

June 15, 2020

## Notice to the creditors of Swimco Partnership ("SP" or the "Company")

Please take notice that on June 11, 2020 (the "**Filing Date**"), SP filed a Notice of Intention to Make a Proposal (the "**NOI**") pursuant to Section 50.4(1) of the *Bankruptcy and Insolvency Act* (the "**BIA**") and Deloitte Restructuring Inc. has been appointed as proposal Trustee ("**Deloitte**" or "**Trustee**") under the NOI. Swimco Aquatics Supplies Ltd. ("**SAS**") also filed a NOI on the Filing Date and creditors of SAS will be sent a separate notice.

Enclosed with this letter are the following documents for your records:

- A copy of the NOI;
- A list of known creditors with debts greater than \$250 as at the Filing Date;
- A certificate of filing of NOI issued by the Official Receiver; and
- The consent of the Trustee.

The Company is not bankrupt, but has availed itself of a procedure whereby an insolvent person, with creditor and approval from the Court of Queen's Bench of Alberta (the "**Court**"), restructures its financial affairs. The Company continues to operate and maintain its business in the ordinary course during the NOI proceedings. The role of the Trustee is to monitor the Company's business and affairs during the proceeding and to report any material adverse changes to the Office of the Superintendent of Bankruptcy and the Court.

Pursuant to Section 69(1) of the BIA, the effect of filing an NOI is an automatic stay of proceedings (the "**Stay**") against all creditors from continuing or commencing any actions against the Company. No creditor shall have any remedy against the Company or its property or shall commence or continue any action, execution or other proceedings for the recovery of a claim provable in bankruptcy until the filing of a Proposal under section 62(17) of the bankruptcy of the Company. You are advised to seek legal advice if you require further explanation as to the provisions of section 69(1) of the BIA.

The Company is now required to perform the following:

- File statements of projected cash flow within 10 days; and
- File a proposal within 30 days of filing of the NOI or within any further extension of that period that may be granted by the Court. A meeting of creditors to consider the proposal (the "**Meeting**") will be held within 21 days after the Company files its proposal.

Once the proposal is filed, the Trustee will issue further correspondence, including a copy of the proposal, the Trustee's report on the proposal, a proof of claim form, a voting letter, a proxy and a notice to creditors regarding the Meeting.

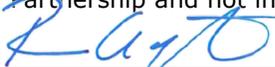
Information related to the NOI proceedings will be posted on Deloitte's website at [www.insolvencies.deloitte.ca](http://www.insolvencies.deloitte.ca) under the link entitled "Swimco".

Should you have additional questions, please contact Tyler Adametz at +1-403-648-3203 or [tadametz@deloitte.ca](mailto:tadametz@deloitte.ca).

Yours truly,

**DELOITTE RESTRUCTURING INC.,**

In its capacity as the Proposal Trustee for Swimco  
Partnership and not in its personal or corporate capacity.



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Ryan Adlington, CPA, CA, CIRP, LIT

District of: Alberta  
Division No. 02 - Calgary  
Court No.  
Estate No. 25-2651362

- FORM 33 -  
Notice of Intention To Make a Proposal  
(Subsection 50.4(1) of the Act)

In the matter of the proposal of  
Swimco Partnership  
of the of Calgary, in the Province of Alberta

Take notice that:

1. I, Swimco Partnership, an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. Deloitte Restructuring Inc. of 700 Bankers Court, 850 - 2nd Street SW, Calgary, AB, T2P 0R8, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the City of Calgary in the Province of Alberta, this 11 day of June 2020.



