

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY**

THE HONOURABLE

JUSTICE *K.A. Gorman*

WEDNESDAY, THE 16TH DAY OF

DECEMBER, 2009



IN THE MATTER OF THE BANKRUPTCY OF
ARLAN GALBRAITH
of the City of Waterloo, Province of Ontario.

BANKRUPTCY ORDER

UPON THE APPLICATION of James Wiersma, of the Town of Fisherville, in the Province of Ontario, a creditor, filed the 3rd day of November, 2008;

AND UPON READING THE BANKRUPTCY APPLICATION and the Affidavit of Truth attached thereto, and proof of service upon the Debtor herein, and upon hearing counsel for the Applicant Creditor, and the Consent of the debtor;

AND IT APPEARING TO THE COURT that the following act of bankruptcy has been committed:

- (a) the debtor has ceased to meet its liabilities generally as they become due, in that it has failed to pay its obligations to the Applicant Creditor and to some of its other creditors.

1. **IT IS ORDERED THAT** the said Arlan Galbraith of the City of Waterloo, in the Province of Ontario, be and is hereby adjudged bankrupt and a Bankruptcy Order is hereby made against the said Arlan Galbraith.

2. **IT IS FURTHER ORDERED THAT** BDO Canada Limited, of the City of Kitchener, Province of Ontario, be and is hereby appointed Trustee of the Estate of the said bankrupt.

3. **AND IT IS FURTHER ORDERED THAT** the said Trustee give security in an amount to be fixed by the Official Receiver pursuant to Section 16 (1) of the *Bankruptcy and Insolvency Act*.

4. **AND IT IS FURTHER ORDERED THAT** the costs of and incidental to this Bankruptcy Application and Bankruptcy Order be paid to the Applicant Creditor out of the assets of the Estate upon taxation thereof.

K. A. [Signature]

JUSTICE
Ontario Superior Court of Justice

SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY

DEPUTY REGISTRAR, HEREBY CERTIFY THAT ABOVE AND ATTACHED HERETO IS CONTAINED A TRUE COPY OF THE RECEIVING ORDER MADE BY THIS COURT ON THE Bankruptcy 16th DAY OF December, 2009

AS WITNESS MY HAND AND THE SEAL OF THIS COURT THIS DAY OF December 16, 2009

[Signature]
DEPUTY REGISTRAR, SUPERIOR COURT OF JUSTICE

Cour Supérieure de Justice
Siégeant en matière de faillite

Je soussigné, greffier adjoint, certifie que ce qui précède et ce qui est annexé au présentes sont la copie conforme de l'ordonnance de séquestre rendue par cette cour le _____ jour de _____

En foi de quoi, j'appose ci-dessous ma signature et le cachet de la cour ce _____ jour _____

Le greffier adjoint, Cour Supérieure de Justice

IN THE MATTER OF THE BANKRUPTCY OF ARLAN GAILBRATH

You,

pursuant to Section 159 of the *Bankruptcy and Insolvency Act* to attend at the Office of the Official Receiver, at 451 Talbot Street, in the City of London,

are hereby required

On the _____ day of _____, 2010, at the hour of _____ in the _____ noon, there to _____ of the City of London, in the Province of Ontario answer such questions with respect to the conduct of the aforesaid bankrupt, the causes of its bankruptcy and the condition of its property as may be put by said Official Receiver,

AND FURTHER TAKE NOTICE that if you fail to present yourself for examination the Court may by warrant cause you to be apprehended and brought up for examination and may order you to be committed to the common goal for a term not exceeding three years.

Official Receiver

ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY
PROCEEDING COMMENCED AT LONDON, ON

BANKRUPTCY ORDER

(Sec. 43 and 44 of the *Bankruptcy and Insolvency Act*,
R.S.C. 1985, c B-3 [as amended])

COHEN HIGHLEY LLP

Lawyers
255 Queens Avenue, 11th Floor
London, ON N6A 5R8

Tel: 519.672-9330

Fax: 519.672-5960

FRANK A. HIGHLEY (LSUC # 15200T)
Lawyers for the Applicant Creditor