

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
COURT. No.: 500-11-047563-149  
OFFICE No.: 934614-1000000

SUPERIOR COURT  
Commercial Division

**IN THE MATTER OF THE PROPOSED  
PLAN OF ARRANGEMENT OF:**

**GRADEK ENERGY INC.**, a legal person, duly incorporated according to law, having its head office and principal place of business at 162 Brunswick Blvd., Pointe-Claire, QC H9R 5P9

- and -

**GRADEK ENERGY CANADA INC.**, a legal person, duly incorporated according to law, having its head office and principal place of business at 162 Brunswick Blvd., Pointe-Claire, QC H9R 5P9

Debtors

- and -

**SAMSON BÉLAI/DELOITTE & TOUCHE INC.**  
(Jean-François Nadon, CA, CIRP, designated person in charge), having a place of business at 1 Place Ville Marie, Suite 3000, Montreal, QC H3B 4T9

Monitor

**INFORMATION SHEET  
REGARDING THE PROOF OF CLAIM FORM**

This Information Sheet has been prepared to assist creditors in filling out the Proof of Claim form. If you have any additional questions regarding the completion of the Proof of Claim Form, or require additional copies of the Proof of Claim Form, please consult the Monitor's website at <http://www.insolvencies.deloitte.ca/en-ca/Pages/Gradek-Energy-Inc.aspx> or contact the Monitor (see contact details indicated at the end of this document).

Please note that this document is only a guide and that, in the event of any inconsistency between the terms of this document and the terms of the Claims Procedure Order dated February 5, 2015, the terms of the Claims Procedure Order will govern. Capitalized terms not defined herein are as defined in the Claims Procedure Order. A copy of the Claims Procedure Order can be obtained from the Monitor's website at <http://www.insolvencies.deloitte.ca/en-ca/Pages/Gradek-Energy-Inc.aspx>

## **CREDITORS**

- Every individual and every legal entity (each, a “**Creditor**”) who wishes to make a claim against one or more of the Debtors (each, a “**Claim**”) must complete a separate Proof of Claim form.
- Creditors must file a separate Proof of Claim form for each Debtor against whom a claim is being asserted.
- Creditors shall include any and all claims it asserts against a single Debtor in a single Proof of Claim.
- The full legal name of the Creditor must be provided in **Part A** of the Proof of Claim along with its operating name, if different.
- If the Creditor operates under a different name, or names, please indicate it in a separate schedule to be joined with the documentation in support of your Claim.
- If the Claim has been assigned or transferred to another party, **Part B** of the Proof of Claim must also be completed.
- Unless the Claim is assigned or transferred, all future correspondence, notices, etc. regarding the Claim will be directed to the address and contact indicated in **Part A**.
- Certain amounts that may be due to Creditors are not Claims and must not be included in the Proof of Claim forms, including amounts that may be due under obligations arising on or after October 15, 2014, in respect of the supply of services, utilities, funds, goods or material, without limitation, to the extent that said amounts do not constitute Restructuring Claims. For more information, please consult the Claims Procedure Order provided on the Monitor’s website or contact the Monitor directly.

## **ASSIGNEE**

- If the Creditor has assigned or otherwise transferred its Claim, then **Part B** of the Proof of Claim must be completed.
- The full legal name of the Assignee must be provided.
- If the Assignee operates under a different name, or names, please indicate this in a separate schedule in the supporting documentation.
- Evidence of the assignment must be provided. If the Monitor is satisfied that an assignment or transfer has occurred, all future correspondence, notices, etc. regarding the Claim will be directed to the Assignee at the address and contact indicated in **Part B**.

## **AMOUNT OF CLAIM**

- Indicate the value for which the Debtor is indebted to the Creditor.

### *Currency*

- The amount of the Claim must be provided in the currency in which it arose.
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If the Claim is denominated in multiple currencies, use a separate line to indicate the Claim amount in each of such currency. If there are insufficient lines to record these amounts, attach a separate schedule indicating the required information.