Swimco Partnership  
Insolvent Person

To be completed by Official Receiver:

\_\_\_\_\_  
Filing Date

\_\_\_\_\_  
Official Receiver

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

- FORM 33 -  
 Notice of Intention To Make a Proposal  
 (Subsection 50.4(1) of the Act)

In the matter of the proposal of  
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List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
AC 12 Apparel Inc.	700 Mccaffrey Montreal QC H4T 1N1		13,960.06
Adidas Canada	8100 Hwy 27 Woodbridge ON L4H 3N2		4,077.16
All Star Sales & Service Ltd	3 - 3055 Dundas St W Mississauga ON L5L 3R8		1,182.85
Amber Nicholls	██████████ ██████████		2,908.40
Amerex Group LLC	555 rue Chabanel O Montreal QC H2N 2J2		34,722.63
Amoena Canada Inc.	6790 Century Avenue Mississauga ON L5N 2V8		12,976.00
Andrea Almeida	██████████ ██████████		4,592.92
Anita Canada Ltd	72B Windgold Avenue Toronto ON M6B 1P5		12,955.54
Aqua Lung Canada Ltd	6820 Kirkpatrick Crescent Saanichton BC V8M 1Z9		48,174.10
ARC - Western Canada	4455 Alaska Street Burnaby BC V5C 5T3		2,020.67
Augmentum Consulting	1703 48 Ave S. W. Calgary AB T2T 2T1		4,200.00
Autumn Kehler	██████████ ██████████		702.77
Beatrice Hitchcock	██████████ ██████████		11,731.52
Becca Swim	P. O. Box 88926 Chicago IL 60695 USA		4,096.34
Bennett Moody	██████████ ██████████		1,071.80

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Creditor	Address	Account#	Claim Amount
Billabong	P. O . Box 4090 Stn A Toronto ON M5W 0E9		261,620.25
Bjorn Mulholland	[REDACTED]		478.57
Blue Crush	6403 Burbank Road SE Calgary AB T2H 2E1		339,000.00
Bond - Eye Australia PTY Ltd	49/34-36 Ralph Street Alexandria AU 2015 Australia		152,360.28
Britney Sotto	[REDACTED]		4,730.25
BWI LLC	1441 Broadway 8th Floor Suite #801 New York NY 10018 USA		7,354.62
Calgary Mat & Linen Services	109 , 10836 24 Street S.E. Calgary AB T2Z 4C9		264.18
Carolyn Stephenson	[REDACTED]		980.88
Carve Designs , Inc	160 Gate 5 Road Sausalito CA 94965 USA		8,665.22
Centric Can Apparel (KHQ)	350 5th Avenue 9th Floor New York NY 10118 USA		2,777.04
Cheryl MacIntosh	[REDACTED]		8,307.84
Christina Canada Inc	1350 Mazurette Montreal QC H4N 1H2		6,931.06
Coalision Inc.	700 St- Antoine Est, Montreal QC H2Y 1A6		20,901.38
Coast Pad And Trim Corp.	Dept La 22927 Pasadena CA 91185-2927 USA		270.08
Colleen Dow	[REDACTED]		1,166.28

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Creditor	Address	Account#	Claim Amount
Connie Bartel	[REDACTED]		1,186.24
Coolibar	2401 Edgewood Ave. S # 400 Minneapolis MN 55426 USA		1,580.00
Cover Me	9383-5924 Quebec Inc 4004 CH.DU Bois-Franc St. Laurent QC H4S 1A7		28,531.85
Curtis Jenkins	[REDACTED]		3,055.42
Cynthia Brenne Fehr	[REDACTED]		1,098.81
D. Bacon Holdings	6403 Burbank Road SE Calgary AB T2H 2E1		600,000.00
Day & Ross	3800 Westwinds Drive N.E. Calgary AB T3J 5H3		6,174.47
Deanna Furlong	[REDACTED]		5,733.22
Diane Worthen	[REDACTED]		6,144.56
Elan International	Rosenthal & Rosenthal Chicago IL 60695 - 19 USA		4,872.54
Erin Bosworth	[REDACTED]		3,500.80
Everyday Sunday/ Nasri	500 Boul Lebeau Montreal QC H4N 1R5		328,927.69
Gloria Kai	[REDACTED]		10,601.64
Government of Canada - GST Remittance	Canada Revenue Agency PO Box 3800 Stn A Sudbury ON P3A 0C3		11,610.04
Havaianas/Alpargatas USA	Lockbox 918030 Toronto ON M5W 0E9		12,429.63

