

District of: Ontario
Division No. 12 - Ottawa
Court No. 33-3071340
Estate No. 33-3071340

FORM 68
Notice of Bankruptcy, First Meeting of Creditors
(Subsection 102(1) of the Act)

Original Amended

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario

Take notice that:

1. Avivagen Inc. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Avivagen Inc.) on the 23rd day of April 2024 and the undersigned, BDO Canada Limited / BDO Canada Limitée, was appointed as trustee of the estate of the bankrupt by the official receiver (or the Court); 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 14th day of May 2024 at 11:00 AM at Conference Call or 1-437-703-5279 or 1-833-215-3238 Conference ID # 595 443 569.
3. To be entitled to vote at the meeting, a creditor must file with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice are 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 to share in any distribution of the proceeds realized from the estate.

Dated at the City of Toronto in the Province of Ontario, this 24th day of April 2024.

BDO Canada Limited / BDO Canada Limitée - Licensed
Insolvency Trustee



20 Wellington St E, Suite 500

Toronto ON M5E 1C5

Phone: (416) 865-0210 Fax: (416) 865-0904

District of: Ontario
 Division No. 12 - Ottawa
 Court No.
 Estate No.

Original Amended

-- Form 78 --
 Statement of Affairs (Business Bankruptcy) made by an entity
 (Subsection 49(2) and Paragraph 158(d) of the Act / Subsections 50(2) and 62(1) of the Act)
 In the Matter of the Bankruptcy of
 Avivagen Inc.
 of the City of Ottawa, in the Province of Ontario

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 23rd day of April 2024. When completed, this form and the applicable attachments will constitute the Statement of Affairs and must be verified by oath or solemn declaration.

LIABILITIES (as stated and estimated by the officer)		ASSETS (as stated and estimated by the officer)	
1. Unsecured creditors as per list "A"	4,224,263.39	1. Inventory	0.00
Balance of secured claims as per list "B"	6,171,797.64	2. Trade fixtures, etc.	0.00
Total unsecured creditors	10,396,061.03	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B"	1,684.62	Good	0.00
3. Preferred creditors as per list "C"	0.00	Doubtful	0.00
4. Contingent, trust claims or other liabilities as per list "D"	0.00	Bad	0.00
Total liabilities	10,397,745.65	Estimated to produce	0.00
Surplus	NIL	4. Bills of exchange, promissory notes, etc., as per list "F"	0.00
		5. Deposits in financial institutions	0.00
		6. Cash	1,682.62
		7. Livestock	0.00
		8. Machinery, equipment and plant	1.00
		9. Real property or immovable as per list "G"	0.00
		10. Furniture	0.00
		11. RRSPs, RRIFs, life insurance, etc.	0.00
		12. Securities (shares, bonds, debentures, etc.)	0.00
		13. Interests under wills	0.00
		14. Vehicles	0.00
		15. Other property, as per list "H"	1.00
		If bankrupt is a corporation, add:	
		Amount of subscribed capital	0.00
		Amount paid on capital	0.00
		Balance subscribed and unpaid	0.00
		Estimated to produce	0.00
		Total assets	1,684.62
		Deficiency	10,396,061.03

I, Kym Anthony, of the Town of Orangeville in the Province of Ontario, 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 23rd day of April 2024 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 Ottawa in the Province of Ontario, on this 23rd day of April 2024.



Stephanie Burrowes, Commissioner of Oaths
 For the Province of Ontario
 Expires November 21, 2025



Kym Anthony

**Stephanie Anne Burrowes, a Commissioner,
 etc., Province of Ontario, for BDO Canada
 Limited.**

Expires November 21, 2025.

