

NOTICE TO CREDITORS

Court File No. CV-23-00703161-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)****IN THE MATTER OF SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED, AND SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O 1990 C. C.43, AS AMENDED**

B E T W E E N:

ROMSPEN INVESTMENT CORPORATION

Applicant

- and -

**TUNG KEE INVESTMENT CANADA LTD. and TUNG KEE INVESTMENT LIMITED
PARTNERSHIP**

Respondents

**NOTICE OF CLAIMS PROCESS AND CLAIMS BAR DATE FOR THE
RESPONDENTS**

NOTICE IS HEREBY GIVEN that, pursuant to an Order of the Court dated June 4, 2024 (the “**Claims Process Order**”), a claims process has been commenced for the purpose of identifying and determining claims against the Respondents. Capitalized terms in this Notice that are not defined herein have the meaning ascribed to them in the Claims Process Order (a copy of which is available on the Receiver’s website at www.ey.com/ca/tungkee).

PLEASE TAKE NOTICE that the claims process applies to Claims, as described in the Claims Process Order. Any Person who has not received a Proof of Claim Document Package and who believes that he or she has a Claim against the Respondents must contact the Receiver in order to obtain a Proof of Claim form or visit the Receiver’s Website.

THE CLAIMS BAR DATE is 5:00 p.m. (Toronto Time) on July 22, 2024. This bar date applies to all Claims. Proofs of Claim must be completed and filed with the Receiver using the procedures required in the Claims Process Order so that they are received by the Receiver on or before the Claims Bar Date.

HOLDERS OF CLAIMS WHO DO NOT FILE A PROOF OF CLAIM BY THE CLAIMS BAR DATE SHALL BE FOREVER EXTINGUISHED AND BARRED FROM ASSERTING THEIR CLAIMS AGAINST THE RESPONDENTS.

CREDITORS REQUIRING INFORMATION or claims documentation may contact the Receiver. The Receiver's contact details for additional information relating to the Appointment Order or the Claims Process is:

Ernst & Young Inc.
Court-appointed Receiver of Tung Kee Investment Canada Ltd., et. al.
Ernst & Young Tower
100 Adelaide Street West, P.O. Box 1
Toronto, Ontario M5H 0B3
Attention: Rob Ferguson

Hotline: 1-833-453-2978 / 1-416-943-8055
Email: tungkee@ca.ey.com
Website: <http://www.ey.com/ca/tungkee>

INSTRUCTION LETTER

Court File No. CV-23-00703161-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

IN THE MATTER OF SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C.B-3, AS AMENDED, AND SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990 C. C.43, AS AMENDED

B E T W E E N:

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- and -

**TUNG KEE INVESTMENT CANADA LTD. and TUNG KEE INVESTMENT LIMITED
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Respondents

INSTRUCTION LETTER

CLAIMS PROCESS

By Order of the Ontario Superior Court of Justice (Commercial List) dated June 4, 2024 (“**Claims Process Order**”), Ernst & Young Inc., in its capacity as Court-appointed Receiver of the Respondents (in such capacity, the “**Receiver**”), has been authorized to conduct a claims process (the “**Claims Process**”). A copy of the Claims Process Order and other public information concerning these proceedings can be obtained from the Receiver's website at: <https://www.ey.com/ca/tungkee>

This letter provides general instructions for completing a Proof of Claim form. Defined terms not defined within this instruction letter shall have the meaning ascribed thereto in the Claims Process Order.

The Claims Process is intended to identify and determine the quantum of Claims of Creditors against the Respondents.

Please review the Claims Process Order for the full terms of the Claims Process.

All notices and inquiries with respect to the Claims Process should be directed to the Receiver by prepaid registered mail, courier, personal delivery, facsimile transmission or email at the address below:

Ernst & Young Inc.
Court-appointed Receiver of Tung Kee Investment Canada Ltd., et. al.
Ernst & Young Tower
100 Adelaide Street West, P.O. Box 1
Toronto, Ontario M5H 0B3
Attention: Rob Ferguson

Hotline: 1-833-453-2978 / 1-416-943-8055
Email: tungkee@ca.ey.com
Website: <http://www.ey.com/ca/tungkee>

FOR CREDITORS SUBMITTING A PROOF OF CLAIM

If you believe that you have a Claim as a Creditor of any of the Respondents, you must complete and file a Proof of Claim form with the Receiver.

All Proofs of Claim must be received by the Receiver before 5:00 p.m. (Toronto Time) on July 22, 2024 (the “**Claims Bar Date**”), subject to the provisions of the Claims Process Order.

All Claims denominated in a foreign currency shall be filed in such currency and will be converted to Canadian Dollars at the rate as set out in the Claims Process Order.

