025, at 10:00 am, by Microsoft Teams videoconference at:

Microsoft Teams ID: 211 857 817 623

Microsoft Teams password: WZ66rj2M

Phone Conference ID: 1 437-703-4265, 539 010 10#

If you would like to attend the meeting, please notify the Trustee by email at notifications@csadjami.ca and an invitation will be sent to you.

3. To be entitled to vote at the meeting, a creditor must lodge with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice is 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 in order to share in any distribution of the proceeds realized from the estate.

Dated at Montreal, this 3rd day of February 2025.

C.S. ADJAMI INC.
Licensed Insolvency Trustee
Carl Adjami, CPA, CIRP, LIT
Designated administrator
3333 Graham Blvd., Suite 400
Montreal, QC H3G 0B8
Phone: 514-341-5511
Fax : 514-342-0589

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-- FORM 21 --
Assignment for the General Benefit of Creditors
(Section 49 of the Act)

This indenture made this 28th day of January 2025
between
6317138 Canada Inc
102-1400 rue Antoine-Barbeau
Montreal QC H4N 1H5
hereinafter called "the debtor"
and
C.S.Adjani Inc.
hereinafter called "the trustee."

☐ Natural person

☒ Corporate or other legal entity

Whereas the debtor is insolvent and desires to assign and to abandon all his/her property for distribution among his/her creditors, in pursuance of the Act,

This indenture witnesses that the debtor does hereby assign to the trustee all the debtor's property for the uses, intents and purposes provided by the Act.

Signed at the city of Montréal in the Province of Quebec, in the presence of Carl Adjani.

Carl Adjani

28-Jan-2025

M. Zarbatany

Carl Adjani
Witness

Date

6317138 Canada Inc
Debtor

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☒ Original

☐ Amended

-- Form 78 --

Statement of Affairs (Corporate Bankruptcy)
(Subsection 49(2) and Paragraph 158(d) of the Act / subsections 50(2) and 62(1) of the Act)

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 28th day of January 2025. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration by a duly authorized director, if the bankrupt is a corporation, or by yourself, in other cases.

Give reasons for the bankrupt's/debtor's financial difficulty (Select all that apply and provide details):

- | | | | | |
|---|---|---|---|--|
| <input type="checkbox"/> Negative market conditions; | <input type="checkbox"/> Foreign Exchange Fluctuations; | <input type="checkbox"/> Economic Downturn; | <input type="checkbox"/> Poor Financial Performance; | <input type="checkbox"/> Legal Matters (Provide details); |
| <input type="checkbox"/> Lack of Working Capital/Funding; | <input type="checkbox"/> Competition; | <input type="checkbox"/> Legislated or Regulatory Restrictions; | <input type="checkbox"/> Natural Disaster; | <input type="checkbox"/> Increased Cost of Doing Business; |
| <input type="checkbox"/> Overhead Increasing; | <input type="checkbox"/> Faulty Infrastructure or Business Model; | <input type="checkbox"/> Unsuccessful Marketing Initiatives; | <input type="checkbox"/> Personal Issues; | <input type="checkbox"/> Poor Management; |
| <input type="checkbox"/> Faulty Accounting; | <input type="checkbox"/> Tax Liabilities; | <input type="checkbox"/> Labour; | <input checked="" type="checkbox"/> Other (Please specify). | |

Provide relevant details:

[Other] Operating company is going bankrupt

ASSETS

(totals from the list of assets as stated and estimated by bankrupt/debtor)

1. Cash on hand		0.00
2. Deposits in financial institutions		0.00
3. Accounts receivable and other receivables		
Total amount	0.00	
Estimated realizable value	0.00	0.00
4. Inventory		0.00
5. Trade fixtures, etc.		0.00
6. Livestock		0.00
7. Machinery and equipment		0.00
8. Real property or immovables		0.00
9. Furniture		0.00
10. Intangible assets (intellectual properties, licences, cryptocurrencies, digital tokens, etc.)		1.00
11. Vehicles		0.00
12. Securities (shares, bonds, debentures, etc.)		0.00
13. Other property		0.00
Total of lines 1 to 13		1.00

