

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTRÉAL

**SUPERIOR COURT**  
(Commercial Division)

File: 500-11-053313-173

Montreal, October 6, 2017

**PRESIDING: THE HONOURABLE LOUIS J. GOUIN, J.S.C.**

**IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED:**

**JAVA-U GROUP INC.**

**JAVA-U FOOD SERVICES INC.**

**CAFÉ JAVA-U INC.**

**JAVA-U RTA INC.**

Applicants

-and-

**RAYMOND CHABOT INC.**

Monitor

**CLAIMS PROCEDURE ORDER**

**HAVING READ** the Applicants' *Application for the Issuance of an Initial Order and a Claims Procedure Order*, the Exhibits and the sworn statement in support thereof (the "**Application**"), and the submissions of counsel for the Applicants.

**THE COURT:**

**Service**

1. **DECLARES** that sufficient prior notice of the presentation of this Application has been given by the Applicants to interested parties;

**Definitions**

2. **DECLARES** that the following terms in this Order shall, unless otherwise indicated, have the following meanings ascribed thereto:
  - 2.1 **"BIA"** means the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended;
  - 2.2 **"Business Day"** means a day, other than a Saturday, or a holiday as such latter term is defined in article 61 of the *Interpretation Act*, CQLR c I-16;

- 2.3 "CCAA" means the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended;
- 2.4 "**CCAA Proceedings**" means the proceedings in respect of the Applicants before the Court commenced pursuant to the CCAA;
- 2.5 "**Claim**" means any right of any Person against any of the Applicants in connection with any indebtedness or obligation of any kind of any of the Applicants, present, future, due or accruing due to such Person and any interest accrued thereon or costs payable in respect thereof, whether liquidated, unliquidated, contingent, matured, unmatured, disputed, undisputed, secured, unsecured, known or unknown, including, *inter alia*, any executory or non-executory guarantee or surety and i) the right or ability of any Person to advance a claim for contribution, indemnity or otherwise with respect to any matter, action or cause, which indebtedness, liability or obligation is based in whole or in part on facts existing as at the Determination Date, ii) any Equity Claim and iii) any claim which would constitute a claim under the CCAA as at the Determination Date. A Claim shall also include, without limitation, a) any Unaffected Claim, b) any Claim against the officers and/or directors of the Applicants, or c) any Restructuring Claim, provided however, that in no case shall a Claim include an Excluded Claim;
- 2.6 "**Claims Bar Date**" means 5:00 p.m. (Montréal time) on November 15, 2017 or, for a Creditor with a Restructuring Claim, the latest of 5:00 p.m. (Montréal time) of November 15, 2017, or fifteen (15) days after the date of receipt by the Creditor of a notice from the Applicants giving rise to the Restructuring Claim, it being understood that at no time shall such a notice from the Applicants be sent to the Creditor less than thirty (30) before the date of the first Creditors' Meeting;
- 2.7 "**Claim against the Officers and Directors**" means a claim as defined in paragraph 11.03(1) of the CCAA;
- 2.8 "**Court**" means the Québec Superior Court;
- 2.9 "**Creditor**" means any Person having a Claim and may, where the context requires, include the assignee of a Claim or a trustee, interim receiver, receiver, receiver and manager, or other Person acting on behalf of such Person and includes a Known Creditor. A Creditor shall not, however, include an Excluded Creditor in respect of that Person's claim resulting from an Excluded Claim;
- 2.10 "**Creditors' Instructions**" means the instructions for Creditors, including a Proof of Claim, an Instruction Letter explaining how to complete same, and a copy of this Order;
- 2.11 "**Creditors' List**" means a list of all Known Creditors;
- 2.12 "**Creditors' Meeting**" means any meeting of the Applicants' Creditors to be convened, with leave of the Court, for the purposes of voting on the Plan, and any adjournment or suspension thereof;
- 2.13 "**Designated Newspaper**" means The Globe and Mail;

- 2.14 "**Determination Date**" means the date of the Initial Order;
- 2.15 "**Equity Claim**" has the meaning ascribed thereto in the definition contained in the CCAA;
- 2.16 "**Excluded Claim**" means any right of any Person against any of the Applicants in connection with any indebtedness or obligation of any kind which came into existence after the Determination Date and any interest thereon, including any obligation of any of the Applicants toward creditors who have supplied or shall supply services, utilities, goods or materials or who have or shall have advanced funds to any of the Applicants after the Determination Date, but only to the extent of their claims in respect of the supply of such services, utilities, goods, materials or funds after the Determination Date and to the extent that such claims are not otherwise affected by the Plan;
- 2.17 "**Excluded Creditor**" means a Person having a Claim in respect of an Excluded Claim but only in respect of such Excluded Claim and to the extent that the Plan does not otherwise affect such Claim;
- 2.18 "**Initial Order**" means the order of this Court made on October 6, 2017, under the CCAA;
- 2.19 "**Instruction Letter**" means the instruction letter sent to Creditors in a document substantially in the form of Schedule C hereto;
- 2.20 "**Known Creditor**" means a Creditor whose Claim is included in the Applicants' books and records;
- 2.21 "**Monitor**" means Raymond Chabot Inc., acting in its capacity as monitor pursuant to the Initial Order;
- 2.22 "**Newspaper Notice**" means the notice of this Order to be published in the Designated Newspaper on the Publication Date in accordance with paragraph 3, which shall set out the Claims Bar Date and the Creditors' Instructions, being substantially in the form of Schedule A hereto;
- 2.23 "**Notice of Revision or Disallowance**" means the notice referred to in subparagraph 7.1 hereof, advising a Creditor that the Monitor has revised or rejected all or part of such Creditor's Claim set out in its Proof of Claim and setting out the reasons for such revision or disallowance, and being substantially in the form of Schedule D hereto;
- 2.24 "**Person**" means any individual, corporation, limited or unlimited liability company, general or limited partnership, association, trust, unincorporated organization without legal personality, joint venture, governmental body or agency, or any other entity;
- 2.25 "**Plan**" means a plan of compromise or arrangement filed or to be filed by the Applicants pursuant to the CCAA, as such plan may be amended or supplemented from time to time;