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Hurley International, LLC	Lockbox # 911920 Toronto ON M5W 0E9		63,364.10
Islandhaze LLC	15375 Barranca Parkway Irvine CA 92618 USA		9,981.42
J Corp Inc.	95 Gince St. Laurent QC H4N 1J7		13,243.13
Jantzen - Supreme - Nike	C/O TH0094 , P.O. Box 4269 Toronto ON M5W 5V2		35,907.88
Jaytex	Accord Business Credit Toronto ON M5S 1M2		21,590.06
Jena Case	[REDACTED]		840.00
Jennifer Adams (nee Leger)	[REDACTED]		6,037.05
Jennifer Anderson	[REDACTED]		3,448.96
Jessi Stewart	[REDACTED]		7,704.10
JMC Distribution Ltd	P. O. Box 853 New Westminster BC V3M 6V3		1,349.46
Joanne Smith	[REDACTED]		6,700.70
Jolar Speck Importation Inc.	2154 Rue De La Province Longueuil QC J4G 1R7		17,490.38
Juli Meyer	[REDACTED]		1,249.55
Kabo	54 Ave De La Pointe - Claire Pointe - Claire QC H9S 4M5		2,276.14
Kaley Mueller	[REDACTED]		843.42

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Creditor	Address	Account#	Claim Amount
Kellie Allen	[REDACTED]		766.26
Klaviyo	225 Franklin Street Boston MA 2110 USA		2,000.00
KPMG LLP	SUITE 1100 UNIVERSITY CENTRE, 393 UNIVERSITY AVENUE Toronto ON M5G 2N5		5,617.50
Leah Veltmeyer (nee Thorne)	[REDACTED]		4,810.19
Leilani MacQuarrie	[REDACTED]		4,922.88
Longevity Brand, LLC	P. O. Box 476 Ft. Erie ON L2A 5N2		28,682.22
Lori Bacon Holdings	6403 Burbank Road SE Calgary AB T2H 2E1		424,000.00
Lori Jo Holdings	6403 Burbank Road SE Calgary AB T2H 2E1		500,000.00
Lori Michaels Mfg Inc.	225 Chabanel W. Montreal QC H2N 2C9		10,162.58
Lunada Bay Corporation	2000 E. Winston Rd Anaheim CA 92806 USA		25,454.22
Ly (Osanna) Dutka	[REDACTED]		2,327.20
Mainstream (Caribbean Joe)	P. O. Box 476 Ft. Erie ON L2A 5N2		36,358.93
Mainstream Swimsuits Inc.	P. O. Box 476 Ft. Erie ON L2A 5N2		442,683.09
Malai S.A.S. (1080199891)	Helm Bank Miami Miami FL 33131 USA		12,777.90
Malvados Lifestyle Inc.	7865 Edmonds Street Burnaby BC V3N 1B9		943.66

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Creditor	Address	Account#	Claim Amount
Melanie Rosentreter-Fung	[REDACTED]		17,393.04
Modinno Enterprises	206 - 4288 Lozells Ave. Burnaby BC V5A 0C7		47,158.14
Momentum Distribution	8845 Boul Du Quartier Brossard QC J4Y 0R2	12072	1,607.55
N O X S	9500 Meilleur Street Montreal QC H2N 2B7		617.40
Nancy Goh	[REDACTED]		35,082.82
Olympic Mountain Products	8655 South 208Th Street Kent WA 98031 USA		11,009.01
Paige Shirley	[REDACTED]		2,836.72
Papa Fashions Imports Ltd.	# 11 - 12468 82Nd Ave. Surrey BC V3W 3E9		33,567.40
Papillon Eastern Imports Ltd.	33 - 8236 - 128 Street Surrey BC V3W 4G2		45,499.44
Paul Bauerlein	[REDACTED]		2,023.26
Penbrooke Swimsuits, Inc.	P. O. Box 476 Ft. Erie ON L2A 5N2		58,188.79
Physician Endorsed, LLC	5600 Collins Avenue Miami Beach FL 33140 USA		1,419.50
Pilgrim North America Inc.	101 De Louvain, West, Montreal QC H2N 1A3		4,828.32
Pitney Bowes Equip Rental	P.O. Box 278 Orangeville ON L9W 2Z7		300.32
Podium Imports	P.O. 1154 Penticton BC V2A 6J9		5,437.40

