

District of: Alberta  
Division No. 02 - Calgary  
Court No. 1801-00256  
Estate No.

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

Original  Amended

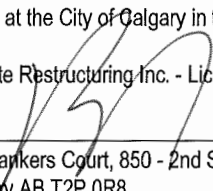
In the matter of the bankruptcy of  
Westview Builders Inc.

Take notice that:

1. A bankruptcy order was made against Westview Builders Inc. on the 9th day of February 2018, 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 1st day of March 2018, at 10:00 AM, at the office of Calgary, at 700 Bankers Court, 850 - 2nd Street SW, Calgary, AB, T2P 0R8.
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.

Dated at the City of Calgary in the Province of Alberta, this 20th day of February 2018.

Deloitte Restructuring Inc. - Licensed Insolvency Trustee

  
\_\_\_\_\_  
700 Bankers Court, 850 - 2nd Street SW  
Calgary AB T2P 0R8  
Phone: (403) 267-1899 Fax: (403) 718-3681

District of: Alberta  
 Division No. 02 - Calgary  
 Court No. 1801-00256  
 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  
 Westview Builders Inc.

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 9th day of February 2018. 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" .....	2,720,009.47	1. Inventory .....	0.00
Balance of secured claims as per list "B" .....	0.00	2. Trade fixtures, etc. ....	0.00
Total unsecured creditors .....	2,720,009.47	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B" .....	0.00	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
estimated to be reclaimable for .....		Estimated to produce .....	0.00
Total liabilities .....	2,720,009.47	4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
Surplus .....	NIL	5. Deposits in financial institutions .....	0.00
		6. Cash .....	0.00
		7. Livestock .....	0.00
		8. Machinery, equipment and plant .....	0.00
		9. Real property or immovable as per list "G" .....	0.00
		10. Furniture .....	0.00
		11. RRSPs, RRIFFs, 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" .....	0.00
		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 .....	0.00
		Deficiency .....	2,720,009.47

On February 9, 2018, an application was made to the Court of Queen's Bench of Alberta for an Order adjudging Westview Builders Inc. bankrupt. A Copy of the Order is attached.

District of: Alberta  
 Division No. 02 - Calgary  
 Court No. 1801-00256  
 Estate No.

FORM 78 -- Continued

List "A"  
 Unsecured Creditors  
 Westview Builders Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	A-1 Concrete Cutting & Coring Ltd	4949 Hubalta Rd SE Calgary AB T2B 1T5	700,000.00	0.00	700,000.00
2	Canyon Plumbing & Heating	3185 114 Ave SE Calgary AB T2Z 3X2	350,000.00	0.00	350,000.00
3	Contempa Carpet Company	1315 11 Ave SW Calgary AB T3C 0M6	500,000.00	0.00	500,000.00
4	Double R Building Products Ltd.	8209 30 St SE Calgary AB T2C 1H7	176,120.87	0.00	176,120.87
5	Elktone Interiors Ltd.	4540 54 Ave SE #200 Calgary AB T2C 2Y8	390,000.00	0.00	390,000.00
6	Gunther's Building Center Ltd	2100 10 Ave SW Calgary AB T3C 0K5	200,000.00	0.00	200,000.00
7	Home Solutions Corporation	11550 40 St SE Calgary AB T2Z 4V6	95,000.00	0.00	95,000.00
8	Ply Gem Canada Inc.	7140 40 St SE Calgary AB T2C 2B6	308,888.60	0.00	308,888.60
<b>Total:</b>			<b>2,720,009.47</b>	<b>0.00</b>	<b>2,720,009.47</b>

District of: Alberta  
Division No. 02 - Calgary  
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FORM 78 -- Continued

List "B"  
Secured Creditors

Westview Builders Inc.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
			Total: 0.00			0.00	0.00	0.00

District of: Alberta  
Division No. 02 - Calgary  
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FORM 78 -- Continued

List "C"  
Preferred Creditors for Wages, Rent, etc.

Westview Builders 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

District of: Alberta  
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Court No. 1801-00256  
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FORM 78 -- Continued

List "D"  
Contingent or Other Liabilities

Westview Builders Inc.

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

District of: Alberta  
Division No. 02 - Calgary  
Court No. 1801-00256  
Estate No.

FORM 78 -- Continued

List "E"  
Debts Due to the Bankrupt  
Westview Builders 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 found	When contracted	Estimated to produce	Particulars of any securities held for debt
				0.00				
			Total:	0.00			0.00	
				0.00				

District of: Alberta  
Division No. 02 - Calgary  
Court No. 1801-00256  
Estate No.

FORM 78 -- Continued

List "F"

Bills of Exchange, Promissory Notes, Lien Notes, Chattel  
Mortgages, etc., Available as Assets

Westview Builders Inc.

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



District of: Alberta  
Division No. 02 - Calgary  
Court No. 1801-00256  
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FORM 78 -- Continued

List "G"  
Real Property or Immovables Owned by Bankrupt

Westview Builders 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, amount)	Equity or surplus
			Total:	0.00	0.00

District of: Alberta  
Division No. 02 - Calgary  
Court No. 1801-00256  
Estate No.

FORM 78 -- Concluded

List "H"  
Property

Westview Builders 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			0.00	0.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant			0.00	0.00
(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
			<b>Total:</b>	<b>0.00</b>

Court No. 1801-00256

Estate No.