- 2.26 "**Proof of Claim**" means the form of Proof of Claim for Creditors referred to in paragraphs 6 and 7 hereof, in the form of Schedule B hereto;
- 2.27 "**Proven Claim**" means the amount of any Claim of any Creditor as of the Determination Date, determined in accordance with the provisions of the CCAA and this Order, and proven by delivering a Proof of Claim to the Monitor;
- 2.28 "**Publication Date**" means the date on which the publication of the Newspaper Notice in the Designated Newspaper has been completed;
- 2.29 "**Restructuring Claim**" means any right of any Person against any of the Applicants in connection with any indebtedness or obligation of any kind owed to such Person arising out of the restructuring, repudiation, or termination of any contract, lease, employment agreement, collective agreement or other agreement, whether written or oral, after the Determination Date, including any right of any Person who receives a notice of repudiation or termination from any of the Applicants; provided however, that a Restructuring Claim may not include an Excluded Claim;
- 2.30 "**Unaffected Claim**" shall have the meaning ascribed to such term in the Plan;
- 2.31 "**Voting Claim**" of a Creditor means the Proven Claim of the Creditor unless the Proven Claim of the Creditor (i) is not finally determined at the time of the Creditors' Meeting or (ii) forms part of a category of Creditors not entitled to vote under the Plan, in which case it means the Claim of the Creditor which is accepted for voting purposes in accordance with the provisions of this Order, the Plan and the CCAA;

#### **Notification Procedure**

3. **ORDERS** that the form of Newspaper Notice shall be published by the Monitor in the Designated Newspaper as soon as possible following the issuance of this Order, but in any event no later than one week following the issuance of the Initial Order;
4. **ORDERS** that within one week following the issuance of the Initial Order the Monitor shall publish on its website on or before 5:00 p.m. (Montréal time), a copy of the Creditors' List, of the Creditors' Instructions and of the present Order;
5. **ORDERS** that, in addition to the publication referred to in paragraphs 3 and 4, the Monitor shall send, by regular mail, a copy of the Creditors' Instructions to each Known Creditor no later than 5:00 p.m. (Montréal time) within one week following the issuance of the Initial Order;

#### **Claims Bar Date**

6. **ORDERS** that, unless otherwise authorized by this Court, a Creditor who does not file a Proof of Claim by the Claims Bar Date i) shall not be entitled to any further notice, ii) shall be forever barred from pursuing a Claim against any of the Applicants or any of their respective officers and directors, iii) shall not be entitled to participate as a Creditor in these proceedings, iv) shall not be entitled to vote on any matter in these

Proceedings, including the Plan, v) shall not be entitled to file a Claim against the Applicants, or vi) shall not be entitled to receive a distribution under the Plan;

**Claims Procedure**

- 7. **ORDERS** that the following procedure shall apply where a Creditor files a Proof of Claim before the Claims Bar Date:
  - 7.1 the Monitor, together with the Applicants, shall review the Proof of Claim to value the amounts and terms set out therein for voting and distribution purposes. Where applicable, the Monitor shall send the Creditor a Notice of Revision or Disallowance by mail, telecopier, courier or other means of electronic communication;
  - 7.2 the Creditor who receives a Notice of Revision or Disallowance and wishes to dispute it shall, within ten (10) days of the date of the Notice of Revision or Disallowance, file an appeal motion with the Court and serve a copy of such appeal motion to the Applicants and the Monitor;
  - 7.3 unless otherwise authorized by this Court, if the Creditor does not file an appeal motion within the delay provided for above, such Creditor shall be deemed to have accepted the value of its Claim as set out in the Notice of Revision or Disallowance;
  - 7.4 where the Creditor appeals from the Notice of Revision or Disallowance or its Claim has not been finally determined prior to the date of any Creditor's Meeting, the Monitor, in conjunction with the Applicants, will determine the amount of the Voting Claim;

**Notices and Communications**

- 8. **ORDERS** that any notice or other communication to be given under this Order by a Creditor to the Monitor or the Applicants shall be in writing in substantially the form provided for in this Order and will be sufficiently given only if given by mail, telecopier, courier or other means of electronic communication addressed to:

