

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2644320
Estate No. 31-2644320

FORM 68

Original Amended

Notice of Bankruptcy, First Meeting of Creditors
(Subsection 102(1) of the Act)
and Impending Automatic Discharge of Bankrupt
(Paragraph 168.1(4) and section 168.2 of the Act)

In the matter of the bankruptcy of
Estate of Naseem Somani (Deceased)
of the Town of Markham, in the Province of Ontario

Take notice that:

1. Estate of Naseem Somani (Deceased) filed (or was deemed to have filed) an assignment on the 11th day of May 2020, and the undersigned, Deloitte Restructuring Inc., 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 26th day of May 2020, at 10:00 AM, at the office of Meeting to be conducted via Telephone, at 1-877-804-0660, Conference ID: 39218428#.
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.
6. Included pursuant to subsection 102(3) of the Act is information concerning the financial situation of the bankrupt and the obligation of the bankrupt to make payments to the estate of the bankrupt, as required under section 68 of the Act.
7. Pursuant to section 168.1 of the Act, the bankrupt, will be given an automatic discharge on the 12th day of February 2021, unless the Superintendent of Bankruptcy, the trustee of the estate of the bankrupt or a creditor of the bankrupt gives notice of intended opposition to the discharge of the bankrupt before that date.

Check appropriate provision in respect of the bankrupt's discharge

In the case of an individual who has never before been bankrupt:

- on the expiry of 9 months after the date of bankruptcy;
- on the expiry of 21 months after the date of bankruptcy where the bankrupt is required to make payments under section 68 of the *Bankruptcy and Insolvency Act (BIA)* to the estate.

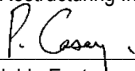
In the case of an individual who has been a bankrupt one time before:

- on the expiry of 24 months after the date of bankruptcy;
- on the expiry of 36 months after the date of bankruptcy where the bankrupt is required to make payments under section 68 of the BIA the estate.

8. Any creditor who intends to oppose the discharge of the bankrupt shall state in writing the grounds for his/her opposition and send a notice to this effect to the division office of the OSB, the trustee of the estate of the bankrupt, and the bankrupt at any time before the 12th day of February 2021.
9. If any creditor opposes the discharge of the bankrupt, a court fee applies.
10. If the discharge of the bankrupt is opposed, the trustee will apply to the court without delay for an appointment for the hearing of the opposition in the manner prescribed by the Act, unless it is a matter to be dealt with by mediation pursuant to Section 170.1 of the Act.

Dated at the City of Toronto in the Province of Ontario, this 14th day of May 2020.

Deloitte Restructuring Inc. - Licensed Insolvency Trustee



Bay Adelaide East
8 Adelaide Street West, Suite 200
Toronto ON M5H 0A9
Phone: (416) 601-6072 Fax: (416) 601-6690

District of Ontario
 Division No. 09 - Toronto
 Court No.
 Estate No.

-- FORM 79 --
 Statement of Affairs (Non-Business Bankruptcy)
 (Subsection 49(2) and 158(d) of the Act / Subsections 50(2) and 62(1) and Paragraph 66.13(2)(d) of the Act)

Original Amended

In the matter of the bankruptcy of
 Estate of Naseem Somani (Deceased)
 of the Town of Markham, in the Province of Ontario

ASSETS							
Type of assets	Description (Provide details)	Estimated Dollar Value	Exempt Property		Secured Amount/ Liens	Estimated net realizable dollar value	
			Yes	No			
1. Cash on Hand	CIBC Bank Account	1.00		x	0.00	1.00	
	Cash on hand - 1503689 - Royal Bank of Canada (Receivership Trust Account)	4,449,890.11		x	4,449,890.11	0.00	
2. Furniture	Various	1.00	x		0.00	0.00	
3. Personal Effects	Various	1.00	x		0.00	0.00	
4. Policies & RRSPs							
5. Securities	National Bank Accounts	1.00	x		0.00	0.00	
	National Bank Investment and Estate Account	1.00	x		0.00	0.00	
	Private Corporation - Shares	1.00		x	0.00	1.00	
6. Real Property or Immovable	House	106 Angus Glen Boulevard - Markham - ON	3,388,000.00		x	3,388,000.00	0.00
	Cottage						
	Land						
7. Motor Vehicles	Automobile						
	Motorcycle						
	Snowmobile						
	Other						
8. Recreational Equipment							
9. Taxes							
TOTAL		7,837,896.11			7,837,890.11	2.00	

08-May-2020

Date

Reference is made to Paragraph #4 of an Order of the Superior Court of Justice dated March 19, 2020 which authorizes the Court-appointed Receiver to file an assignment into bankruptcy on behalf of the Estate of Naseem Somani.