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In the matter of the bankruptcy of  
Westview Builders Inc.

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

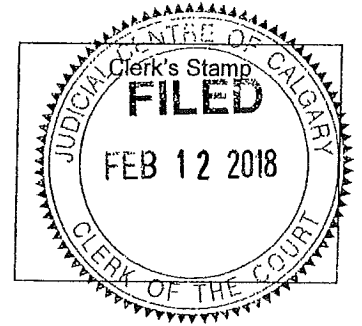
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Deloitte Restructuring Inc. - Licensed Insolvency  
Trustee

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700 Bankers Court, 850 - 2nd Street SW  
Calgary AB T2P 0R8  
Phone: (403) 267-1899 Fax: (403) 718-3681

COURT FILE NUMBER 1801-00256  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY



IN THE MATTER OF THE BANKRUPTCY OF  
WESTVIEW BUILDERS INC.

APPLICANT PLY GEM CANADA, INC.  
RESPONDENT WESTVIEW BUILDERS INC.  
DOCUMENT **BANKRUPTCY ORDER**

I hereby certify this to be a true copy of  
the original Order

Dated this 12 day of Feb. 2018

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS DOCUMENT

Beth P. Younggren  
**Dunphy Best Blockson LLP**  
Barristers & Solicitors  
#800, 517 - 10<sup>th</sup> Avenue S.W.  
Calgary, AB, T2R 0A8  
Telephone: (403) 265-7777  
Facsimile: (403) 269-8911

for Clerk of the Court

File No.: 32829.016 BPY

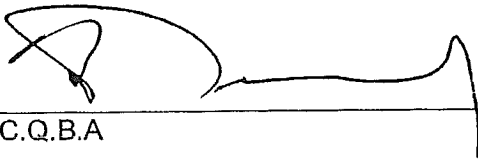
**DATE ON WHICH ORDER WAS PRONOUNCED:** Friday, February 9, 2018  
**LOCATION WHERE ORDER WAS PRONOUNCED:** Calgary, Alberta  
**NAME OF REGISTRAR WHO MADE THIS ORDER:** Justice A.D. Macleod

UPON THE APPLICATION of Ply Gem Canada, Inc. ("**Ply Gem**"), a creditor of Westview Builders Inc. ("**Westview**"); UPON HAVING READ THE AFFIDAVIT of Michael Slapman, sworn on October 31, 2017 and filed; UPON HAVING READ THE AFFIDAVIT of Scott Tillapaugh, sworn on August 2, 2017 and filed; UPON HAVING READ THE SUPPLEMENTAL AFFIDAVIT of Scott Tillapaugh, sworn on January 26, 2018 and filed; UPON BEING SATISFIED THAT Westview has been served with notice of the within Application; UPON BEING SATISFIED THAT Westview has committed an act of bankruptcy in the 6 months preceding the filing of the within Application, specifically that it has ceased to meet its liabilities as they become due; UPON NOTING THE CONSENT of Deloitte Restructuring Inc. ("**Deloitte**"), to be appointed as the Trustee in bankruptcy in the within proceedings and being satisfied that it is a person so qualified to act; AND UPON HEARING FROM counsel to Ply Gem and from any other party or person, or their respective counsel who were present:

**IT IS HEREBY ORDERED AND DECLARED AS FOLLOWS:**

1. Service of the Application for Bankruptcy Order is hereby deemed good and sufficient.

2. Westview is hereby adjudged bankrupt by virtue of the within Bankruptcy Order made as of this date.
3. Deloitte is appointed as trustee (the "**Trustee**") of the bankrupt estate of Westview.
4. In accordance with section 16(1) of the *Bankruptcy and Insolvency Act*, RSA 1985, c. B-3, the Trustee shall give security in cash or by bond.
5. The costs of the within Application and Bankruptcy Order shall be paid out of the bankrupt estate of Westview upon taxation thereof.
6. This Bankruptcy Order is subject to provisional execution notwithstanding any appeal therefrom, in accordance with section 195 of the *Bankruptcy and Insolvency Act*, RSA 1985, c. B-3.

  
\_\_\_\_\_  
J.C.Q.B.A

District of: Alberta  
Division No. 02 - Calgary  
Court No. 1801-00256  
Estate No.

- FORM 31 / 36 -  
Proof of Claim / Proxy  
In the matter of the bankruptcy of  
Westview Builders Inc.

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

\_\_\_\_\_  
\_\_\_\_\_

In the matter of the bankruptcy of Westview Builders Inc. of the City of Calgary in the Province of Alberta and the claim of

\_\_\_\_\_, creditor.

I, \_\_\_\_\_, of the city 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.

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 9th day of February 2018, and still is, indebted to the creditor in the sum of \$ \_\_\_\_\_, as specified in the statement of account (or affidavit or solemn declaration) 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

\_\_\_\_\_  
Individual Creditor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Name of Corporate Creditor

Per \_\_\_\_\_  
Name and Title of Signing Officer

Return To:

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Deloitte Restructuring Inc. - Licensed Insolvency Trustee

\_\_\_\_\_  
700 Bankers Court, 850 - 2nd Street SW  
Calgary AB T2P 0R8  
Phone: (587) 293-3203 Fax: (403) 718-3681  
E-mail: josithole@deloitte.ca@deloitte.ca

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.