If bankrupt is a corporation, add:

Amount of subscribed capital	1,050.00	
Amount paid on capital	1,050.00	
Balance subscribed and unpaid	0.00	
Estimated to produce	0.00	0.00
Total assets		1.00
Deficiency		-59,224.00
Total value of assets located outside Canada included in lines 1 to 13		0.00

LIABILITIES

(totals from the list of liabilities as stated and estimated by bankrupt/debtor)

1. Secured creditors	0.00
2. Preferred creditors, securities, and priorities	0.00
3. Unsecured creditors	59,225.00
4. Contingent, trust claims or other liabilities estimated to be provable for	0.00
Total liabilities	59,225.00
Surplus	59,224.00

M. Zarbatany

List of Assets

Arrange by Nature of asset and number consecutively

No.	Nature of asset ¹	Address/Location	Asset located outside Canada	Details	Percentage of bankrupt's/debtor's interest	Total value of the bankrupt's/debtor's interest	Estimated realizable value	Equity or Surplus	Placeholder (values on this line are for notification)
501	Intangible assets	n/a	<input type="checkbox"/>	Other - Investment in sub	100.00	1.00	1.00	1.00	<input type="checkbox"/>
Total						1.00	1.00		

¹ Choose one option for each item: Cash on hand; Deposits in financial institutions; Accounts receivable and other receivables; Inventory; Trade fixtures, etc.; Livestock; Machinery and equipment; Residential rental property; Commercial building; Industrial building; Land; Immovable industrial equipment; Other real property; Furniture; Intangible assets (intellectual properties, licences, cryptocurrencies, digital tokens, etc.); Vehicles; Securities (shares, bonds, debentures, etc.); Bills of exchange, promissory note, etc.; Tax refunds; Other personal property.

List of Liabilities

No.	Name of creditor or claimant	Address	Nature of liability ²	Details	Date given/ incurred	Amount of Claim					Asset securing the liability	Ground for the right to a priority ³	Estimated surplus or (deficit) from security	Placeholder (values on this line are for notification only)
						Unsecured	Secured	Preferred/Priorities	Contingent, trust claims or other liabilities	Total amount of claim				
1	Michael Zarbatany	4020 Galt Ocean Dr. - Appt 1602 Fort Lauderdale FL 33308 USA	Shareholder loans	None		8,032.00	0.00	0.00	0.00	8,032.00			0.00	<input type="checkbox"/>
2	Zarby International Inc.	102-1400 rue Antonio-Barbeau Montreal QC H4N 1H5	Intercompany loans	None		51,193.00	0.00	0.00	0.00	51,193.00			0.00	<input type="checkbox"/>
Total						59,225.00	0.00	0.00	0.00	59,225.00				

² Choose one option for each item: Accounts payable; Owed rent; Owed wages; Severance pay; Corporate taxes; Sales taxes; Employee source deductions; Litigation/legal costs and awards; Subordinated debenture; Bills of exchange; Promissory notes; Lien notes; Mortgages or hypothec on real or immovable property; Chattel mortgages or movable hypothec; General Security Agreement; Intercompany loans; Bank loans (except real property mortgage); Finance company loans; Shareholder loans; Shares and subscribed capital; Other claim or liability.

³ Choose one option for each item with a preferred or priority amount: Unpaid supplier; Farmer, fisherman or aquaculturist; Owed wages; Unpaid amount regarding pension plan; Municipal taxes; Rent; Customer of a bankrupt securities firm; Deemed trust in favour of the Crown; Priming charges and interim financing; Environmental liabilities; Other.

I, Michael Zarbatany, of the city of Fort Lauderdale in the State of Florida, 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 28th day of January 2025 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 Montréal in the Province of Quebec, on this 28th day of January 2025.