Estate of Naseem Somani (Deceased)
 Bankrupt

LIABILITIES						
Liabilities type code (LTC): 1 Real Property or Immovable Mortgage or Hypothec 2 Bank Loans (except real property mortgage) 3 Finance Company Loans 4 Credit Cards Bank/Trust Companies Issuers 5 Credit Cards Other Issuers 6 Taxes Federal/Provincial/Municipal 7 Student Loans 8 Loans from Individuals 9 Other						
Creditor	Address including postal code	Account No.	Amount of debt			Enter LTC
			Unsecured	Secured	Preferred	
Alectra Utilities (formerly Enersource Hydro)	2185 Derry Rd W Mississauga ON L5N 7A6		1.00	0.00	0.00	9
Ayaz Somani	106 Angus Glen Blvd. Markham ON L6C 3B8		1.00	0.00	0.00	9
Canada Revenue Canada	1050 Nortre Dame Ave. Sudbury ON P3A 5C2		1.00	0.00	0.00	6
City of Markham	555 Miller Ave., Markham ON L6G 1B2		1.00	0.00	0.00	6
Enbridge Gas	500 Consumers Rd. North York ON M2J 1P8		1.00	0.00	0.00	9
Ministry of Finance - ON Attn: Insolvency Unit Program Manager	Ministry of Revenue 33 King St. W., 6th Flr Oshawa ON L1H 8H5		1.00	0.00	0.00	6
MNP LLP	Attn: Stella Gasparro 3100 Steeles Ave., E., Ste 700 Markham ON L3R 8T3		1.00	0.00	0.00	9
National Bank of Canada Attn: Sabina Malderle	60 Rue de la Gauchetiere O., 183 etage Montreal QC H3B 4L2		407,435.00	0.00	0.00	3
Royal Bank of Canada Attn: Wajahat Mahmood, Manager	Special Loans & Advisory Services 20 King St., W., 2nd floor Toronto ON M5H 1C4		197,064.89	7,837,890.11	0.00	3
	TOTAL	Unsecured	604,506.89			
	TOTAL	Secured		7,837,890.11		
	TOTAL	Preferred			0.00	
			TOTAL			8,442,397.00

Pledged Assets		
Creditor	Rank	Asset
Royal Bank of Canada	1	Real Property or Immovable - House - Markham - 106 Angus Glen Boulevard
Royal Bank of Canada	1	Cash on Hand - Cash on hand - 1503689 - Royal Bank of Canada (Receivership Trust Account)

Reference is made to Paragraph #4 of an Order of the Superior Court of Justice dated March 19, 2020 which authorizes the Court-appointed Receiver to file an assignment into bankruptcy on behalf of the Estate of Naseem Somani.

08-May-2020

Date

Estate of Naseem Somani (Deceased)
Bankrupt

INFORMATION RELATING TO THE AFFAIRS OF THE BANKRUPT			
A. PERSONAL DATA			
1. Family name: Somani (Deceased)	Given names: Estate of Naseem Gender: Female	Date of birth: YYYY / MM / DD 1961/06/01	
2. Also known as:			
3. Complete address, including postal code: 106 Angus Glen Blvd., Markham ON L6V 3B8			
4. Marital status: (Specify month and year of event if it occurred in the last five years)		Married	
5. Full name of spouse or common-law partner: Ayaz Somani			
6. Name of present employer:		Occupation:	
7A. Number of persons in household family unit, including bankrupt:		2	
7B. Number of persons 17 years of age or less:		0	
8. Have you operated a business within the last five years?		No	
Business Name	Business Type	From	To
B. WITHIN THE 12 MONTHS PRIOR TO THE DATE OF THE INITIAL BANKRUPTCY EVENT, HAVE YOU, EITHER IN CANADA OR ELSEWHERE:			
9A. Sold or disposed of any of your property?		Yes	
9B. Made payments in excess of the regular payments to creditors?		Yes	
9C. Had any property seized by a creditor?		Yes	
C. WITHIN FIVE YEARS PRIOR TO THE DATE OF THE INITIAL BANKRUPTCY EVENT, HAVE YOU, EITHER IN CANADA OR ELSEWHERE:			
10A. Sold or disposed of any property?		Yes	
10B. Made any gifts to relatives or others in excess of \$500?		Yes	
D. BUDGET INFORMATION: Attach Form 65 to this Form.			
11A. Have you ever made a proposal under the Bankruptcy and Insolvency Act?		No	
11B. Have you ever been bankrupt before in Canada?		No	
12. Do you expect to receive any sums of money which are not related to your normal income, or any other property within the next 12 months? No			
13. If you answered Yes to any of questions 9, 10 and 12, provide details: 9A: Transfers to spouse and other unknown transfers subject to further review and investigation. In excess of \$700,000. Spousal and other transfers. 9B: Subject to further investigation.			

