



District of: Ontario
Division No. 09 - Mississauga
Court No. 32-2956516
Estate No. 32-2956516

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

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario

TAKE NOTICE THAT:

1. DMI EXIM Limited (“**DMI**” or the “**Company**”) filed an assignment in bankruptcy on July 28, 2023, and the undersigned, KPMG Inc. (“**KPMG**”), was appointed as trustee of the estate of the bankrupt (the “**Trustee**”) by the official receiver, subject to affirmation by the creditors of the Trustee’s appointment or substitution of another trustee by the creditors.
2. Also, on August 1, 2023, by Order of the Ontario Superior Court of Justice (Commercial List), KPMG was appointed receiver and manager of DMI pursuant to section 243 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the “**BIA**”), and under Section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43.
3. As you may be aware, on June 19, 2023, DMI filed a Notice of Intention to Make a Proposal (the “**NOI**”) pursuant to Section 50.4(1) of the BIA and Grant Thornton Limited was named as the proposal trustee in the NOI. On July 19, 2023, the Company filed a proposal under Part III, Division I of the BIA (the “**Proposal**”). As a result of the assignment in bankruptcy made by DMI on July 28, 2023, the NOI proceedings have terminated, and no further steps are being taken by the Company in respect of the Proposal.
4. The first meeting of creditors of DMI will be held on August 17, 2023, at 11:00 am EST via virtual meeting or telephone conference as follows: dial-in number: 647-794-1236 and conference ID: 93752316#. Virtual meeting details are published on the Trustee’s website at kpmg.com/ca/dmi.
5. 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 sent to the Trustee at: 333 Bay Street, Suite 4600, Toronto, Ontario, M5H 2S5 to the attention of Cameron Rodrigues or by email to dmi@kpmg.ca.
6. Enclosed with this notice is a Proof of Claim form, Proxy form and a list of creditors with claims amounting to twenty-five (\$25.00) dollars or more, showing the amounts of their claims.
7. Creditors must prove their claims against the estate of the bankrupt to share in any distribution of the proceeds realized from the estate.



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DATED at the City of Toronto in the Province of Ontario, this 3rd day of August, 2023.

KPMG Inc. – Licensed Insolvency Trustee
Per:

A handwritten signature in blue ink, appearing to read 'G Bourikas', written over a horizontal line.

George Bourikas
KPMG Inc. in its capacity as
Trustee of the Estate of DMI Exim Limited
333 Bay Street, Suite 4600
Toronto, ON M5H 2S5

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
 DMI EXIM Limited
 of the City of Mississauga, in the Province of Ontario

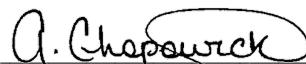
To the bankrupt:

You are required to carefully and accurately complete this form and the applicable attachments showing the state of your affairs on the date of the bankruptcy, on the 28th day of July 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"	2,491,303.50	1. Inventory	0.00
Balance of secured claims as per list "B"	9,441,837.00	2. Trade fixtures, etc.	0.00
Total unsecured creditors	11,933,140.50	3. Accounts receivable and other receivables, as per list "E"	
2. Secured creditors as per list "B"	20,016,000.00	Good	19,000,000.00
3. Preferred creditors as per list "C"	0.00	Doubtful	0.00
4. Contingent, trust claims or other liabilities as per list "D"	0.00	Bad	0.00
estimated to be reclaimable for		Estimated to produce	19,000,000.00
Total liabilities	31,949,140.50	4. Bills of exchange, promissory note, etc., as per list "F" ...	0.00
Surplus	NIL	5. Deposits in financial institutions	0.00
		6. Cash	200,000.00
		7. Livestock	0.00
		8. Machinery, equipment and plant	0.00
		9. Real property or immovable as per list "G"	800,000.00
		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	16,000.00
		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	20,016,000.00
		Deficiency	11,933,140.50

I, Vinay Gupta, of the City of Mississauga 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 28th day of July 2023 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) remotely by Vinay Gupta stated as being located in the City of Mississauga in the Province of Ontario before me at the Town of Whitby in the Province of Ontario, on this 28th day of July 2023 in accordance with provincial Regulation on Administering Oath or Declaration Remotely.



Annette Chopowick, Commissioner of Oaths
 For the Province of Ontario
 Expires August 3, 2024

Annette Chopowick, a
 Commissioner, etc. Province
 of Ontario, for KPMG Inc.
 Expires August 3, 2024



