

District of: British Columbia
Division No. 02 - Victoria
Court No.
Estate No. 11-2797315

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

Original Amended


In the Matter of the Bankruptcy of
Pirate Industries Ltd.
of the Village of Shawnigan Lake, in the Province of British Columbia
Crowe MacKay & Company Ltd., Trustee

Take notice that:

1. Pirate Industries Ltd. filed (or was deemed to have filed) an assignment (or a bankruptcy order was made against Pirate Industries Ltd.) on the 18th day of January 2022 and the undersigned, Crowe MacKay & Company Ltd., 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 4th day of February 2022 at 10:00 AM at By Teleconference or (For an invite, contact Ivan Driedger at ivan.driedger@crowemackay.ca).
3. 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.
4. Enclosed with this notice are 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 to share in any distribution of the proceeds realized from the estate.

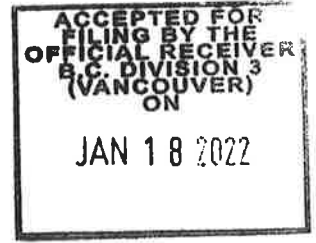
Dated at the City of Vancouver in the Province of British Columbia, this 19th day of January 2022.

Crowe MacKay & Company Ltd. - Licensed Insolvency Trustee
Per:


Jonathan McNair - Licensed Insolvency Trustee
1100 - 1177 West Hastings Street
Vancouver BC V6E 4T5
Phone: (604) 689-3928 Fax: (604) 687-5617

District of: British Columbia
 Division No. 02 - Victoria
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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
 Pirate Industries Ltd.
 of the Village of Shawnigan Lake, in the Province of British Columbia
 Crowe MacKay & Company Ltd., Trustee


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 17th day of January, 2022. 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"	372,964.13	1. Inventory	0.00
Balance of secured claims as per list "B"	0.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	372,964.13	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B"	1,495,157.38	Good	20,702.34
3. Preferred creditors as per list "C"	0.00	Doubtful	42,032.02
4. Contingent, trust claims or other liabilities as per list "D" estimated to be reclaimable for	0.00	Bad	0.00
Total liabilities	1,868,121.51	Estimated to produce	20,702.34
Surplus	1,047,876.87	4. Bills of exchange, promissory note, etc., as per list "F"	0.00
		5. Deposits in financial institutions	0.00
		6. Cash	0.00
		7. Livestock	0.00
		8. Machinery, equipment and plant	2,890,296.04
		9. Real property or immovable as per list "G"	5,000.00
		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	2,915,998.38
		Deficiency	NIL

I, Joseph T. W. Brann, of the Village of Shawnigan Lake in the Province of British Columbia, 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 17th day of January 2022 and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with the Act.

SWORN (or SOLEMNLY DECLARED)
 before me at the City of Vancouver in the Province of British Columbia, on this 17th day of January 2022.



 Jonathan McNair, Commissioner for Taking Affidavits
 For the Province of British Columbia
 Expires June 30, 2024



 Joseph T. W. Brann

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Pirate Industries Ltd.
 of the Village of Shawnigan Lake, in the Province of British Columbia
 Crowe MacKay & Company Ltd., Trustee
 List "A"
 Unsecured Creditors
 Pirate Industries Ltd.

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	Canada Revenue Agency	9755 King George Blvd Surrey BC V3T 5E1	1.00	0.00	1.00
2	CRA - GST/HST - Vancouver Attn: Pacific Insolvency Intake Centre	Surrey National Verification and Collection Centre 9755 King George Blvd Surrey BC V3T 5E1	43,000.00	0.00	43,000.00
3	Export Development Canada	150 Slater Street Ottawa ON K1A 1K3	1.00	0.00	1.00
4	Gear Equipment Inc.	19067 94th Avenue Surrey BC V4N 3S4	9,450.00	0.00	9,450.00
5	Mifaco Inc.	Unit 14, 831 Devonshire Road Victoria BC V9A 4T5	787.50	0.00	787.50
6	Pomponio & Company	927A Goldstream Avenue Victoria BC V9B 2Y2	9,360.75	0.00	9,360.75
7	RBC - CEBA loan	36 York Mills Road, 4th Floor Toronto ON M2P 0A4	60,000.00	0.00	60,000.00
8	Trisura Guarantee Insurance Company	Royal Centre, 1055 West Georgia Street, Suite 3020 Vancouver BC V6E 3R5	250,000.00	0.00	250,000.00
9	Victoria Mobile Radio Ltd.	3300 Tennyson Avenue Victoria BC V8Z 3P3	362.88	0.00	362.88
10	Worksafe BC	PO Box 5350, SIn Terminal Vancouver BC V6B 5L5	1.00	0.00	1.00
Total:			372,964.13	0.00	372,964.13