Reference is made to Paragraph #4 of an Order of the Superior Court of Justice dated March 19, 2020 which authorizes the Court-appointed Receiver to file an assignment into bankruptcy on behalf of the Estate of Naseem Somani.

08-May-2020

Date

Estate of Naseem Somani (Deceased)
Bankrupt

9C:

The principal residence at 106 Angus Glen Blvd, Markham and National Bank investment property are subject to a receivership administration pursuant to an Order of the Court dated December 13, 2019.

10A:

Spousal and other transfers.

10B:

Spousal and other transfers.

14. Give reasons for your financial difficulties:

Guarantee of business debts of AVG Automotive, a bankrupt

I, Estate of Naseem Somani (Deceased) of the Town of Markham in the Province of Ontario, do swear (or solemnly declare) that this statement is, to the best of my knowledge, a full, true and complete statement of my affairs on the 8th day of May 2020, and fully discloses all property and transactions of every description that is or was in my possession or that may devolve on me in accordance with the Bankruptcy and Insolvency Act.

SWORN (or SOLEMNLY DECLARED) over video teleconference this 8th day of May, 2020. The affiant was located in Toronto, Ontario, while the commissioner, Mariela Adriana Gasparini, was located in Vaughan, Ontario.



P14458

Reference is made to Paragraph #4 of an Order of the Superior Court of Justice dated March 19, 2020 which authorizes the Court-appointed Receiver to file an assignment into bankruptcy on behalf of the Estate of Naseem Somani.

Deloitte Restructuring Inc., solely in its capacity as Court-appointed Receiver of certain assets and property of the Estate of Naseem Somani, and not in its personal or corporate capacity

Per Stefano Damiani
Name: Stefano Damiani
Title: Vice President

08-May-2020

Date

Reference is made to Paragraph #4 of an Order of the Superior Court of Justice dated March 19, 2020 which authorizes the Court-appointed Receiver to file an assignment into bankruptcy on behalf of the Estate of Naseem Somani.

Estate of Naseem Somani (Deceased)
Bankrupt

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

THE HONOURABLE)
JUSTICE *HAINES*)

THURSDAY, THE 19TH
DAY OF MARCH, 2020

BETWEEN:

ROYAL BANK OF CANADA

Applicant

- and -

AYAZ SOMANI IN HIS CAPACITY AS EXECUTOR OF THE ESTATE OF NASEEM SOMANI

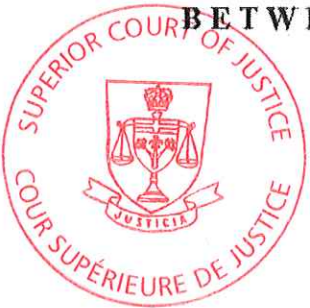
Respondent

ORDER

THIS MOTION, made by Deloitte Restructuring Inc. ("**Deloitte**"), in its capacity as court-appointed receiver (the "**Receiver**") of (i) all of the present and after acquired personal property of the Estate of Naseem Somani (the "**Somani Estate**") held at National Bank of Canada and National Bank Financial; and (ii) the real property registered in the name of the Somani Estate known municipally as 106 Angus Glen Boulevard, Markham, Ontario, was heard

this day at ~~330 University Avenue, Toronto, Ontario.~~ *BY TELECONFERENCE DUE TO THE COVID-19 CRISIS*

YH



ON READING the Receiver's Motion Record and the second report of the Receiver dated February 11, 2020 and the appendices thereto (the "**Second Report**"), and on hearing the submissions of counsel for the Receiver, counsel for the Applicant and counsel for the Respondent, no one else appearing although duly served as appears from the affidavit of service of Tyler D. Mondor McNaughton sworn February 12, 2020, filed:

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

ACTIVITIES OF THE RECEIVER

2. **THIS COURT ORDERS** that the Second Report, and the activities of the Receiver as set out in the Second Report, be and are hereby approved; provided, however, that only the Receiver, in its personal capacity only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

STATEMENT OF RECEIPTS AND DISBURSEMENTS

3. **THIS COURT ORDERS** that the Receiver's Statement of Receipts and Disbursements for the period from January 24, 2020 to February 10, 2020 be and is hereby approved.

EXPANSION OF THE RECEIVER'S POWERS

4. **THIS COURT ORDERS** that the Receiver be and is hereby authorized, but not obligated, to file an assignment into bankruptcy under the *Bankruptcy and Insolvency Act* on behalf of the Estate of Naseem Somani, at any time.