M. Zarbatany

Michael Zarbatany



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- 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)

The creditor's preference is to receive all notices and correspondence regarding this claim at the following address and /or facsimile number and/or email address (a mailing address must be provided in all cases):

Address: _____
Facsimile: _____
Email: _____
Contact person name or position : _____
Telephone number for contact person : _____

In the matter of the bankruptcy of 6317138 Canada Inc. of the city of Montreal in the Province of Quebec and the claim of

_____, creditor.

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

1. That I am a creditor of the above named debtor (or that I am _____ (state position or title) of _____, (name of creditor or representative of the creditor) and that I am authorized to represent and (if the creditor is a corporation) that I have authority to bind the creditor of the above -named debtor).

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 30th day of January 2025, 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. Any debt payable in a currency other than Canadian currency was converted to Canadian currency as of the date of bankruptcy .

(The attached statement of account or affidavit must specify the supporting documents or other evidence in support of the claim)

4. That, to the best of my knowledge, this debt has never been (or this debt has been or part of this debt has been) statute-barred as determined under the relevant legislation .

5. That payment for this debt by the debtor to the creditor has been due (or has been in default) since the ____ day of _____, and that the last payment, if any, on this debt by the debtor to the creditor was made on the ____ day of _____, and/or that the last acknowledgement, if any, of liability for this debt by the debtor to the creditor was made on the ____ day of _____, as follows :

(Give full particulars of the claim, including its history, any acknowledgement or legal action)

6. (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 do not claim a right to a priority .

☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(d) of the Act (Complete paragraph 6E below.)

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FORM 31 --- Continued

- ☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(d.01) of the Act.
- ☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(d.02) of the Act.
- ☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(d.1) of the Act.
- ☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(e) of the Act.
- ☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(f) of the Act.
- ☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(g) of the Act.
- ☐ Regarding the amount of \$ _____, I claim a right to a priority under paragraph 136(1)(i) of the Act.

(Set out on an attached sheet details to support priority claim)

☐ **B. Claim of Lessor for disclaimer of a lease of \$ _____**

That I make a claim under subsection 65.2(4) of the Act, the 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, the 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.)

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 the proof of security, by the secured creditor.

☐ **D. Claim by Farmer, Fisherman or Aquaculturist of \$ _____**

That I 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 make a claim under subsection 81.3(8) of the Act in the amount of \$ _____,
- ☐ That I make a claim under subsection 81.4(8) of the Act in the amount of \$ _____,

☐ **F. Claim by Pension Plan for unpaid amount of \$ _____**

- ☐ That I make a claim under subsection 81.5 of the Act in the amount of \$ _____,
- ☐ That I make a claim under subsection 81.6 of the Act in the amount of \$ _____,

☐ **G. Claim against Director of \$ _____**

(To be completed when a proposal provides for the compromise of claims against directors)

That I make a claim under subsection 50(13) of the Act, the 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 of \$ _____**

That I make a claim as a customer for net equity as contemplated by section 262 of the Act, the particulars of which are as follows:
(Give full particulars of the claim, including the calculations upon which the claim is based)

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FORM 31 --- Concluded

7. That, to the best of my knowledge, I am (or the above-named creditor is) (or am not or is not) related to the debtor within the meaning of section 4 of the Act, and have (or has) (or have not or has not) dealt with the debtor in a non-arm's-length manner.

8. That the following are the payments that I have received from the debtor, the credits that I have allowed to the debtor, and the transfers at undervalue within the meaning of section 2 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)

9. (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.

Warning: Subsection 201(1) of the Act provides for the imposition of severe penalties in the event that a creditor or person claiming to be a creditor makes any false claim, proof, declaration or statement of account.

Dated at _____, this _____ day of _____.