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Creditor	Address	Account#	Claim Amount
PVH Canada, Inc.	Lockbox 918360 Toronto ON M5W 0E9		107,205.38
Quiksilver	P. O. Box 4090 Stn A Toronto ON M5W 0E9		210,460.27
Raquel Austin	[REDACTED]		6,874.62
Raviya Inc.	3101 S Broadway Los Angeles CA 90007 USA		2,864.50
RBC Royal Bank	411 58 Ave SE Calgary AB T2H 0P5	LOC - 00162008-001	1,551,883.60
RBC Royal Bank	411 58 Ave SE Calgary AB T2H 0P5	Mortgage - 00162008-013	490,169.89
RBC Royal Bank	411 58 Ave SE Calgary AB T2H 0P5	Mortgage - 00162008-016	514,496.63
RBC Royal Bank	411 58 Ave SE Calgary AB T2H 0P5	Lease Loan	450,185.75
Ricoh	5520 Explorer Drive, Mississauga ON L4W 5L1		2,450.35
Ripcurl Canada Inc.	108-173 Forester Street North Vancouver BC V7H 0A6		167,916.41
Roberth Aucca Zuniga	[REDACTED]		516.31
Robin Piccone Swimwear	3740 Motor Avenue Los Angeles CA 90034 USA		2,585.17
Robin Simcoe	[REDACTED]		5,712.30
Russell A. Farrow Ltd.	2001 Huron Church Rd Windsor ON N9C 2L6		2,336.24
STIVELL	9320 Boulevard St. Laurent , Montreal QC H2N 1N7		26,347.48

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Creditor	Address	Account#	Claim Amount
Salt & Stone	# 1 - 933 Maltman Ave. Los Angeles CA 90026 USA		3,537.57
Sandra Chiu	[REDACTED]		10,338.30
Saxx Underwear Co. Ltd	68 West 5Th Ave. Vancouver BC V5Y 1H6		41,865.50
Selena Stephen	[REDACTED]		8,239.41
Selena Stephenson	[REDACTED]		14,390.84
SGS Sports Inc	6400 Cote De Liesse St. Laurent PQ H4T 1E3		120,509.58
Shaw	2400, 32 AVE. N.E. Calgary AB T2E 9A7		1,225.92
Shelby Kirkpatrick	[REDACTED]		997.77
Sisense Inc.	1359 Broadway New York NY 10018 USA		7,913.94
Slowtide LLC	336 East 17Th Street Costa Mesa CA 92627 USA		1,066.38
Spyder Swimwear	200B-63 Wingold Ave North York ON M6B 1P8		10,142.27
Stephanie van Gemst	[REDACTED]		2,365.70
Steve Forseth Enterprises	6403 Burbank Road SE Calgary AB T2H 2E1		1,175,000.00
Steve Forseth Holdings	6403 Burbank Road SE Calgary AB T2H 2E1		424,452.00
Sun And Sand	1813 109Th Street Grand Prairie TX 75050 USA		558.66