**Monitor:** Raymond Chabot Inc. Inc.  
Attention: Jean Gagnon / Philippe Daneau  
Fax: (514) 878 2100 / (514) 878-2100  
E-mail: [gagnon.jean@rcgt.com](mailto:gagnon.jean@rcgt.com) / [daneau.philippe@rcgt.com](mailto:daneau.philippe@rcgt.com)

*With a copy to :* McCarthy Tétrault LLP  
Attention : Alain Tardif / Jocelyn Perreault  
Fax : (514) 875-6246  
E-mail : [atardif@mccarthy.ca](mailto:atardif@mccarthy.ca) / [jperreault@mccarthy.ca](mailto:jperreault@mccarthy.ca)

**Applicants:** Stikeman Elliott LLP  
Attention: Guy Martel/ Danny Vu



**Schedule A  
Newspaper Notice**

*(See attached)*

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF: OF MONTREAL  
COURT NO. :  
OFFICE NO:

SUPERIOR COURT  
« *Companies' Creditors Arrangement Act* »  
(L.R.C. 1985, ch. C-36) »

IN THE MATTER OF THE ARRANGEMENT  
OR COMPROMISE OF :

**JAVA-U GROUP INC., JAVA-U FOOD SERVICES  
INC., CAFÉ JAVA-U INC., JAVA-U RTA INC.,**  
Legal persons having their principal place of business located at  
5473 Royalmount Avenue, Suite 205, in the city of Mont  
Royal, in the province of Québec, H4P 1J3.  
Debtor Companies

**NOTICE OF INITIAL ORDER AND CLAIMS PROCEDURE ORDER AND OTHER PUBLIC  
DOCUMENTS**

**TO: All creditors and to any person or party having a claim against Java-U Group Inc., Java-U Food Services Inc., Café Java-U Inc. and Java-U RTA Inc., or their respective directors and/or officers:**

BE THEREBY ADVISED, that on October 6, 2017 (the "Determination Date"), the Quebec Superior Court (the "Court") sitting as Tribunal under the *Companies' Creditors Arrangement Act* ("CCAA") issued an "Initial Order" granting Java U Group Inc., Java U Food Services Inc., Café Java-U Inc. and Java U RTA Inc. (collectively, the "Company"), protection under the CCAA. Raymond Chabot Inc. has been named Court-appointed Monitor of the Company.

On XXXX, the Court also issued a "Claims Procedure Order" approving a process for the purpose of identifying, establishing, adjudicating all claims of any person against the Company, its directors and/or officers. Pursuant to the Claims Procedure Order, all claims of any person against the Company, its directors and/or officers must be filed on or before 5:00 pm on November 15, 2017 or, for creditors with Restructuring Claims (as defined in the Claims Procedure Order) arising after the Determination Date, the later of November 15, 2017 at 5:00 p.m. or fifteen (15) days after the date of receipt by the Creditor of a notice from the Applicants giving rise to the Restructuring Claim (the "Claims Bar Date").

**FAILURE FOR A CREDITOR TO SUBMIT ITS CLAIM TO THE MONITOR ON OR BEFORE  
THE CLAIMS BAR DATE WILL RESULT IN SUCH CREDITOR'S CLAIM BEING BARRED  
AND FOREVER EXTINGUISHED.**

PLEASE TAKE NOTICE, that copies of the Initial Order and of the Claims Procedure Order are available on the Monitor's Website ( )

If you require further information, please contact Mr. Philippe Daneau, CPA, CA, CIRP, LIT, at 514 954-4638.

Dated in Montreal, this XXXX.

RAYMOND CHABOT INC.  
Monitor

National Bank Tower  
600 de La Gauchetière Street West, Suite 2000  
Montreal (Quebec) H3B 4L8  
Phone: 514 879 1385/Fax: 514 858 3303



**Schedule B  
Form of Proof of Claim**

*(See attached)*



An affiliate of  
Raymond Chabot Grant Thornton S.E.N.C.R.L.

Suite 2000  
National Bank Tower  
600, De la Gauchetière Street West  
Montréal (Québec) H3B 4L8

Telephone : 514 879-1385  
Fax : 514 879-2100  
www.raymondchabot.com

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
COURT NO. :  
OFFICE NO. :

SUPERIOR COURT  
*« Companies' Creditors Arrangement Act »*  
(LRC 1985, ch.C-36) »

IN THE MATTER OF THE  
ARRANGEMENT OR COMPROMISE OF :

**JAVA-U GROUP INC., JAVA-U FOOD SERVICES  
INC., CAFÉ JAVA-U INC., JAVA-U RTA INC.**

Legal persons having their principal place of business located at  
5473 Royalmount Avenue, Suite 205, in the city of  
Mont-Royal, in the province of Québec, H4P 1J3.

