

**THE COURT OF QUEEN'S BENCH OF ALBERTA JUDICIAL  
DISTRICT OF CALGARY  
IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,  
R.S.C. 1985, c. C-36, as amended,  
AND IN THE MATTER OF BUDGET WASTE INC.**

**NOTICE OF CLAIM**

This *Notice of Claim* is for claims against Budget Waste Inc. arising on or before March 4, 2009 ("Pre-Filing Claims"); and (ii) for claims arising after March 4, 2009 as a result of the disclaimer or repudiation, after March 4, 2009, of any contract, lease, employment agreement or other arrangement or agreement of any nature whatsoever ("Subsequent Claims").

Regarding the claim of \_\_\_\_\_ (referred to in this form as "the creditor")  
*(name of creditor)*

All notices or correspondence regarding this claim are to be forwarded to the creditor at the following address:

Street Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Prov./State: \_\_\_\_\_ Postal/Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Attention: \_\_\_\_\_

I, \_\_\_\_\_ residing in the \_\_\_\_\_  
*(name of person signing claim)* *(city, town, etc.)*  
of \_\_\_\_\_ in the Province/State of \_\_\_\_\_  
*(name of city, town, etc.)*

Do hereby certify that:

1.  I am the creditor  
or  
 I am \_\_\_\_\_ of the creditor.  
*(if an officer of the company, state position or title)*
2. I have knowledge of all the circumstances connected with the claim referred to in this form.
3. A. This claim is a:  
 Pre-Filing Claim (as defined above)  
 Subsequent Claim (as defined above)

*Indicate whether the claim is a Pre-Filing Claim or a Subsequent Claim by denoting an "x" in the appropriate space. A separate Notice of Claim must be filed if you are claiming both a Pre-Filing and Subsequent Claim amount.*

The indebtedness owing by the aforementioned debtor is as follows:

(i) Pre-Filing Claim: \$ \_\_\_\_\_ (insert \$ value of Pre-Filing Claim); and

(ii) Subsequent Claim: \$ \_\_\_\_\_ (insert \$ value of Subsequent Claim),

as shown by the statement of account attached hereto and marked "Schedule A".

If a creditor's claim is to be reduced by deducting any counter claims to which BWI is entitled and/or amounts associated with the return of equipment and/or assets by BWI, please specify.

*The statement of account must specify the vouchers and all other evidence in support of the claim including contracts, invoices, bills of lading, shipping receipts, and evidence of the date and location of the delivery of all services and materials. Any claim for interest must be supported by contractual documentation evidencing the entitlement to interest.*

**B.** The indebtedness referred to in paragraph 3. A. is in the following currency:

- Canadian Dollars
- United States Dollars
- Other (Specify) \_\_\_\_\_

**4.** The claim is an:

**A. Unsecured claim.** \$ \_\_\_\_\_. In respect to the said debt, the creditor does not and has not since March 4, 2009, held any assets of the debtor as security.

**B. Secured claim.** \$ \_\_\_\_\_. In respect of the said debt, the creditor holds assets of the debtor valued at \$ \_\_\_\_\_ as security:

*(Provide full particulars of the security, including the date on which the security was given and the value at which the creditor assesses the security together with the basis of valuation, and attach a copy of the security documents as Schedule "B")*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.  
*(insert city/town and date of signature)*

\_\_\_\_\_  
Witness \_\_\_\_\_ (signature of individual completing this form)

**Must be signed and witnessed**

**Note: Any Pre-Filing Claim not filed with the Monitor by 5:00 PM Mountain Time on August 25, 2009 will, unless otherwise ordered by the Alberta Court of Queen's Bench, be barred.**

**Any Subsequent Claim not filed with the Monitor by the later of: (i) 5:00 PM Mountain Time on August 25, 2009; and (ii) 5:00 PM Mountain Time on the day which is 30 days after the date on which the disclaimer or repudiation giving rise to the Subsequent Claim occurred will, unless otherwise ordered by the Alberta Court of Queen's Bench, be barred.**

## Instructions for Completing Notice of Claim Form

In completing the attached form, your attention is directed to the notes on the form and to the following requirements:

1. The form must be completed by an individual and not by a corporation. If you are acting for a corporation or other person, you must state the capacity in which you are acting, such as, "Credit Manager", "Treasurer", "Authorized Agent", etc., and the full legal name of the party you represent.
2. The person signing the form must have knowledge of the circumstances connected with the claim.
3. **A.** Tick the box to indicate the type of claim (Pre-Filing Claim/Subsequent Claim). A Statement of Account containing details of secured and unsecured claims and, if applicable, of the amount due in respect of property claims, must be attached and marked Schedule "A". It is necessary that all creditors indicate the date and location of the delivery of all goods and/or services. Any amounts claimed as interest should be clearly noted as being for interest.  
**B.** Tick the appropriate currency.
4. The nature of the claim must be indicated by ticking the type of claim which applies.

Ticking (A) indicates the claim is unsecured; and

Ticking (B) indicates the claim is secured, such as a mortgage, lease, or other security interest, and the value at which the creditor assesses the security must be inserted, together with the basis of valuation. Details of each item of security held should be attached as Schedule "B" and submitted with a copy of the chattel mortgage, conditional sales contract, security agreement, etc.

A creditor may have separate claims in different categories, in which case a separate claim form must be submitted for each claim.

5. The person signing the form must insert the place and date in the space provided and the signature must be witnessed.

Additional information regarding BWI and the CCAA process, as well as downloadable copies of claim documents may be obtained from the "*Current Engagements*" section of the Monitor's website found at [www.insolvency.net](http://www.insolvency.net). If there are any questions in completing the *Notice of Claim*, please contact the office of the Monitor at:

**Hardie & Kelly Inc.**  
**206, 5800 – 2<sup>nd</sup> Street SW**  
**Calgary, Alberta**  
**T2H 0H2**

**Attention: Mr. Ron Hardie**

Phone: (403) 252-1766  
Fax: (403) 640-0591

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