District of: Ontario
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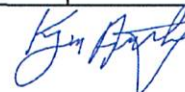
FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Avivagen Inc.
 of the City of Ottawa, in the Province of Ontario
 List "A"
 Unsecured Creditors
 Avivagen Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Agilent Technologies	PO Box 4551, Postal Station A Toronto ON M5W 4R8	15,244.16	0.00	15,244.16
2	Air Liquide Canada Inc	MH2042, PO Box 6789, STN Ventre-Ville Montreal QC H3C 4J5	313.99	0.00	313.99
3	Alana Daley	231 Willow Street, PO Box 1495 MONTEGUE PE C0A 1R0	13,305.68	0.00	13,305.68
4	Allied Biotech Corporation	No. 76, 2, Tun Hwa S. Rd., Sec. Taipei Taiwan	118,197.61	0.00	118,197.61
5	Amie Colquhoun US	1021 Pleasure Bay Drive Dwight ON P0A 1H0	2,080.65	0.00	2,080.65
6	Antonio Campos	2839 Flannery Drive Ottawa ON K1V 9S8	217.19	0.00	217.19
7	Asian Agribiz	25 International Business Park #04-103M 609916 Singapore	3,259.69	0.00	3,259.69
8	Atefeh Shamsian	1327 Albany Dr. Ottawa ON K2C 2L9	2,923.08	0.00	2,923.08
9	Atlantic Canada Opportunities Agency Attn: Jennifer White 189074 & 195161	Royal Bank Building, 3rd Floor, 100 Sydney Street, PO Box 40 Charlottetown PE C1A 7K2	2,881,142.96	0.00	2,881,142.96
10	BND Projects Inc.	39 Stanford Rd. Unionville ON L3R 6M2	54,240.00	0.00	54,240.00
11	Broadridge	PO Box 57461, Postal Station A Toronto ON M5W 5M5	1,144.09	0.00	1,144.09
12	Broadridge US	PO Box 416423 Boston MA 02241 USA	1,519.61	0.00	1,519.61
13	Buck Productions Inc.	56 the Esplanade Toronto ON M5E 1A7	2,966.25	0.00	2,966.25
14	Business Wire Canada	144 Front St. W., Suite 340 Toronto ON M5J 2L7	26,837.50	0.00	26,837.50
15	Capital Transfer Agency, ULC	390 Bay Street, Suite 920 Toronto ON M5H 2Y2	0.00	6,171,797.64	6,171,797.64
16	CDS Clearing and Depository Services	100 Adelaide Street West, 5th Floor Toronto ON M5H 1S3	339.00	0.00	339.00
17	Centre for Regulatory Services Inc.	5200 Wolf Run Shoals Road Woodbridge VA 22192 USA	6,337.16	0.00	6,337.16
18	Clark & Elbing LLP	101 Federal Street, 15th Floor Boston MA 02110 USA	151,556.10	0.00	151,556.10

23-Apr-2024

Date



Kym Anthony

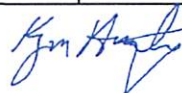
District of: Ontario
 Division No. 12 - Ottawa
 Court No.
 Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Avivagen Inc.
 of the City of Ottawa, in the Province of Ontario

List "A"
 Unsecured Creditors
 Avivagen Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
19	ComputerShare Trust Co of Canada Attn: Patti Stapleton	8th - 100 University Ave Toronto ON M5J 2V1	2,672.09	0.00	2,672.09
20	CRA - Tax - Ontario 88862 4772	Shawinigan-Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-Sud QC G9P 5H9	1.00	0.00	1.00
21	DD Ingredient Distributors Inc.	5191 Kill Road Delphos OH 45833 USA	7,629.05	0.00	7,629.05
22	DeutraChem	67 Peikoff Crescent Kanata ON K2K 3K7	5,000.00	0.00	5,000.00
23	Drew Basek	95 St. Clements Ave. Toronto ON M4R 1H1	26,742.34	0.00	26,742.34
24	Evergreen Logistics	450 Kipling Ave. Etobicoke ON M8Z 5E1	393.24	0.00	393.24
25	Fedex Express Canada LTD	PO Box 4626 Toronto Stn A Toronto ON M5W 5B4	148.43	0.00	148.43
26	Graham Burton	1942 Raymond LaBrosse St. Ottawa ON K1W 1C2	43,669.92	0.00	43,669.92
27	GS1 Canada	800 - 1500 Don Mills Rd North York ON M3B 3K4	765.00	0.00	765.00
28	Independent Trading Group ITG Inc.	370 King Street West, Suite 701 Toronto ON M5V 1J9	60,000.00	0.00	60,000.00
29	iOSi	38 Auriga Drive, Suite 200 Ottawa ON K2E 8A5	4,629.75	0.00	4,629.75
30	Ira Levy	550 Rushton Rd. Toronto ON M6C 2Y5	45,935.00	0.00	45,935.00
31	Jamie Nickerson	33 Oak Drive Charlottown PE C1A 6T4	41,631.43	0.00	41,631.43
32	Jaruwan Sanping US	53/33 Moo.3 Supalai Garden Ville. Kookot, Lamlookka Pathumthani 12130 Thailand	7,450.29	0.00	7,450.29
33	Jeffrey Kraws	23 Sottdale Court NJ 08512 USA	51,332.70	0.00	51,332.70
34	Jet Mail Services Inc.	577 Main St. Hudson MA 01749 USA	131.14	0.00	131.14
35	Kansas State University	128 Dole Hall Manhattan KS 66506 USA	6,103.24	0.00	6,103.24