Debtor companies

**PROOF OF CLAIM**

The completed Proof of Claim together with supporting documents must be received by Raymond Chabot Inc. no later than 5:00 p.m. (EDT) on November 15, 2017 by mail, courier, email or fax at the following address:

**RAYMOND CHABOT INC.,  
Monitor of the business and financial affairs of the Debtor companies  
Attention: Jean Gagnon, CPA, CA, CIRP, LIT  
National Bank Tower  
600 de La Gauchetière Street West, Suite 2000  
Montréal (Quebec) H3B 4L8  
Email : [reclamationmtl@rcgt.com](mailto:reclamationmtl@rcgt.com)  
Fax : 514 858-3303**

**A. PARTICULARS OF CREDITOR**

1. Full legal name of creditor: \_\_\_\_\_ (the "Creditor").
2. Full mailing address of the Creditor: \_\_\_\_\_  
\_\_\_\_\_
3. Telephone number of Creditor: \_\_\_\_\_
4. Fax number of Creditor: \_\_\_\_\_
5. E-mail address: \_\_\_\_\_
6. Contact person: \_\_\_\_\_

**B. PROOF OF CLAIM**

I, *(name of Creditor or representative of the Creditor)* \_\_\_\_\_, hereby certify that I am a creditor of *(check as appropriate)*:

- Java-U Group inc.
- Java-U Food Services inc.
- Café Java-U inc.
- Java-U RTA inc.

and I am aware of all circumstances surrounding the Claim referred to herein.

The Debtor company was, on the date of the Initial Order, indebted to the creditor and is still indebted to the creditor for the total amount of CAS \_\_\_\_\_, as shown in the statement of account or affidavit appended hereto such as Annex A, after deducting the amount of any compensatory claim to which the Debtor company is entitled.

**Note: A Creditor who holds different Claims against different Debtor Companies must file a distinct Proof of Claim for each Claim.**

**C. NATURE OF CLAIM:**

*(check and complete appropriate category)*

- 1) UNSECURED CLAIM IN THE AMOUNT OF CAS \_\_\_\_\_

In respect of this claim, the Creditor does not hold any assets of the Debtor companies as security;

- 2) SECURED CLAIM IN THE AMOUNT OF CAS \_\_\_\_\_

In respect of this claim, the Creditor holds assets of the Debtor companies valued at CAS \_\_\_\_\_ as security, particulars of which are as follows;

- 3) RESTRUCTURING CLAIM IN THE AMOUNT OF CAS \_\_\_\_\_

In respect of this debt, the Creditor does not hold any assets of the Debtor companies as security;

**D. CLAIM AGAINST THE DIRECTORS AND OFFICERS**

The creditor must check this box if any director(s) or officer(s) of the applicable Debtor company is (are) liable for this claim.

If the box is checked, the amount for which the director(s) and officer(s) is (are) liable is CAS \_\_\_\_\_.

**E. PARTICULARS OF CLAIM:**

Other than as already set out herein, the particulars of the Creditor's claim are attached.

**A detailed, complete statement of account must be attached to the proof of claim. Provide all particulars of the claim and supporting documentation, including amount, description of transaction(s) or agreement(s) giving rise to the Claim.**

**F. FILING OF CLAIM**

Creditors who fail to file a Proof of Claim and documentation in support thereof, as directed, before 5:00 p.m. (EDT) on November 15, 2017, shall not be entitled to any further notice, shall not be entitled to participate in the present proceedings as Creditor, shall be barred from receiving a distribution in respect of such Claim and shall be barred from seeking payment of said Claim from the Debtor companies or any director or officer of the Debtor companies.

DATED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Signature of individual completing this form)

\_\_\_\_\_  
(Please print name)

\_\_\_\_\_  
(Please print name)

CANADA  
DISTRICT DU QUÉBEC  
DIVISION 101 MONTRÉAL  
NO COUR :  
NO BUREAU :

COUR SUPÉRIEURE  
« Loi sur les arrangements avec les créanciers des compagnies »  
(LRC 1985, ch. C-36) »

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DANS L'AFFAIRE DE  
L'ARRANGEMENT OU DU  
COMPROMIS DE :

**JAVA-U GROUP INC., JAVA-U FOOD SERVICES INC.,  
CAFÉ JAVA-U INC., JAVA-U RTA INC.,**  
Personnes morales dûment constituées, ayant leur principale  
place d'affaires située au 5473, avenue Royalmount,  
bureau 205, dans la ville de Mont-Royal, dans la province de  
Québec, H4P 1J3.  
*Compagnies débitrices*

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### PREUVE DE RÉCLAMATION

La Preuve de réclamation complète et accompagnée de la documentation justificative doit être reçue par Raymond Chabot inc. au plus tard le 15 novembre 2017 à 17 h (heure de Montréal), par la poste, messenger, courriel ou télécopieur à l'adresse suivante :

**RAYMOND CHABOT INC.,**  
agissant en sa capacité de Contrôleur aux affaires et aux finances des Compagnies débitrices  
À l'attention de monsieur Jean Gagnon, CPA, CA, CIRP, SAI  
Tour de la Banque Nationale  
600, rue de La Gauchetière Ouest, bureau 2000  
Montréal (Québec) H3B 4L8  
Courriel : [reclamationmtl@rcgt.com](mailto:reclamationmtl@rcgt.com)  
Télécopieur: 514 858-3303