5. **THIS COURT ORDERS** that Deloitte is authorized to act as trustee in bankruptcy of the Estate of Naseem Somani, in respect of any bankruptcy proceedings.

6. **THIS COURT ORDERS** that the Receiver be and is hereby is authorized to transfer \$30,000 to Deloitte, in its capacity as proposed trustee in bankruptcy, to fund the administration of the proposed bankruptcy of the Estate of Naseem Somani.

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

MAR 19 2020

PER / PAR



Hainey J.
see para 3 of
My Endorsement.

ROYAL BANK OF CANADA

Applicant

- and -

AYAZ SOMAN IN HIS CAPACITY AS EXECUTOR OF THE
ESTATE OF NASEEM SOMANI

Respondent

Court File No: CV-19-00631451-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)
PROCEEDING COMMENCED AT TORONTO

ORDER

BORDEN LADNER GERVAIS LLP
Bay Adelaide Centre, East Tower
22 Adelaide St W
Toronto, Ontario M5H 4E3
Tel: 416-367-6000
Fax: 416-367-6749

Roger Jaipargas – LSO No. 43275C
Tel: (416) 367-6266
Email: rjaipargas@blg.com

Tyler McNaughton – LSO No. 78081Q
Tel: (416) 367-6037
Email: tmcnaughton@blg.com

Lawyers for Deloitte Restructuring Inc.

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2644320
Estate No. 31-2644320

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
Estate of Naseem Somani (Deceased)
of the Town of Markham, 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 Estate of Naseem Somani (Deceased) of the Town of Markham 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 11th day of May 2020, 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.)

- 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 20(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

Instructions To Creditors

Proof of Claim form

General

Creditors are required to file their claims with the Trustee prior to the time appointed for the meeting of creditors in order to be eligible to vote.

The proper name of the claimant and its complete address, to which all notices or correspondence are to be forwarded, must be shown.

The proof of claim form must be completed by a person, not by a corporation. The person completing the proof of claim form on behalf of a corporation shall indicate his official capacity, such as "Credit Manager", "Secretary", "Authorized Agent", etc.

A proper proof of claim must be supported by a Statement of Account, marked "A", providing details, such as date, invoice numbers and amounts owing, the total of which agrees with the amount indicated on the claim.

All sections of the proof of claim must be completed. Any non-applicable wording should be crossed out.

The signature of the creditor or declarant on the claim must be witnessed.

Paragraph 3

A detailed statement of account must be attached to the proof of claim and must show the date, the number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payment. A statement of account is not complete if it begins with an amount brought forward.

Paragraph 4

The individual completing the proof of claim must strike out those subsections which do not apply. The priority referred to in subsection C a landlord for rent arrears and acceleration rent, if included in the lease, municipalities, if their claims are not a charge against title, and departments of federal and provincial governments.

All Secured Creditors must attach to their proofs of claim, a certified true copy of their security documents and details of registration.

Paragraph 5

All claimants must indicate whether or not they are related to the debtor, as defined by The Bankruptcy & Insolvency Act, by striking out "ARE" or "ARE NOT".

Paragraph 6

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

- a) within the three (3) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related.
- b) within the twelve (12) months preceding the bankruptcy or proposal, in the case where the claimant and the debtor are related.

Voting/Proxy

Any unsecured creditor may vote in person or by proxy, but when a proxy is attending the meeting, he must be so appointed by the creditor. When the creditor is a corporation, the person attending the meeting of the creditors, including the declarant, must be appointed proxy by an officer of the corporation having status to make such an appointment.

Note

Section 201(1) of The Bankruptcy & Insolvency Act states: "Where a creditor, or a person claiming to be a creditor, in any proceedings under this Act, wilfully and with intent to defraud, makes any false claim or any proof, declaration or statement of account, that is untrue in any material particular, he is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding one year, or both."

Deloitte Restructuring Inc.
Attention: Emily Klein
Bay Adelaide East
8 Adelaide Street West, Suite 200
Toronto, Ontario M5H 0A9
Telephone: (416) 601-6696 Fax: (416) 601-6690
Email: eklein@deloitte.ca

District of: Ontario
Division No. 09 - Toronto
Court No. 31-2644320
Estate No. 31-2644320

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
Estate of Naseem Somani (Deceased)
of the Town of Markham, 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:

Deloitte Restructuring Inc. - Licensed Insolvency Trustee

Bay Adelaide East
8 Adelaide Street West, Suite 200
Toronto ON M5H 0A9
Phone: (416) 601-6072 Fax: (416) 601-6690