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Joseph T. W. Brann

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Pirate Industries Ltd.
 of the Village of Shawnigan Lake, in the Province of British Columbia
 Crowe MacKay & Company Ltd., Trustee
 List "B"
 Secured Creditors

Pirate Industries Ltd.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
1	Arundel Capital Corporation	Ste 201, 3007 14th Street SW Calgary AB T2T 3V6	150,267.04	Business Assets - Machinery - Heavy Equipment (Arundel Capital Corporation)		150,267.04		
2	Bank of Montreal	5750 Explorer Drive, 2nd Floor Mississauga ON L4W 0A9	222,203.22	Business Assets - Machinery - Heavy Equipment (BMO)		222,203.22	37,296.78	
3	Caterpillar Financial Services	3457 Superior Court, Unit #2 Oakville ON L6L 0C4	172,705.71	Business Assets - Machinery - Heavy Equipment (Caterpillar Financial Services)		172,705.71	397,294.29	
4	CLE Capital Inc.	3390 South Service Road, Suite 301 Burlington ON L7N 3J5	60,810.00	Business Assets - Machinery - Heavy Equipment (CLE Capital Inc.)		60,810.00	139,190.00	
5	CWB National Leasing	1525 Buffalo Place Winnipeg MB R3T 1L9	49,998.26	Business Assets - Machinery - Heavy Equipment (CWB National Leasing)		49,998.26	35,001.74	
6	Her Majesty the Queen in Right of the Province of British Columbia (PST)	1802 Douglas Street Victoria BC V8T 4K6	11,346.46	Business Assets - Machinery - Aircraft		11,346.46	59,327.11	
7	Meridian OneCap Credit Corp	4710 Kingsway Suite 1500 Burnaby BC V5H 4M2	191,913.92	Business Assets - Machinery - Heavy Equipment (Meridian OneCap Credit Corp)		191,913.92	27,865.08	
8	RBC - Credit card	36 York Mills Road, 4th Floor Toronto ON M2P 0A4	20,000.00	Business Assets - Machinery - Aircraft		20,000.00		
9	RBC - Credit Card (PEL portion)	36 York Mills Road, 4th Floor Toronto ON M2P 0A4	9,325.43	Business Assets - Machinery - Aircraft		9,325.43		
10	Royal Bank of Canada	36 York Mills Road, 4th Floor Toronto ON M2P 0A4	1.00	Business Assets - Machinery - Aircraft		1.00		
11	TD Auto Finance (Canada) Inc	PO Box 4086 Station A Toronto ON M5W 5K3	31,963.33	Business Assets - Machinery - Heavy Equipment (TD Auto Finance (Canada) Inc)		31,963.33	4,036.67	
12	TFG Financial Corporation	400-4180 Lougheed Hwy Burnaby BC V5C 6A7	17,618.47	Business Assets - Machinery - Heavy Equipment (TFG Financial Corporation)		17,618.47	132,381.53	

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Pirate Industries Ltd.
 of the Village of Shawnigan Lake, in the Province of British Columbia
 Crowe MacKay & Company Ltd., Trustee
 List "B"
 Secured Creditors

Pirate Industries Ltd.

No.	Name of creditor	Address	Amount of claim	Particulars of security	When given	Estimated value of security	Estimated surplus from security	Balance of claim
13	The Bank of Nova Scotia	10 Wright Boulevard Stratford ON N5A7X9	22,397.48	Business Assets - Machinery - Heavy Equipment (The Bank of Nova Scotia)		22,397.48	4,602.52	
14	Toyota Industries Commercial Finance	401 The West Mall, Suite 630 Toronto ON M9C 5J5	86,102.76	Business Assets - Machinery - Heavy Equipment (Toyota Industries Commercial Finance)		86,102.76	18,897.24	
15	Wells Fargo Equipment Finance Company	1290 Central Parkway West, Suite 1100 Mississauga ON L5C 4R3	448,504.30	Business Assets - Machinery - Heavy Equipment (Wells Fargo Equipment Finance Company)		448,504.30	231,495.70	
Total:			1,495,157.38			1,495,157.38	1,087,388.66	0.00

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Pirate Industries Ltd.
of the Village of Shawnigan Lake, in the Province of British Columbia
Crowe MacKay & Company Ltd., Trustee
List "C"
Preferred Creditors for Wages, Rent, etc.

Pirate Industries Ltd.

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

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Pirate Industries Ltd.
of the Village of Shawnigan Lake, in the Province of British Columbia
Crowe MacKay & Company Ltd., Trustee
List "D"
Contingent or Other Liabilities

Pirate Industries Ltd.