#### A. DÉTAILS AFFÉRENTS AU CRÉANCIER

1. Nom légal complet du Créancier: \_\_\_\_\_ (le "Créancier").
2. Adresse postale complète du Créancier : \_\_\_\_\_  
\_\_\_\_\_
3. Numéro de téléphone du Créancier : \_\_\_\_\_
4. Numéro de télécopieur du Créancier: \_\_\_\_\_
5. Adresse de courrier électronique : \_\_\_\_\_
6. Nom du représentant du Créancier : \_\_\_\_\_

## B. PREUVE DE RÉCLAMATION

Je (*Nom du Créancier ou du représentant du Créancier*) \_\_\_\_\_, certifie par les présentes que je suis \_\_\_\_\_ (*Précisez le titre ou la fonction*) du Créancier d'une des Compagnies débitrices, soit (*cochez*) :

- Java-U Group inc.
- Java-U Food Services inc.
- Café Java-U inc.
- Java-U RTA inc.

et que je suis au courant de toutes circonstances entourant la Réclamation visée par les présentes.

La Compagnie débitrice était, à la date de l'Ordonnance initiale, endettée envers le créancier et l'est toujours, pour la somme totale de \_\_\_\_\_ \$CA, comme l'indique l'état de compte ou l'affidavit ci annexé et désigné comme l'Annexe A, après déduction du montant de toute créance compensatoire à laquelle la Compagnie débitrice a droit.

**Note : Le Créancier qui détient des Réclamations distinctes contre différentes Compagnies débitrices doit déposer un formulaire de preuve de réclamation distinct pour chacune de ses Réclamations.**

## C. NATURE DE LA RÉCLAMATION

*(cochez et complétez la catégorie appropriée)*

- 1) RÉCLAMATION NON GARANTIE DE \_\_\_\_\_

\$CA

En ce qui concerne cette réclamation, le Créancier ne détient aucun avoir des Compagnies débitrices à titre de garantie;

- 2) RÉCLAMATION GARANTIE DE \_\_\_\_\_

\$CA

En ce qui concerne cette réclamation, le Créancier détient des avoirs de la (ou des) Compagnie(s) débitrice(s) à titre de garantie, dont la valeur estimative s'élève à \_\_\_\_\_ \$CA et dont les détails sont mentionnés ci-après;

- 3) RÉCLAMATION LIÉE À LA RESTRUCTURATION DE \_\_\_\_\_ \$CA

En ce qui concerne cette réclamation, le Créancier ne détient aucun avoir des Compagnies débitrices à titre de garantie;

#### D. RÉCLAMATION CONTRE LES ADMINISTRATEURS ET DIRIGEANTS

Le créancier doit cocher cette case si tout administrateur ou dirigeant de la Compagnie débitrice applicable est responsable de la réclamation.

Si la case est cochée, le montant pour lequel le ou les administrateur(s) ou dirigeant(s) est(sont) responsable(s) est de \_\_\_\_\_ SCA

#### E. DÉTAILS DE LA RÉCLAMATION

Autrement qu'indiqués ci-dessus, les détails de la Réclamation du Créancier sont joints aux présentes.

**Un état de compte complet et détaillé doit être joint à la preuve de réclamation. Veuillez fournir tous les détails relatifs à la réclamation ainsi que la documentation justificative, incluant les montants et la description des transactions ou ententes donnant lieu à la réclamation, ainsi que les documents de garantie le cas échéant.**

#### F. DÉPÔT DE LA RÉCLAMATION

Tout Créancier qui n'a pas dûment soumis sa Preuve de réclamation accompagnée des documents justificatifs **au plus tard le 15 novembre 2017 à 17 h (heure de Montréal)**, n'aura plus le droit de recevoir tout avis subséquent, n'aura plus le droit de participer aux procédures comme Créancier, sera prohibé de recevoir une distribution à l'égard de telle Réclamation et sera prohibé de requérir le paiement de telle Réclamation des Compagnies débitrices ou d'un administrateur ou dirigeant des Compagnies débitrices.

SIGNÉ à \_\_\_\_\_

ce \_\_\_\_\_ jour de \_\_\_\_\_

\_\_\_\_\_  
(Signature du témoin)

\_\_\_\_\_  
(Signature du Créancier ou de son représentant)

\_\_\_\_\_  
(Inscrire le nom en lettres moulées)

\_\_\_\_\_  
(Inscrire le nom en lettres moulées)

**Schedule C  
Instruction letter**

*(See attached)*



## **A GUIDE ON HOW TO COMPLETE THE PROOF OF CLAIM FORM AGAINST THE DEBTOR COMPANIES**

and against parties related to the Debtor Companies and/or against directors and officers of the Debtor Companies

This guide is designed to assist parties who wish to file a Proof of Claim against the Debtor Companies listed below and/or directors and officers of Debtor Companies with respect to the obligations of the Debtor Companies. For additional questions about how to complete your Proof of Claim, please refer to the Monitor's website (<https://www.raymondchabot.com/en/public-records/xxxx/>) or contact the Monitor, whose contact information appears below.

