

**ONTARIO
SUPERIOR COURT OF JUSTICE
Commercial List
In Bankruptcy and Insolvency**

**Division No. 09-Toronto
Estate No. 31-2908544**

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

**In the Matter of the Bankruptcy of
SMRT Labs Inc.
of the City of Toronto
in the Province of Ontario**

Original **Amended**

Take notice that:

1. SMRT Labs Inc. (the “**Company**”) filed an assignment on February 6, 2023, and the undersigned, Richter Inc., was appointed as trustee (“**Trustee**”) of the Company’s bankrupt estate by the Official Receiver; 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 February 24, 2023 at 11:00 AM via videoconference (the “**Meeting**”). As the Meeting is to be held remotely, creditors who wish to attend the Meeting are required to complete the attached registration form and return it by email to the Trustee at the following email address: claims@richter.ca, no later than **5:00 PM (Toronto time) on February 23, 2023**.
3. Enclosed with this notice is a (i) condensed statement of assets and liabilities, including a list of creditors showing the amounts of their claims (as per the Company’s records), (ii) form of proof of claim and proxy, and (iii) registration form to participate in the Meeting.
4. To be entitled to vote at the Meeting, a creditor must file with the Trustee, before the Meeting, a proof of claim and, where necessary, a proxy. Proofs of claim should be forwarded to Richter Inc., Bay Wellington Tower, 181 Bay Street, Suite 3510, Toronto, Ontario, M5J 2T3 to the attention of Megha Sharma or sent by facsimile to (514) 934-8603 or by email to claims@richter.ca.
5. Creditors must prove their claims against the estate of the bankrupt to share in any distribution of the proceeds realized, if any, from the estate.

Dated at Toronto, Province of Ontario, February 9, 2023.

Richter Inc.
Licensed Insolvency Trustee
of the Estate of SMRT Labs Inc.

T. 416.488.2345 / 1.866.585.9751
F. 514.934.8603
claims@richter.ca

Richter Inc.
181 Bay St., Suite 3510
Bay Wellington Tower
Toronto, ON M5J 2T3
www.richter.ca

Montréal, Toronto

District of:
 Division No. -
 Court No.
 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
 SMRT Labs Inc.
 of the City of Toronto
 in the Province of Ontario

To the bankrupt:

You are required to carefully and accurately complete this form and the applicable attachments showing the state of SMRT Labs Inc.'s affairs on the date of the bankruptcy, on the 3rd day of February 2023. 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"	219,848.19	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	219,848.19	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" estimated to be reclaimable for	0.00	Bad	0.00
Total liabilities	219,848.19	Estimated to produce	0.00
Surplus	NIL	4. Bills of exchange, promissory note, etc., as per list "F" ..	0.00
		5. Deposits in financial institutions	444.49
		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, RRIFs, 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	444.49
		Deficiency	219,403.70

I, Jason Elmaleh, of the City of Toronto in the Province of Ontario, do swear (or solemnly declare) that this statement and the attached lists are to the best of my knowledge, a full, true and complete statement of the affairs of the Corporation on the 3rd day of February 2023 and fully disclose all property of every description that is in SMRT Labs Inc.'s possession or that may devolve on SMRT Labs Inc. in accordance with the Act.

SWORN (or SOLEMNLY DECLARED)

remotely by Jason Elmaleh states as being located in the City of Toronto in the Province of Ontario before me at the City of Toronto in the Province of Ontario, on this 3rd day of February 2023 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits
 Hannah Davis LSO#85047N



Jason Elmaleh

District of:
Division No. -
Court No.
Estate No.

FORM 78 -- Continued

In the Matter of the Bankruptcy of
SMRT Labs Inc.
of the City of Toronto
in the Province of Ontario
List "A"
Unsecured Creditors
SMRT Labs Inc.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	3D Plastic Prototpe Parts Inc.	4200 Delduca Dr. Oldcastle ON N0R 1L0	70,000.00	0.00	70,000.00
2	Hi Tech Solutions	109 Mentor Blvd. North York ON M2H 2M9	3,000.00	0.00	3,000.00
3	Linear Computing Inc.	110 Galaxy Blvd. Etobicoke ON M9W 4Y6	1,531.25	0.00	1,531.25
4	Lintex Computer group Inc.	902-1 St. Clair Ave. West Toronto ON M4V 1K6	980.73	0.00	980.73
5	LOK North America Inc.	2025, rue Michelin Laval ON H7L 5B7	4,178.50	0.00	4,178.50
6	NeuronicWorks Inc.	210 Lesmill Road Toronto ON M3B 2T5	24,777.07	0.00	24,777.07
7	Osler, Hoskin & Harcourt LLP	PO Box 50 1 First Canadian Place, Toronto ON M5X 1B8	43,211.83	0.00	43,211.83
8	Receiver General - HST 731726071RT0001	Shawinigan-Sud National Verifications & Collection Center 4695 Shawinigan Sud Blvd. Shawinigan QC G9P 5H9	4,605.34	0.00	4,605.34
9	Wilson Sonsini Goodrich & Rosati	650 Page Mill Road Palo Alto CA 94304-1050 USA	67,563.47	0.00	67,563.47
Total:			219,848.19	0.00	219,848.19