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		

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Pirate Industries Ltd.
 of the Village of Shawnigan Lake, in the Province of British Columbia
 Crowe MacKay & Company Ltd., Trustee
 List "E"
 Debts Due to the Bankrupt
 Pirate Industries Ltd.

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
1	Accounts Receivable			20,702.34 42,032.02 0.00			20,702.34	
Total:				20,702.34 42,032.02 0.00			20,702.34	

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
Pirate Industries Ltd.
of the Village of Shawnigan Lake, in the Province of British Columbia
Crowe MacKay & Company Ltd., Trustee
List "F"

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

Pirate Industries Ltd.

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	

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Pirate Industries Ltd.
 of the Village of Shawnigan Lake, in the Province of British Columbia
 Crowe MacKay & Company Ltd., Trustee
 List "G"

Real Property or Immovables Owned by Bankrupt

Pirate Industries Ltd.

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
Land - SE 19-40-18-V4, Plan 1714A, Block 2, Lot 20 - SE 19-40-18-V4, Plan 1714A, Block 2, Lot 20	Joint Tenants	Pirate Industries Ltd.	5,000.00		0.00
Total:			5,000.00		0.00

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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 Pirate Industries Ltd.
 of the Village of Shawnigan Lake, in the Province of British Columbia
 Crowe MacKay & Company Ltd., Trustee
 List "H"
 Property

Pirate Industries Ltd.

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		Heavy Equipment (Caterpillar Financial Services)	712,500.00	570,000.00
		Heavy Equipment (CLE Capital Inc.)	250,000.00	200,000.00
		Heavy Equipment (Wells Fargo Equipment Finance Company)	850,000.00	680,000.00
		Heavy Equipment (TFG Financial Corporation)	187,500.00	150,000.00
		Heavy Equipment (CWB National Leasing)	106,250.00	85,000.00
		Heavy Equipment (The Bank of Nova Scotia)	33,750.00	27,000.00
		Heavy Equipment (Toyota Industries Commercial Finance)	131,250.00	105,000.00
		Heavy Equipment (Arundel Capital Corporation)	187,833.80	150,267.04
		Heavy Equipment (Meridian OneCap Credit Corp)	274,723.75	219,779.00
		Heavy Equipment (TD Auto Finance (Canada) Inc)	45,000.00	36,000.00
		Heavy Equipment (BMO)	265,000.00	259,500.00
		Heavy Equipment (Unencumbered)	384,687.50	307,750.00
		Aircraft	156,440.00	100,000.00
(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		Automobile	0.00	0.00
(l) Taxes			0.00	0.00

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District of: British Columbia
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FORM 78 -- Concluded

In the Matter of the Bankruptcy of
Pirate Industries Ltd.
of the Village of Shawnigan Lake, in the Province of British Columbia
Crowe MacKay & Company Ltd., Trustee
List "H"
Property


Pirate Industries Ltd.

FULL STATEMENT OF PROPERTY

Nature of property	Location	Details of property	Original cost	Estimated to produce
(m) Other		Prepaid Expenses	13,368.25	0.00
		Inventory	6,942.97	0.00
		Computers	1,875.00	0.00
			Total:	2,890,296.04

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Joseph T. W. Brann

District of: British Columbia
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FORM 31
Proof of Claim
(Sections 50.1, 81.5, 81.6, Subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 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
Pirate Industries Ltd.
of the Village of Shawnigan Lake, in the Province of British Columbia
Crowe MacKay & Company Ltd., Trustee

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

In the matter of the bankruptcy of Pirate Industries Ltd. of the Village of Shawnigan Lake in the Province of British Columbia and the claim of _____, creditor.

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 18th day of January 2022, 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 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.)

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FORM 31 --- Concluded
In the Matter of the Bankruptcy of
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Crowe MacKay & Company Ltd., Trustee

- 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

Creditor

Phone 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.

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FORM 36
Proxy
(Subsection 102(2) and paragraphs 51(1)(e) and 66.15(3)(b) of the Act)

In the Matter of the Bankruptcy of
Pirate Industries Ltd.
of the Village of Shawnigan Lake, in the Province of British Columbia
Crowe MacKay & Company Ltd., Trustee

I, _____, 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.

Dated at _____, this _____ day of _____, _____.

Witness

Individual Creditor

Witness

Name of Corporate Creditor

Per _____
Name and Title of Signing Officer

Return To:

Crowe MacKay & Company Ltd. - Licensed Insolvency Trustee

1100 - 1177 West Hastings Street
Vancouver BC V6E 4T5
Fax: (604) 687-5617
E-mail: trustee@crowemackay.ca