Additional copies of the Proof of Claim are available on the Monitor's website at the above address.

Please note that this document is only a guide. In case of disparity between the terms of this document and the terms of the *Claims procedure order* dated **[October 6, 2017]** (the "**Order**"), a copy of which is available on the Monitor's website, the terms of the Order will prevail.

The Debtor Companies are:

- Java-U Group inc.;
- Java-U Food Services inc.;
- Café Java-U inc.;
- Java-U RTA inc.

### **SECTION A – PARTICULARS OF CREDITORS**

1. Every individual and every legal entity (each, a "**Creditor**") who wishes to make a claim against one or more of the Debtor Companies (each, a "**Claim**") must complete a separate form;
2. The Creditor must write its full legal name;
3. If the Creditor is conducting business with the Debtor Companies under one or more names which are different from the name under which it is registered, that fact must be stated, and copies of the relevant documentation provided as applicable.

### **SECTION B – PROOF OF CLAIM**

1. The Creditor must check the box for the Debtor Company against which it wishes to file a Proof of Claim;
2. The Creditor who holds distinct Claims against different Debtors Companies must file a separate Proof of Claim for each of these Claims.

## SECTION C – NATURE OF CLAIM

1. The Creditor must separate the total amount of its Claim between amounts that are secured by a guarantee (security interest, hypothec, mortgage, etc.) and unsecured amounts, and indicate each on the appropriate line;
2. Certain amounts that may be due to Creditors are not Claims and must not be indicated in the Proof of Claim forms, including amounts that may be due under obligations arising on or after XXXX. For more information on this subject, please consult the *Claims procedure order* provided on the Monitor's website;
3. Should any portion of the amount claimed in section B. be considered as a secured claim, the amount of the secured portion of the claim should be entered in section C. 2) of the Proof of Claim. Any unsecured portion of the amount claimed in section B. should be entered in section C. 1) of the Proof of Claim;
4. Should any portion of the amount claimed in section B. be considered as a Restructuring Claim (as defined in the *Claim Procedure Order*) should be entered in section C. 4).

## SECTION D – CLAIM AGAINST THE DIRECTORS AND OFFICERS

1. If any claim is made as against the directors and/or officers of the Debtors for obligations of any such Debtor Companies that arose before the date of the Initial Order [**October 6, 2017**] and for which any of the Debtor Companies' directors and/or officers are liable according to the Creditor, the box must be checked and amount must be entered in section D);

## GENERAL

1. In order for the Proof of Claim to be valid, the following documents must be attached :
  - a. A complete statement of account; which indicate the date of the statement and the name of the concerned Debtor Company;
  - b. A copy of the invoices detailed in the statement of account;
2. The Proof of Claim must be signed by a duly authorized representative of the Creditor before witness;
3. **The completed Proof of Claim together with supporting documents must be received by Raymond Chabot Inc. no later than 5:00 p.m. (EDT) on November 15, 2017** or, for creditors with Restructuring Claims (as defined in the *Claims Procedure Order*) arising after the Determination Date, the later of November 15, 2017 at 5:00 p.m. or fifteen (15) days after the date of receipt by the Creditor of a notice from the Applicants giving rise to the Restructuring Claim (the "Claims Bar Date") **by mail, courier, email or fax at the following address:**

RAYMOND CHABOT INC.,  
Monitor  
c/o Mr. Jean Gagnon, CPA, CA, CIRP, LIT  
National Bank Tower  
600 de La Gauchetière Street West, Suite 2000  
Montréal (Quebec) H3B 4J8  
Email : [reclamationmtl@rcgt.com](mailto:reclamationmtl@rcgt.com)  
Fax : 514 858-3303

**CLAIMS THAT ARE NOT RECEIVED BY THE CLAIMS BAR DATE WILL FOREVER BE BARRED AND EXTINGUISHED.**

## GUIDE SUR LA MANIÈRE DE REMPLIR LE FORMULAIRE DE PREUVE DE RÉCLAMATION CONTRE LES COMPAGNIES DÉBITRICES

et contre certaines parties liées aux Compagnies débitrices et/ou contre les administrateurs et dirigeants des Compagnies débitrices

Ce guide a été conçu pour assister les personnes souhaitant remplir le formulaire de Preuve de Réclamation contre les Compagnies débitrices listées ci-dessous ainsi que les administrateurs et dirigeants des Compagnies débitrices relativement aux obligations des Compagnies débitrices. Pour toute question additionnelle concernant la manière de remplir votre Preuve de Réclamation, veuillez, s'il vous plaît, vous référer au site web du Contrôleur (<https://www.raymondchabot.com/dossiers-publics/xxxx/>) ou communiquer avec le Contrôleur, dont les coordonnées apparaissent ci-dessous.

Des copies supplémentaires du formulaire de Preuve de Réclamation sont disponibles sur le site web du Contrôleur à l'adresse ci-dessus.