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Creditor	Address	Account#	Claim Amount
Sun Bum LLC	P. O. Box 99270 Toronto ON M5W 0J6		19,926.79
Super Save Disposal (Alberta) Ltd.	19395 Langley Bypass Surrey BC V3S 6K1		3,718.53
Swimwear Anywhere Canada	P. O. Box 15827 Toronto ON M5W 1C1		297,352.53
Swimwear Anywhere USA	P. O. Box 15827 Toronto ON M5W 1C1		5,598.18
Taryn Boychuk			22,294.49
Thing Technologies Ltd.	572 Wellington St. London ON N6A 3R3		560.70
Tommy Bahama Canada, ULC	Lockbox # 914570 Toronto ON M5W 0E9		3,033.80
Trend Marketing Wholesale Inc.	1500 Lodestar Road Toronto ON M3J 3C1		38,933.88
TYR Sport	30 Montrose St. Dollard - Des - Ormeaux QC H9B 3J9		268,574.47
V O L C O M	1740 Monrovia Avenue Costa Mesa CA 92627 USA		5,550.30
Voce Enterprises Ltd	1456 E Pender Street Vancouver BC V5L 1V8		223,622.40
Water Gear Inc.	P. O. Box 2201 Englewood CO 80150 USA		525.34
Wells Fargo Bank N. A.	Case Postale 11733 Montreal QC H3C 6R4		42,381.23
WGSN , Inc.	229 , West 43Rd Street , New York NY 10036 USA		10,300.00
White Wave Sportswear Inc	5800 Rue Ferrier Montreal QC H4P 1M7		91,414.31

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Creditor	Address	Account#	Claim Amount
WITZ Sports	11282 Pyrites Way #A Gold River CA 95670 USA		574.23
X - Company	5755 De Rossignols , Laval QC H7L 5X4		868.14
YOTPO Inc.	33 West 19Th Street New York N Y 10011 USA		6,412.00
<b>Total</b>			10,367,379.75



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Swimco Partnership  
Insolvent Person

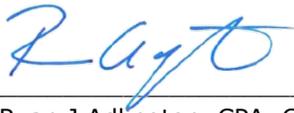
**NOTICE OF INTENTION TO MAKE A PROPOSAL  
(Section 50.4(1))  
SWIMCO PARTNERSHIP**

**CONSENT OF TRUSTEE TO ACT UNDER PROPOSAL**

In accordance with Section 50.4(1) of the Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3 (the "BIA"), we advise that our firm, as a licensed Trustee, hereby consents to act as Trustee under the proposal of Swimco Partnership under Division I Part III of the BIA.

Dated at the City of Calgary in the Province of Alberta, this 1st day of June 2020.

**Deloitte Restructuring Inc.**



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Per: Ryan J Adlington, CPA, CA, CIRP, LIT  
Senior Vice President



Industry Canada  
Office of the Superintendent  
of Bankruptcy Canada

Industrie Canada  
Bureau du surintendant  
des faillites Canada

District of Alberta  
Division No. 02 - Calgary  
Court No. 25-2651362  
Estate No. 25-2651362

In the Matter of the Notice of Intention to make a  
proposal of:

**Swimco Partnership**  
Insolvent Person

**DELOITTE RESTRUCTURING INC/RESTRUCTURATION  
DELOITT**  
Licensed Insolvency Trustee

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Date of the Notice of Intention: June 11, 2020

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CERTIFICATE OF FILING OF A NOTICE OF INTENTION TO MAKE A PROPOSAL  
Subsection 50.4 (1)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that the aforementioned insolvent person filed a Notice of Intention to Make a Proposal under subsection 50.4 (1) of the *Bankruptcy and Insolvency Act*.

Pursuant to subsection 69(1) of the Act, all proceedings against the aforementioned insolvent person are stayed as of the date of filing of the Notice of Intention.

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Date: June 11, 2020, 18:07

E-File/Dépôt Electronique

Official Receiver

Harry Hays Building, 220 - 4th Ave SE, Suite 478, Calgary, Alberta, Canada, T2G4X3, (877)376-9902

**Canada**