23-Apr-2024

Date

Kym Anthony

District of: Ontario
 Division No. 12 - Ottawa
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FORM 76 -- Continued

In the Matter of the Bankruptcy of
 Avivagen Inc.
 of the City of Ottawa, in the Province of Ontario
 List "A"
 Unsecured Creditors
 Avivagen Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
36	Labarge Weinstein	515 Legget Drive, Suite 800 Ottawa ON K2G 3G4	61,859.01	0.00	61,859.01
37	Lesley Nernberg (Lighthouse)	33/4 The Ninth Tower Grand Rama 9 35th Floor, Unit TNA 01-04, Rama IX Road Huay Khwang Bangkok Thailand	23,359.36	0.00	23,359.36
38	Levitt LLP	130 Adelaide Street West, Suite 801 Toronto ON M5H 3P5	280.44	0.00	280.44
39	Mashginfar Nasim	210 McGillivray Street Ottawa ON K1A 1L2	3,153.85	0.00	3,153.85
40	Matthew Outlette	13 Beamish Cres. Ottawa ON K2K 2R6	11,680.01	0.00	11,680.01
41	McGovern Hurley LLP	251 Consumers Road, Suite 800 Toronto ON M2J 4R3	72,718.89	0.00	72,718.89
42	Mediant Communications	PO Box 29976 New York NY 10087 USA	93.73	0.00	93.73
43	Meyenberg Int'l Group	Avenida Acueducto 4851, 07310 Gustavo A. Madero Mexico City Mexico	98,169.46	0.00	98,169.46
44	Munawara Dar	3985 Kelly Farm Drive Gloucester ON K1T 0R7	24,036.95	0.00	24,036.95
45	National Research Council for Canada	1200 Montreal Rd., Building M-58 Ottawa ON K1A 0R6	57,286.75	0.00	57,286.75
46	Prine Edward Island BioAlliance	134 Kent St., Suite 405 Charlottetown PE C1A 8R8	575.00	0.00	575.00
47	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen CEBA	PO Box 57100 Etobicoke ON M8Y 3Y2	60,000.00	0.00	60,000.00
48	Rogers Communications / CBV Collection	c/o FCT Default Solutions PO Box 2514, Stn B London ON N6A 4G9	2,523.87	0.00	2,523.87
49	Steve pollmann - DSP Consulting	719 Flannery Drive Alpine UT 84004 USA	1,414.84	0.00	1,414.84
50	Telus Mobility Services Attn: Rick Wan	4-4519 Canada Way Burnaby BC V5G 4S4	14.94	0.00	14.94
51	Tony Campos	2839 Flannery Dr. Ottawa ON K1V 9S8	7,729.17	0.00	7,729.17
52	Top Meadow Consulting Inc.	211 Queen's Quay West, Suite 905 Toronto ON M5J 2M6	140,500.00	0.00	140,500.00

23-Apr-2024

Date



Kym Anthony

District of: Ontario
Division No. 12 - Ottawa
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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario
List "A"
Unsecured Creditors
Avivagen Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
53	Tracy Gillett	1609 Joan Audrey Lane Bowen Island BC V0N 1G2	23,308.78	0.00	23,308.78
54	Trevor Mogg	450 Temiskaming Cres. Nepean ON K2J 0V5	17,025.64	0.00	17,025.64
55	TSX Venture Exchange	PO Box 56289, Station A Toronto ON M5W 4L1	6,263.28	0.00	6,263.28
56	University of Ottawa	10 Rue Marie Curie St. Ottawa ON K1N 6N5	472.80	0.00	472.80
57	University of Saskatchewan	52 Campus Drive Saskatoon SK S7N 5B4	6,009.31	0.00	6,009.31
58	WWR and Associates Ltd.	300 Sparks Street, Suite 330 Ottawa ON K1R 7S3	7,374.71	0.00	7,374.71
59	Yabucoa Partners	295 Palmas Inn Way, Suite 104, PMG 115 Humacao 00791 Puerto Rico	12,553.26	0.00	12,553.26
Total:			4,224,263.39	6,171,797.64	10,396,061.03