- Claims denominated in a currency other than Canadian dollars will be converted into Canadian dollars by the Monitor using the Bank of Canada noon exchange rate on October 15, 2014.

#### ***Secured Claim***

- Check the “Secured” box only if the Claim recorded on that line is secured. Do not check this box if your Claim is unsecured.
- If the value of the collateral securing your Claim is less than the amount of your Claim, enter the shortfall portion on a separate line as an unsecured claim.
- Evidence supporting the existence of the security you hold must be submitted with the Proof of Claim form. Provide full particulars of the security, including its nature, the date on which the security was given and the value you attribute to the collateral securing your Claim. Attach a copy of all related security documents. Please note that trade claims are typically not secured.

#### ***Restructuring Claim***

- Check this box only if the Claim, or a portion of this Claim, is a “Restructuring Claim”.
- A Restructuring Claim, as defined in the Claims Procedure Order, means any right of any person against the Debtors in connection with any indebtedness or obligation of any kind owed to such person arising out of the restructuring, resiliation or termination of any contract, lease, employment agreement, collective agreement or other agreement, whether written or oral, on or after October 15, 2014, including any right of any person who receives a notice of resiliation or termination from the Debtors; provided, however, that a Restructuring Claim may not include an Excluded Claim.

#### **Claims against the directors and officers and/or the mis en cause RHST Development Inc. and Thomas Gradek**

- Creditors must indicate, in the sections provided for this purpose, if the directors and officers of the Debtors and/or the mis en cause RHST Development Inc. and Thomas Gradek are also responsible, in whole or in part, for the Claim against the Debtor referred to in the Proof of Claim. Please only report those claims against the directors and officers and/or the mis en cause RHST Development Inc. and Thomas Gradek which stem from Claims against the Debtors (i.e., claims that are not related to Claims against the Debtors should not be included in your Proof of Claim form).

#### **DOCUMENTATION**

- In order for the Proof of Claim to be valid, the relevant documents and explanations supporting the Claim must be attached to the Proof of Claim form.
- Said documents must include, without limiting the foregoing, all particulars of the Claim, including the amount, the description of the transaction(s) or agreement(s) giving rise to the Claim, the name of any guarantor which has guaranteed the Claim, the invoices, the particulars of all claimed credits and discounts, the description of the security, if any, granted by the Debtors or any officer or director to the Creditor and estimated value of such security, the particulars of any Restructuring Claim and the any and all supporting documents in support thereof.

## ATTESTATION

- The Proof of Claim must be signed by a duly authorized representative of the Creditor before witness.
- The person signing the Proof of Claim form should:
  - be the Creditor, or an authorized representative of the Creditor;
  - have knowledge of all the circumstances connected with the Claim.
- By signing and submitting the Proof of Claim, the Creditor is asserting the Claim against the Debtor.

## FILING OF THE PROOF OF CLAIM

- The Proof of Claim must be received by the Monitor no later than **5:00 p.m.** (Montréal time) on **March 16, 2015**, or, in the case of a Restructuring Claim, no later than 30 days after the date of receipt by the Creditor of a notice from the Debtors giving rise to the Restructuring Claim (the “**Claims Bar Date**”) by way of electronic mail, fax, mail, registered mail, courier or personal delivery to the following contact details:

Samson Bélair/Deloitte & Touche Inc.  
In its capacity of Monitor of  
Gradek Energy Inc. and Gradek Energy Canada Inc.  
Mrs. Adina Bochis  
1 Place Ville Marie  
Suite 3000  
Montreal QC H3B 4T9  
Tel.: 514-393-5282  
Fax: 514-390-4103  
E-mail: abochis@deloitte.ca

**CLAIMS THAT ARE NOT RECEIVED BY THE CLAIMS BAR DATE WILL FOREVER BE BARRED AND EXTINGUISHED. YOU WILL NOT RECEIVE ANY FURTHER NOTICES.**