ADDITIONAL FORMS

Additional Proof of Claim forms can be obtained from the Receiver's website at <http://www.ey.com/ca/tungkee> or by contacting the Receiver.

DATED this 4th day of June, 2024.

PROOF OF CLAIM

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**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

**IN THE MATTER OF SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY*
ACT, R.S.C. 1985, C.B-3, AS AMENDED, AND SECTION 101 OF THE *COURTS OF*
JUSTICE ACT, R.S.O. 1990 C. C.43, AS AMENDED**

B E T W E E N:

ROMSPEN INVESTMENT CORPORATION

Applicant

- and -

**TUNG KEE INVESTMENT CANADA LTD. and TUNG KEE INVESTMENT LIMITED
PARTNERSHIP**

Respondents

PROOF OF CLAIM**1. PARTICULARS OF CREDITOR**

Full Legal Name of Creditor:	
Full Mailing Address of Creditor:	
Telephone Number of Creditor:	
E-mail Address of Creditor:	
Attention (Contact Person of Creditor):	

2. PARTICULARS OF ORIGINAL CREDITOR FROM WHOM YOU ACQUIRED THE CLAIM, IF APPLICABLE:

- (a) Have you acquired this Claim by assignment? Yes ☐ No ☐
(if yes, attach documents evidencing assignment)

a. Full Legal Name of original creditor(s):

3. PROOF OF CLAIM

THE UNDERSIGNED CERTIFIES AS FOLLOWS:

That I am a Creditor [or hold the position of _____ of the Creditor] and have knowledge of all the circumstances connected with the Claim described herein;

That I have knowledge of all the circumstances connected with the Claim described and set out below;

_____ [Insert Respondent Name(s)] was and is still indebted to the Creditor as follows:

When completing the Proof of Claim, please ensure to include the exact legal name of the Respondent that you are asserting a Claim against (i.e. Tung Kee Investment Canada Ltd. or Tung Kee Investment Limited Partnership). Any Claims denominated in a foreign currency shall be filed in such currency and will be converted to Canadian Dollars at the rate as set out in the Claims Process Order.

Respondent¹ <i>(Tung Kee Investment Canada Ltd., Tung Kee Investment Limited Partnership)</i>	Amount of Claim <i>(include the foreign currency if not Canadian dollars)</i>
	\$

¹ Please include the full legal name of the Respondent that you are asserting a Claim against. If you are asserting Claims against multiple Respondents, you must complete a separate Proof of Claim in respect of each Respondent.

4. NATURE OF CLAIM

(CHECK AND COMPLETE APPROPRIATE CATEGORY)

- ☐ Total Unsecured Claim of \$ _____
- ☐ Total Secured Claim of \$ _____

In respect of this debt, I hold security over the assets of _____ [Insert Respondent Name] valued at \$ _____ [List the value of security], the particulars of which security and value are attached to this Proof of Claim form².

(If the Claim is secured, provide full particulars of the security, including the date on which the security was given, the value for which you ascribe to the assets charged by your security, the basis for such valuation and attach a copy of the security documents evidencing the security.)

5. PARTICULARS OF CLAIM:

The particulars of the undersigned's total Claims are attached.

(Provide full particulars of the Claim(s) and supporting documentation, including the legal name of the Respondent(s) you are asserting a Claim against, the amount, description of transaction(s) or agreement(s) giving rise to the Claim(s), name of any guarantor(s) which has guaranteed the Claim(s), and amount of Claim(s) allocated thereto, date and number of all invoices, particulars of all credits, discounts, etc. claimed.)

² If you hold security over more than one Respondent, please attach particulars to this Proof of Claim form that clearly describe the Respondent that you hold security from and the amount of such security.

6. FILING OF CLAIM

This Proof of Claim must be returned to and received by the Receiver by 5:00 p.m. (Toronto Time) on the Claims Bar Date (July 22, 2024).

In each case, completed forms must be delivered by prepaid registered mail, courier, personal delivery, facsimile transmission or email to the Receiver at the following address:

Ernst & Young Inc.
 Court-appointed Receiver of Tung Kee Investment Canada Ltd., et. al.
 Ernst & Young Tower
 100 Adelaide Street West, P.O. Box 1
 Toronto, Ontario M5H 0B3
 Attention: Rob Ferguson

Hotline: 1-833-453-2978 / 1-416-943-8055

Email: tungkee@ca.ey.com

Dated at _____ (location) this _____ day of _____, 2024.

 Witness Name:

Name of Creditor: _____

Signature of Creditor:

*If Creditor is other than an individual, print name
 and title of authorized signatory*

Name: _____

Title: _____