Veuillez noter que le présent document ne constitue qu'un guide. En cas de disparité entre les termes du présent document et ceux de l'Ordonnance relative au traitement des réclamations datée du [6 octobre 2017] (dont une copie est jointe à la présente ou disponible sur le site Web du contrôleur) (l'« **Ordonnance** »), les termes de l'Ordonnance auront préséance.

Les Compagnies débitrices sont :

- Java-U Group inc.;
- Java-U Food Services inc.;
- Café Java-U inc.;
- Java-U RTA inc.

### SECTION A – DÉTAILS AFFÉRENTS AUX CRÉANCIERS

1. Chacun des individus ou des personnes morales (chacun étant un « **Créancier** ») souhaitant faire valoir une réclamation contre l'une ou plusieurs des Compagnies débitrices (chacune étant une « **Réclamation** ») doit remplir un formulaire différent;
2. Le Créancier doit écrire son nom légal au complet;
3. Si le Créancier fait affaire avec les Compagnies débitrices sous une ou plusieurs dénominations qui diffèrent du nom sous lequel il est enregistré, ce fait doit être indiqué, avec copie de la documentation pertinente le cas échéant.

### SECTION B – PREUVE DE RÉCLAMATION

1. Le Créancier doit cocher la Compagnie débitrice contre laquelle il souhaite déposer une Preuve de Réclamation;
2. Le Créancier qui détient des Réclamations distinctes contre différentes Compagnies débitrices doit déposer un formulaire de Preuve de Réclamation distinct pour chacune de ces Réclamations.

## SECTION C – NATURE DE LA RÉCLAMATION

1. Le Créancier doit séparer les montants de sa Réclamation qui font l'objet d'une garantie (sûreté, hypothèque, etc.) de ceux qui ne sont pas garantis, et les indiquer aux lignes prévues à cet effet;
2. Certains montants qui pourraient être dus aux Créanciers ne constituent pas des Réclamations et ne doivent pas être inscrits à leurs Preuves de Réclamation, notamment les montants qui pourraient être dus en vertu d'obligations nées le ou après le [6 octobre 2017]. Pour plus d'information à cet égard, veuillez s'il vous plaît consulter l'Ordonnance relative au traitement des réclamations jointe à la présente ou disponible sur le site Web du contrôleur;
3. Dans l'éventualité où une portion du montant réclamé à la section B. est considérée comme une créance garantie, le montant de la partie garantie de la réclamation devrait être inscrit à la section C. 2) de la preuve de réclamation. Toute partie non garantie du montant réclamé à la section B. peut être inscrite à la section C. 1) de la preuve de réclamation;
4. Toute portion du montant réclamé à la section B. considérée comme une réclamation de restructuration (telle que définie dans l'ordonnance de procédure de réclamation) devrait être inscrite à la section C. 3).

## SECTION D – RÉCLAMATION CONTRE LES ADMINISTRATEURS ET LES DIRIGEANTS

5. Pour toute réclamation contre les administrateurs et/ou les dirigeants des Compagnies débitrices pour les obligations de ces Compagnies débitrices qui ont pris naissance avant la date de l'Ordonnance initiale ([6 octobre 2017]) et pour laquelle l'un des administrateurs et/ou dirigeants de la débitrice est responsable selon le créancier, la case doit être cochée et le montant doit être inscrit à la section D);

## GÉNÉRAL

1. Pour que la Preuve de Réclamation soit valide, elle doit être accompagnée des documents suivants :
  - a. Un état de compte complet et détaillé, indiquant la date de cet état et le nom de la Compagnie débitrice visée;
  - b. Copie de l'ensemble des factures figurant à l'état de compte;
2. La Preuve de Réclamation doit être signée par un représentant dûment autorisé du Créancier, devant témoin;
3. **La Preuve de Réclamation complète et accompagnée de la documentation justificative doit être reçue par Raymond Chabot inc. au plus tard le 15 novembre 2017 à 17 h** (heure de Montréal) ou, pour les créanciers ayant une Réclamation liée à la restructuration (tel que défini dans l'Ordonnance visant la procédure des réclamations) ayant pris naissance après la Date de Détermination, la date la plus tardive entre le 15 novembre 2017 à 17 h ou quinze (15) jours après la date de réception par le créancier d'un Avis des Compagnies débitrices donnant lieu à une Réclamation liée à la restructuration (« Date Limite de Dépôt des Réclamations »), **par la poste, messenger, courriel ou télécopieur à l'adresse suivante :**

RAYMOND CHABOT INC.,  
Contrôleur  
a/s de monsieur Jean Gaguon, CPA, CA, CIRP, SAI  
Tour de la Banque Nationale  
600, rue de La Gauchetière Ouest, bureau 2000  
Montréal (Québec) H3B 4L8  
Courriel : [reclamationmtl@rcgt.com](mailto:reclamationmtl@rcgt.com)  
Télécopieur: 514 858-3303

**LES RÉCLAMATIONS QUI NE SONT PAS REÇUES AU PLUS TARD À LA DATE LIMITE DE DÉPÔT DES RÉCLAMATIONS SERONT IRRECEVABLES ET DÉFINITIVEMENT ÉTEINTES.**

**Schedule D**  
**Form of Notice of Revision or Disallowance**

*(See attached)*



Raymond Chabot inc.