Signature of creditor or representative

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- FORM 36 -
Proxy
(Subsection 102(2) and paragraphs 51(1)(e) and 66.15(3)(b) of the Act)

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:

C.S.Adjami Inc. - Licensed Insolvency Trustee

3333 boul. Graham - Suite 400
Montréal QC H3R 3L5

E-mail: claims@csadjami.ca; reclamations@csadjami.ca



C.S.Adjani Inc.
3333 boul. Graham, Bureau 400
Montréal, QC
514-341-5511
claims@csadjami.ca

Carl Adjani, CPA, CIRP, LIT
Hugo Daoust, CPA CIRP, LIT

THIS INFORMATION SHEET IS PROVIDED IN ORDER TO ASSIST YOU IN COMPLETING THE PROOF OF CLAIM FORM

- ◇ The proof of claim must be signed by the individual completing the form.
- ◇ The signature of the claimant must be witnessed.
- ◇ Indicate the complete address (including postal code) and the email address to which all notices and correspondence are to be sent.
- ◇ The amount on the statement of account must agree with the amount claimed on the proof of claim.

PARAGRAPH 1 OF THE PROOF OF CLAIM

- ◇ If the individual completing the proof of claim is not the creditor himself, he must state his position or title.

PARAGRAPH 3 OF THE PROOF OF CLAIM

- ◇ A detailed statement of account together with supporting documentation must accompany the completed proof of claim.

PARAGRAPH 5 OF THE PROOF OF CLAIM

- ◇ Indicate the date the debt is due (according to the terms of credit or agreements governing the debt) and the date the last payment was received from the bankrupt company (or debtor). If your claim is statute-barred and the bankrupt company (or debtor) has waived the statute of limitations for the amount (in other words, it accepts that the claim is valid, regardless of the date on which it is prescribed), please indicate this date.

PARAGRAPH 6 OF THE PROOF OF CLAIM

- ◇ An unsecured creditor must check whether or not it claims a priority right under section 136 of the Bankruptcy and Insolvency Act, depending on whether the nature of the claim falls within the following situations:
 - ❖ 136(1)(d): If you are an employee, the difference between the amount actually paid to you under section 81.3 and the amount actually owed to you (up to a maximum of \$2,000).
 - ❖ 136(1) (d.01), 136(1) (d.02): If you are a secured creditor, the amount paid under sections 81.3, 81.4, 81.5 and 81.6 (priority to employees).
 - ❖ 136(1) (d.1): Amounts owed to you as a result of a court order for child support or alimony.
 - ❖ 136 (1) (e): Municipal taxes that do not have benefits from a claim in the building.
 - ❖ 136 (1)(f): If you are a landlord, an amount equivalent to 3 months' accelerated rent and 3 months' rent arrears, to the extent provided for in the lease.
 - ❖ 136(1)(g): Legal costs related to a claim under section 70(2).
 - ❖ 136 (1) (i): Claims against employers for workers' compensation.
- ◇ A landlord must complete subparagraph B following a resiliation of the lease by the debtor.
- ◇ A secured creditor must complete subparagraph C.
- ◇ A farmer, fisher or aquaculturist must complete subparagraph D.
- ◇ An employee must complete subparagraph E (the maximum amount that can be claimed under subsection 81.3(8) or 81.4(8)) is limited to \$2,000 plus \$1,000 for expenses incurred in relation to the employment).
- ◇ A claimant against the directors must complete subparagraph G.
- ◇ A client of a bankrupt investment dealer must complete subparagraph H.

PARAGRAPH 7 OF THE PROOF OF CLAIM

- ◇ The claimant must indicate whether or not he or she is related to the debtor, as defined in the Bankruptcy and Insolvency Act as either "am related" or "not related".

PARAGRAPH 8 OF THE PROOF OF CLAIM

- ◇ The claimant must provide a detailed list of all payments received and/or credits granted, either:
 - (a) in the three months preceding the bankruptcy or proposal, in the event that the claimant and the debtor are not related.
 - (b) during the twelve months preceding the bankruptcy or proposal, in the case where the claimant and the debtor are related.