

SAMPLE

FORM 31

Proof of Claim

(Section 50.1, 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)

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

123 Any Street, Winnipeg, MB, R3C 4G9

In the matter of the bankruptcy of KELLER & SONS FARMING LTD. of Carberry, MB and the claim of ABC Ltd., creditor.

I, John Doe (name of creditor or representative of the creditor), of Winnipeg, MB (city and province), do hereby certify:

1. That I am a creditor of the above-named debtor (or that I am PRESIDENT (state position or title) of ABC Ltd. (name of creditor or representative of the creditor)).

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 3rd day of August, 2017, and still is, indebted to the creditor in the sum of \$ 1,234.56, as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.) - attach a statement

4. (Check and complete appropriate category.)

☒ A. UNSECURED CLAIM OF \$ 1,234.56

(other than as a customer contemplated by Section 262 of the Act)

Note: most claims filed are considered ordinary unsecured claims

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 claim a right to a priority under section 136 of the Act.

☒ Regarding the amount of \$ 1,234.56, I do not claim a right to a priority.

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

☐ B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$ _____

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

☐ D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$ _____

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

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

FORM 31 -- Continued

☐ F. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF
\$ _____

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

5. 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.

6. That the following are the payments that I have received from, and the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) 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 subsection 2(1) of the Act: (Provide details of payments, credits and transfers at undervalue.)

Dated at Winnipeg, MB, this 8th day of August, 2017.

Susan Smith
Witness

ABC Ltd.
Per: John Doe
Creditor

Phone Number: (204) 555-1212
Fax Number : _____
E-mail Address: _____

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

WARNINGS: 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.

NOTE: 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.

SAMPLE

ABC LTD.
123 Any Street
Winnipeg, MB
R3C 4G9

STATEMENT OF ACCOUNT

Invoice #	Date	Balance Owing
1001	26 Oct 2015	\$450.00
1002	28 Feb 2016	300.50
1003	15 Mar 2017	<u>484.06</u>
TOTAL AMOUNT OWING		\$1,234.56