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## PROOF OF CLAIM

(Section 50.1, subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 81.5, 81.6, 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 HOMCO REALTY FUND (98) LP

of Halifax, Province of Nova Scotia and the claim of \_\_\_\_\_

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

I, \_\_\_\_\_ (name of creditor or signing officer) of \_\_\_\_\_ (city and province)

#### DO HEREBY CERTIFY:

1. That I am a creditor of the above-named debtor (or that I am) \_\_\_\_\_ (position or title)  
of \_\_\_\_\_ (name of creditor or signing officer).

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

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

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 December 18, 2013 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 or solemn declaration 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 Bankruptcy and Insolvency Act. (Set out on an attached sheet details to support priority claim.)  
( ) Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.
- ( ) B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE OF \$ \_\_\_\_\_  
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 (bankruptcy) 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 (bankruptcy) in the amount of \$ \_\_\_\_\_.  
That I hereby make a claim under subsection 81.6 of the Act (receivership) in the amount of \$ \_\_\_\_\_.

( ) G. CLAIM AGAINST DIRECTOR OF \$ \_\_\_\_\_  
(To be filed 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 OF \$ \_\_\_\_\_  
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 (or I am not) (or the above-named creditor is) (or the above-named creditor is not) related to the debtor within the meaning of section 4 of the Act, and have (or have not) (or has) (or has not) dealt with the debtor in a non-arm's-length manner. (Strike out choices that do not correspond to your situation.)
6. That the following are the payments that I have received from, 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 subsection 2(1) of the Act: (Provide details of payments, credits and transfers at undervalue.)

(Applicable only in the case of the bankruptcy of an individual.)

( ) 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 \_\_\_\_\_ 2 \_\_\_\_\_.

\_\_\_\_\_  
(signature and name of witness)

\_\_\_\_\_  
(signature of creditor who is an individual)

- or -

\_\_\_\_\_  
(name of corporate creditor)

\_\_\_\_\_  
(signature and name of witness)

\_\_\_\_\_  
(signature, name and position or title of signing officer)

- NOTES:** If an affidavit or solemn declaration is attached, it must have been made before a person qualified to take affidavits or solemn declarations.  
If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.
- WARNINGS:** A trustee may, pursuant to subsection 12B(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.

## PROXY

(Subsections 102(2) and paragraphs 51(1)(e) and 66.15(3)(b) of the Act)

IN THE MATTER OF THE BANKRUPTCY OF: HOMCO REALTY FUND (98) LP, a bankrupt

I (or we), \_\_\_\_\_ (name of creditor or signing officer), of \_\_\_\_\_ (city and province)  
a creditor in the above matter, hereby appoint \_\_\_\_\_  
of \_\_\_\_\_ to be my (or our) general proxy in the above matter, except as to the receipt of  
dividends, with (or without) power to appoint another general proxy in his (or her) place.

DATED AT \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 2 \_\_\_\_\_.

\_\_\_\_\_  
(signature and name of witness)

\_\_\_\_\_  
(name of creditor who is an individual)

- or -

\_\_\_\_\_  
(name of corporate creditor)

\_\_\_\_\_  
(signature and name of witness)

\_\_\_\_\_  
(signature, name and position or title of signing officer)

**THIS INFORMATION SHEET IS SUPPLIED  
IN ORDER TO ASSIST YOU IN COMPLETING THE PROOF OF CLAIM FORM**

- The proof of claim must be signed by the individual completing the form.
- The signature of the claimant must be witnessed.
- Give the complete address where all notices and correspondence are to be forwarded.
- The amount on the statement of account must agree with the amount claimed on the proof of claim.

**PARAGRAPH 1 OF THE PROOF OF THE CLAIM**

- Creditor must state full and complete legal name of company or firm.
- If the person completing the proof of claim is not the creditor himself, he must state his position or title.

**PARAGRAPH 3 OF THE PROOF OF THE CLAIM**

- A detailed statement of account together with supporting documentation must accompany the completed proof of claim.

**PARAGRAPH 4 OF THE PROOF OF THE CLAIM**

- The claimant must tick the appropriate paragraph and must provide information as requested.

**PARAGRAPH 5 OF THE PROOF OF THE CLAIM**

- The claimant must indicate whether he is or is not related to the debtor, as defined in the *Bankruptcy and Insolvency Act*, by encircling, underlining or striking out "are" or "are not" as the case.

**PARAGRAPH 6 OR THE PROOF OF THE CLAIM**

- The claimant must attach a detailed list marked "B" of all payments received and/or credits granted, as follows:
  - within the three months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related;
  - within the twelve months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are related.