23-Apr-2024

Date



Kym Anthony

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Avivagen Inc.
 of the City of Ottawa, in the Province of Ontario
 List "B"
 Secured Creditors
 Avivagen Inc.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of	Estimated surplus from security	Balance of claim
1	Capital Transfer Agency, ULC	390 Bay Street, Suite 920 Toronto ON M5H 2Y2	6,173,102.00	Other - IP - OxC-beta Technology & OxC-beta Livestock Business Assets - Machinery - Mass Spectrometer Instrument Cash on Hand - Bank Account - Royal Bank of Canada		1.00 1,302.36		6,171,797.64
2	RBC Royal Bank c/o BankruptcyHighway.com Attn: Razel Bowen 4516 07** ***** 7169	PO Box 57100 Etobicoke ON M8Y 3Y2	380.26	Cash on Hand - Bank Account - Royal Bank of Canada		380.26		
Total:			6,173,482.26			1,684.62	0.00	6,171,797.64

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Kym Anthony

District of: Ontario
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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario
List "C"
Preferred Creditors for Wages, Rent, etc.

Avivagen Inc.

No.	Name of creditor	Address and occupation	Nature of claim	Period during which claim accrued	Amount of claim	Amount payable in full	Difference ranking for dividend
Total:					0.00	0.00	0.00

23-Apr-2024

Date



Kym Anthony

District of: Ontario
Division No. 12 - Ottawa
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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario
List "D"
Contingent or Other Liabilities

Avivagen Inc.

No.	Name of creditor or claimant	Address and occupation	Amount of liability or	Amount expected to rank for	Date when liability incurred	Nature of liability
			0.00	0.00		
Total:			0.00	0.00		

23-Apr-2024

Date



Kym Anthony

District of: Ontario
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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario

List "E"
Debts Due to the Bankrupt
Avivagen Inc.

No.	Name of debtor	Address and occupation	Nature of debt	Amount of debt (good, doubtful, bad)	Folio of ledgers or other book where particulars to be	When contracted	Estimated to produce	Particulars of any securities held for debt
				0.00				
			Total:	0.00			0.00	
				0.00				

23-Apr-2024

Date



Kym Anthony

District of: Ontario
Division No. 12 - Ottawa
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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario
List "F"

Bills of Exchange, Promissory Notes, Lien Notes, Chattel

Avivagen Inc.

No.	Name of all promissory, acceptors, endorsers, mortgages and	Address	Occupation	Amount of bill or note,	Date when due	Estimated to produce	Particulars of any property held as security for payment of bill or
Total:				0.00		0.00	

23-Apr-2024

Date



Kym Anthony

District of: Ontario
Division No. 12 - Ottawa
Court No.
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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario
List "G"
Real Property or Immovables Owned by Bankrupt
Avivagen Inc.

Description of property	Nature of bankrupt interest	In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances (name, address,	Equity or surplus
Total:			0.00		0.00

23-Apr-2024

Date



Kym Anthony

District of: Ontario
 Division No. 12 - Ottawa
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FORM 78 -- Concluded

In the Matter of the Bankruptcy of
 Avivagen Inc.
 of the City of Ottawa, in the Province of Ontario
 List "H"
 Property
 Avivagen Inc.

FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade			0.00	0.00
(b) Trade fixtures, etc.			0.00	0.00
(c) Cash in financial institutions			0.00	0.00
(d) Cash on hand		Cash on hand	1,682.62	1,682.62
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant		Mass Spectrometer Instrument	109,205.50	1.00
(g) Furniture			0.00	0.00
(h) Life insurance policies, RRSPs, etc.			0.00	0.00
(i) Securities			0.00	0.00
(j) Interests under wills, etc.			0.00	0.00
(k) Vehicles			0.00	0.00
(l) Taxes			0.00	0.00
(m) Other		IP - OxC-beta Technology & OxC-beta Livestock	0.00	1.00
			Total:	1,684.62

23-Apr-2024

Date



Kym Anthony

Court No.

File No.