Vinay Gupta

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario

List "A"
Unsecured Creditors
DMI EXIM Limited

No.	Name of creditor	Address	Unsecured claim	Balance of claim	Total claim
1	ADM AGR I INDUSTRIES	900-167 Lombard Avenue Winnipeg MB R3B 0V3	497,339.43	0.00	497,339.43
2	AGRILINK SOLUTIONS INC	5500 North Service Rd Burlington ON L7L 6W6	548,825.63	0.00	548,825.63
3	CEBA LOAN	Sudbury Tax Centre, PO Box 20000, Stn A Sudbury ON P3A 5C1	40,000.00	0.00	40,000.00
4	CRA	Sudbury Tax Centre, PO Box 20000, Stn A Sudbury ON P3A 5C1	962,976.00	0.00	962,976.00
5	DMI EXIM LIMITED	Payroll Expenses, 10 Falconer Dr, Unit 3 Mississauga ON L5N 3L8	28,457.42	0.00	28,457.42
6	EDC	150 Slater Street Ottawa ON K1A 1K3	29,626.88	0.00	29,626.88
7	HSBC	4550 Hurontario Street Mississauga ON L5R 4E4	0.00	9,441,837.00	9,441,837.00
8	VITERRA CANADA INC	2625 Victoria Ave. Regina SK S4T 7T9	384,078.14	0.00	384,078.14
Total:			2,491,303.50	9,441,837.00	11,933,140.50

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

District of: -
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FORM 78 -- Continued

In the Matter of the Bankruptcy of
 DMI EXIM Limited
 of the City of Mississauga, in the Province of Ontario
 List "B"
 Secured Creditors

DMI EXIM Limited

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	BMW FINANCIAL SERVICES	50 Ultimate Drive Richmond Hill ON L4S 1P4	16,000.00	Motor Vehicles - Automobile - 2018 - BMW - X1		16,000.00		
2	HSBC	4550 Hurontario Street Mississauga ON L5R 4E4	29,441,837.00	Debts Due - Business - Accounts Receivable Real Property or Immovable Cash on Hand - Cash on Hand	19-Jul-2023 19-Jul-2023	19,000,000.00 800,000.00 200,000.00		9,441,837.00
Total:			29,457,837.00			20,016,000.00	0.00	9,441,837.00

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario
List "C"
Preferred Creditors for Wages, Rent, etc.

DMI EXIM Limited

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

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario
List "D"
Contingent or Other Liabilities

DMI EXIM Limited

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		

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
 DMI EXIM Limited
 of the City of Mississauga, in the Province of Ontario
 List "E"
 Debts Due to the Bankrupt
 DMI EXIM Limited

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	--	Accounts Receivable	19,000,000.00 0.00 0.00		19-Jul-2023	19,000,000.00	Accounts Receivable
Total:				19,000,000.00 0.00 0.00			19,000,000.00	

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario
List "F"

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

DMI EXIM Limited

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	

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

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

FORM 78 -- Continued

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario
List "G"
Real Property or Immovables Owned by Bankrupt

DMI EXIM Limited

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
Building - Mississauga - 10 Falconer Dr, Unit 3	100% interest	DMI EXIM Limited	800,000.00	HSBC 4550 Hurontario Street Mississauga ON L5R 4E4 29,441,837.00	0.00
Total:			800,000.00		0.00

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

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

FORM 78 -- Concluded

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario
List "H"
Property
DMI EXIM Limited
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		Cash on hand	200,000.00	200,000.00
(e) Livestock			0.00	0.00
(f) Machinery, equipment and plant			0.00	0.00
(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 - 2018 - BMW - X1	50,000.00	16,000.00
(l) Taxes			0.00	0.00
(m) Other			0.00	0.00
			Total:	216,000.00

28-Jul-2023

Date

Vinay Gupta

Vinay Gupta

Court No.

File No.

In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario

Form 78 (Bill C-12)
Statement of affairs (Business bankruptcy)

KPMG Inc. - Licensed Insolvency Trustee

333 Bay Street - Suite 4600
Toronto ON M5H 2S5
Phone: (416) 777-8500 Fax: (416) 777-3364

District of: Ontario
Division No. 09 - Mississauga
Court No. 32-2956516
Estate No. 32-2956516

- 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
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario

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

In the matter of the bankruptcy of DMI EXIM Limited of the City of Mississauga in the Province of Ontario 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 28th day of July 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 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.)

District of Ontario
Division No. 09 - Mississauga
Court No. 32-2956516
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FORM 31 --- Concluded
In the Matter of the Bankruptcy of
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario

- 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 20(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

District of: Ontario
Division No. 09 - Mississauga
Court No. 32-2956516
Estate No. 32-2956516

- 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
DMI EXIM Limited
of the City of Mississauga, in the Province of Ontario

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:
KPMG Inc. - Licensed Insolvency Trustee

333 Bay Street - Suite 4600
Toronto ON M5H 2S5
Fax: (416) 777-3364



GUIDE TO COMPLETING THE PROOF OF CLAIM FORM AND PROXY FORM

- The proof of claim must be signed by the individual completing the form.
- The signature of the claimant must be witnessed.
- A complete address must be provided including the 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

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

PARAGRAPH 3 OF THE PROOF OF CLAIM

- A detailed statement of account must be attached to the proof of claim and must include the date, the invoice number and the dollar amount of all invoices or charges, together with the dates, 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 disclaimer 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 regards 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.