

District of Ontario
Division No. 9
Court No. CV-17-11742-00CL
Estate No. 31-458292

**IN THE MATTER OF THE RECEIVERSHIP OF
THE CUSTOM FACTORY CANADA INC.
OF THE CITY OF TORONTO, IN THE PROVINCE OF ONTARIO**

NOTICE AND STATEMENT OF RECEIVER
(Pursuant to Subsections 245(1) and 246(1) of the Bankruptcy and Insolvency Act)

TAKE NOTICE THAT:

1. On the 22nd day of March, 2017, Link & Associates Inc. became the Receiver in respect of the property, assets and undertaking of The Custom Factory Canada Inc. (“**CFC**” or the “**Debtor**”), an insolvent person described below:

Inventory**	\$ 6,000
Machinery & Equipment**	<u>\$40,000</u>
TOTAL	<u>\$46,000</u>

****NOTE:** *Figures above represent estimated gross liquidation values of assets located at the Debtor’s premises and are subject to change. Equipment figure excludes leased equipment. Receiver is obtaining opinion on validity of security held by PPSA registrants. Estimated realizable values may change as a result of security review. The above figures do not include the value of inventory and equipment removed from the leased premises immediately preceding the company voluntarily assigning itself into bankruptcy, a matter which the Receiver is investigating.*

2. The undersigned became a Receiver by an Order of the Ontario Superior Court of Justice (Commercial List) dated March 22, 2017 (the “**Receivership Order**”).
3. The remaining assets of the Debtor are located in leased premises (the “**Premises**”). The Premises lease was terminated by the landlord for non-payment of rent on March 6, 2017. The Receiver has arranged access to the Premises with the landlord to facilitate the sale of the remaining assets.
4. Prior to the Receivership Order, the Debtor filed an assignment in bankruptcy with Schwartz Levitsky Feldman Inc. (“**SLF**”) on March 7, 2017 (Estate #31-2225416). The Trustee advises that it has carried out the administration of the Wage Earner Protection Program (“**WEPP**”) for which there are secured and unsecured components.
5. The following information relates to our appointment:
 - i) Address of insolvent persons: 50 Wingold Avenue, Toronto, Ontario
 - ii) Principal line of business: Clothing manufacturer/retailer
 - iii) Location of business: Toronto, Ontario

Notice and Statement of Receiver
THE CUSTOM FACTORY CANADA INC.

6. The list of creditors of the insolvent persons who appear to hold a security interest on the property of the insolvent persons and the approximate amount owed to each creditor is listed below:

Patriot Equipment Finance Ltd.	\$180,000
DaVinci Capital Private Debt Fund	\$237,000

The Receiver is obtaining an independent security opinion on the foregoing security registrations.

7. The list of other creditors of the insolvent persons and the amount owed to each creditor is listed on **Schedule "A"**.
8. The Receiver's intended course of action is to sell the remaining inventory and assets in the Debtor's premises and to investigate the removal of assets from the Debtor's premises on the eve of the bankruptcy filing and take reasonable steps to recover such assets and report its findings to the Court and the appropriate authorities, as necessary.
9. Contact information for the Receiver:

Link & Associates Inc.
Receivers + Trustees
77 King Street West, Suite 3000
TD Centre North Tower, PO Box 95
Toronto, ON M5K 1G8

Attention: Mr. Robert Link, CIRP, LIT

Tel: (416) 862-7785 ext. #2
Fax: (416) 862-2136
Email: rlink@linkassociates.ca

DATED AT Toronto, this 31st day of March, 2017.

LINK & ASSOCIATES INC.
Licensed Insolvency Trustee
Court Appointed Receiver of
The Custom Factory Canada Inc. and not
in its personal or corporate capacity

Per: _____

Robert G. Link, CIRP, LIT

SCHEDULE "A"

Deemed Trust	
Canada Revenue Agency - RP0001 Payroll Tax	\$ 188,466.90
Preferred	
ALEX LANE	1,239.08
ANASTASSIA ELAFROS	894.59
ANH NGUYEN	882.14
BINH THAI KHUU	1,264.68
CHRISTINA BENINCASA	1,781.76
CORRINE LANE	1,409.95
DENNIS BARRERA	1,512.70
GILBERT DELA CRUZ	1,355.71
HA PHAM	1,040.19
LE PHUONG TRAN	766.80
LI XIN CHEN	981.05
PAULETTE PLEAU	1,354.36
THI HUONG VU	1,118.67
THI KIM LOAN NGUYEN	1,084.72
TRINH PHAM	926.00
WAN HUA ZHENG	975.36
YAN PING MAI	926.80
Subtotal	\$ 19,514.56
Unsecured	
ANH LY	119.83
ANH NGUYEN	755.48
ANTONIO PETOSA	120,000.00
BINH THAI KHUU	1,008.35
CHRISTINA BENINCASA	791.81
CORRINE LANE	556.69
CRA - Canada Revenue Agency - RC0001 Corporations Tax	19,234.69
CRA - Canada Revenue Agency - RT0001 HST	39,553.67
DELL FINANCIAL SERVICES CANADA LIMITED	533.30
DENNIS BARRERA	1,759.33
Earl Klapstein c/o Eddie's Men's Wear Ltd.	19,835.15
Enbridge Gas Distribution - Ontario	965.80
Federal Express Canada Ltd.	2,544.08
FEDERATED CASH	17,710.00
GERBER TECHNOLOGY	2,615.77
GILBERT DELA CRUZ	1,042.04
Goldman Sloan Nash & Haber LLP	5,000.00
HA PHAM	793.11
HARRIS-JORDAN INVESTMENTS LIMITED	69,433.24
JACK VICTOR LIMITEE	20,000.00
JOHN PONTRELLI	199.08
JOSEPH PETOSA	27,000.00
LE PHUONG TRAN	358.14
LI XIN CHEN	799.18
LOAN LE	93.44
LOU VENA	402.97
MARIO PETOSA	420,000.00
MIRJANA BAOTIC	2,057.37
NGOC MAI LY	116.86
PAULETTE PLEAU	1,219.49
PROGRESSIVE WASTE SOLUTIONS CANADA INC.	5,000.00
Purolator Courier Limited	2,310.46
Rodan Enterprises	38,752.06
Rogers Communications	423.01
S. COHEN	22,898.75
THI HUONG VU	812.93
THI KIM LOAN NGUYEN	965.22
TRINH PHAM	725.12
UPS Canada	4,117.10
Shirtex Canada	262.16
WAN HUA ZHENG	788.87
Xerox Canada Ltd.	1,041.53
YAN PING MAI	756.64
Subtotal	894,381.84
TOTAL ALL SCHEDULE "A" CREDITORS	\$ 1,102,363.30