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario

Form 78 (Bill C-12)
Statement of affairs (Business bankruptcy)

Trustee: Michael Basso
License: 3701
Email:

BDO Canada Limited / BDO Canada Limitée -
Licensed Insolvency Trustee
20 Wellington St E, Suite 500
Toronto ON M5E 1C5
Phone: (416) 865-0210 Fax: (416) 865-0904

District of: Ontario
Division No. 12 - Ottawa
Court No. 33-3071340
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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)

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario

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

In the matter of the bankruptcy of Avivagen Inc. of the City of Ottawa in the Province of Ontario and the claim of _____, creditor.
I, _____ (name of creditor or representative of the creditor), of the city of _____ in the province of _____, do hereby certify:

1. That I am a creditor of the above named debtor (or I am _____ (position/title) of _____, 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 23rd day of April 2024, 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. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.)

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

Regarding the amount of \$ _____, 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.)

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FORM 31 --- Concluded
In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario

- 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 \$ _____,
 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 \$ _____,
 G. CLAIM AGAINST DIRECTOR \$ _____

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

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

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

5. That, to the best of my knowledge, I _____ (am/am not) (or the above-named creditor _____ (is/is not)) related to the debtor within the meaning of section 4 of the Act, and _____ (have/has/have not/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 Section 2 of the Act: (Provide details of payments, credits and transfers at undervalue.)

7. (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.

Dated at _____, this _____ day of _____, _____.

Witness

Creditor

Phone Number: _____
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.

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Division No. 12 - Ottawa
Court No. 33-3071340
Estate No. 33-3071340

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

In the Matter of the Bankruptcy of
Avivagen Inc.
of the City of Ottawa, in the Province of Ontario

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:
BDO Canada Limited / BDO Canada Limitée - Licensed Insolvency Trustee

20 Wellington St E, Suite 500
Toronto ON M5E 1C5

CHECKLIST FOR PROOFS OF CLAIM

This checklist is provided to assist you in preparing the accompanying proof of claim form and, where required, proxy form in a complete and accurate manner. Please specifically check each requirement.

PROOF OF CLAIM

- ▶ The signature of a witness is required;
- ▶ The claim must be signed personally by the individuals;
- ▶ If the creditor is a corporation, the full and complete legal name of the company or firm must be stated;
- ▶ Give the complete address, including postal code, where all notices or correspondence is to be forwarded, the name of the person to contact, the phone number and fax number.

PARAGRAPH 1

- ▶ Please state your name, city of residence, and if you are completing the declaration for a corporation or another person, your position or title.

PARAGRAPH 3

- ▶ State the date of bankruptcy, proposal of receivership and the amount of your claim;
- ▶ A detailed statement of account must be attached and must show the date, number and amount of all the invoices, charged credits or payments;
- ▶ A statement of account is not complete if it begins with an amount brought forward;
- ▶ The amount of the statement of account must agree with the amount claimed on the proof of claim.

PARAGRAPH 4

- ▶ An ordinary creditor must check subparagraph A. A preferred creditor must set out on an attached schedule the particulars of your priority;
- ▶ A secured creditor must check subparagraph C. You must insert the value at which you assess each of your securities and provide a certified true copy of the security documents as registered.

PARAGRAPH 5

Strike out "are" or "are not" as applicable to you. You would be considered a related person if:

- ▶ You are related to blood or marriage to the debtor;
- ▶ If the debtor is a corporation and you were a shareholder or if your company was controlled by the same shareholders as the debtor corporation.

PARAGRAPH 6

All creditors must attach a detailed list of all payments or credits received or granted, as follows:

- ▶ Within the 3 months preceding the bankruptcy or proposal, if the creditor and the debtor are not related;
- ▶ Within 12 months preceding the bankruptcy or proposal, if the creditor and debtor are related.

In the case of an individual's bankruptcy only, you may request some or all of the items stated after paragraph 6.

GENERAL PROXY

A creditor may appoint a proxy by completing the proxy form, if the creditor is a corporation, the proxy form must be completed in the corporate name and signature witness.

NOTES

- ▶ Only creditors who have filed claims in the proper manner before the time appointed for the meeting of creditors are entitled to vote;
- ▶ A creditor may vote either in person or by proxy;
- ▶ A debtor may not be appointed a proxy at any meeting of his creditors;
- ▶ The trustee may be appointed as a proxy to for any creditors;
- ▶ A corporation may vote by an authorized agent at the meeting of creditors;
- ▶ In order to have the right to vote, a person must himself be a creditor or be the holder of a property executed proxy showing the name of the creditor;
- ▶ Only creditors who filed claims in the proper form with the trustee are entitled to share in any distribution that may be made.