03-Feb-2023

Date


Jason Eimaleh

RICHTER

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 (including postal code) 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 CLAIM

- If the individual completing the proof of claim is not the creditor himself, he must state his position or title.
- The creditor must state the full and complete legal name of the Company or the claimant.

PARAGRAPH 3 OF THE PROOF OF CLAIM

- A detailed statement of account must be attached to the proof of claim and must show the date, the invoice number and the dollar amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments. A statement of account is not complete if it begins with an amount brought forward. In addition, a creditor must indicate his/her address, phone number, fax number and E-mail address.

PARAGRAPH 4 OF THE PROOF OF CLAIM

- An unsecured creditor (subparagraph (A)) must check and state whether or not a priority rank is claimed under Section 136 of the Bankruptcy and Insolvency Act.
- A claim of landlord (subparagraph (B)) for disclaim of lease must be completed with full particulars and calculations.
- A secured creditor must complete subparagraph (C) and attach a copy of the security documents.
- A farmer, fisherman or aquaculturist must complete subparagraph (D).
- A wage earner must complete subparagraph (E), if applicable.
- Section F must be completed with regard to a pension plan.
- A claim against director(s) (subparagraph (G)), in a proposal which compromises a creditor's claim, must contain full particulars and calculations.
- A customer of a bankrupt securities firm must complete subparagraph (H).

PARAGRAPH 5 OF THE PROOF OF CLAIM

- The claimant must indicate whether he/she **is** or **is not related** to the debtor, as defined in the Bankruptcy and Insolvency Act, by striking out that which is not applicable.

PARAGRAPH 6 OF THE PROOF OF CLAIM

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

PROXY

- a) A creditor may vote either in person or by proxy;
- b) A debtor may not be appointed as proxy to vote at any meeting of the creditors;
- c) The Trustee may be appointed as a proxy for any creditor;
- d) In order for a duly authorized person to have a right to vote he must himself be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy.

T. 416.488.2345 / 1.866.585.9751
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181 Bay Street, Suite 3510
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www.richter.ca

Montréal, Toronto

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(français – recto)

RICHTER

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)

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

In the Matter of the Bankruptcy of **SMRT Labs Inc.** of the City of Toronto, Province of Ontario, and the claim of _____, creditor.

I, _____ (name of creditor or representative of the creditor), of _____ (city and province), do hereby certify:

1. That I am a creditor of the above-named debtor (or that I am _____ (state position or title) of _____ (name of creditor or representative of the creditor).
2. That I have knowledge of all of the circumstances connected with the claim referred to below.
3. That the debtor was, at the date of the Assignment, namely February 6, 2023, 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 do not claim a right to a priority.

("Ordinary Creditor")

- Regarding the amount of \$ _____, I claim a right to a priority under section 136 of the Act.

("Preferred Creditor")

(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).

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- 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 (or the above-named creditor is) (or am not or is not) related to the debtor within the meaning of section 4 of the Act, and have (or has) (or have not or 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, 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)

Dated at _____, this _____ day of _____

 Signature of creditor

 Signature of witness

Telephone 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 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

PROXY

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

In the Matter of the Bankruptcy of **SMRT Labs Inc.**

I, _____, of _____
 (name of creditor) (name of town or city)

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 _____

 Signature of creditor

Per: _____
 Name and Title of Signing Officer

 Signature of witness

**In the Matter of the Bankruptcy of
SMRT Labs Inc.
of the City of Toronto,
in the Province of Ontario**

REGISTRATION FORM FOR THE FIRST MEETING OF CREDITORS

Name of creditor: _____

Name of creditor's representative: _____

Email address: _____

Phone number: _____

Signature: _____

Please note that to attend the meeting of creditors, you are required to complete and send this form to the Trustee by email at the following address: claims@richter.ca no later than **5:00 p.m. (Toronto time) on February 23, 2023** following which you will be sent details on how to attend the meeting.