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF: 01-  
MONTREAL  
COURT NO. :  
OFFICE NO:

SUPERIOR COURT  
« *Companies' Creditors Arrangement Act* »  
(LRC 1985, ch.C-36) »

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IN THE MATTER OF THE  
ARRANGEMENT OR  
COMPROMISE OF:

**JAVA-U GROUP INC., JAVA-U FOOD SERVICES  
INC., CAFÉ JAVA-U INC., JAVA-U RTA INC.**

Legal persons having their principal place of business located at  
5473, Royalmount avenue, suite 205, in the city of Mont-Royal,  
in the province of Québec, H4P 1J3.

Debtor Companies

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#### NOTICE OF REVISION OR DISALLOWANCE

#### REGISTERED MAIL

*Name of Claimant:*

*Sent via:*

*Reference No.:*

Pursuant to the Order issued by the Superior Court of Québec on [October 6, 2017] (the "**Claims Procedure Order**"), a procedure (the "**Claims Procedure**") was approved for the purpose of identifying, establishing, adjudicating all Claims (as defined in the Claims Procedure Order) of any persons against Java-U Group Inc., Java-U Food Services Inc., Café Java-U Inc. and Java-U RTA Inc. (the "**Debtors**") or against their respective directors and/or officers, Raymond Chabot Inc. (the "**Monitor**"), in its capacity as court-appointed monitor of the Debtors, hereby gives you notice that it has reviewed your Proof of Claim and has revised or rejected your Claim as follows:

**UNSECURED CLAIM:**

<b>Debtor</b>	<b>Amount Claimed</b>	<b>Amount Disallowed</b>	<b>Amount Allowed</b>
Java-U Group Inc.			
Java-U Food Services Inc.			
Café Java-U Inc.			
Java-U RTA Inc.			

**SECURED CLAIM:**

<b>Debtor</b>	<b>Amount Claimed</b>	<b>Amount Disallowed</b>	<b>Amount Allowed</b>
Java-U Group Inc.			
Java-U Food Services Inc.			
Café Java-U Inc.			
Java-U RTA Inc.			

**RESTRUCTURING CLAIM:**

<b>Debtor</b>	<b>Amount Claimed</b>	<b>Amount Disallowed</b>	<b>Amount Allowed</b>
Java-U Group Inc.			
Java-U Food Services Inc.			
Café Java-U Inc.			
Java-U RTA Inc.			



**D&O CLAIM:**

Debtor	Amount Claimed	Amount Disallowed	Amount Allowed
Java-U Group Inc.			
Java-U Food Services Inc.			
Café Java-U Inc.			
Java-U RTA Inc.			

**REASON(S) FOR THE REVISION OR DISALLOWANCE:<sup>1</sup>**

- 1.
- 2.
- 3.

If you do not agree with this *Notice of Revision or Disallowance*, please take notice of the following:

1. If you intend to dispute this Notice of Revision or Disallowance, you must, within ten (10) calendar days of the date of this Notice of Revision or Disallowance, apply to Court to appeal the Monitor's decision regarding the claim, and you must serve a notice of this appeal to Debtor and the Monitor at the following addresses:

**Debtor's  
Counsel:** Stikeman Elliott LLP  
1155 René-Lévesque Blvd. West  
Montreal, QC H3B 3V2

*Attention:*  
Mr. Guy P. Martel and Mr. Danny Vu  
Fax: 514 397-3493 / 514-397 5428  
E-mail: [gmartel@stikeman.com](mailto:gmartel@stikeman.com) / [ddvu@stikeman.com](mailto:ddvu@stikeman.com)

**The Monitor:** Raymond Chabot Inc., in its capacity as Court-appointed Monitor of Java-U Group Inc.  
Java-U Food Services Inc.

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<sup>1</sup> The Monitor reserves the right to revise and disallow your claim for any other grounds or reasons, whether or not mentioned in the present notice.



Café Java-U Inc.  
1250 René-Lévesque Blvd. West, Suite 2500  
Montreal, QC H3B 4Y1

*Attention:*

Mr. Jean Gagnon / Philippe Daneau  
Fax: (514) 878 2100 / (514) 878-2100  
E-mail: [gagnon.jean@rcgt.com](mailto:gagnon.jean@rcgt.com) / [daneau.philippe@rcgt.com](mailto:daneau.philippe@rcgt.com)

2. If you do not apply to Court to appeal the Monitor's decision regarding the claim and serve notice thereof within the above delay, the determination of your Claim shall be deemed to be as set out in this Notice of Revision or Disallowance.
3. In the event you appeal this Notice of Revision or Disallowance, the Monitor and the Debtor reserve the right to present any other application, request or reason that they may consider appropriate.

**IF YOU FAIL TO FILE AN APPEAL IN RESPECT OF THE PRESENT NOTICE OF REVISION OR DISALLOWANCE WITHIN THE PRESCRIBED DELAY, THIS NOTICE OF REVISION OR DISALLOWANCE WILL BE BINDING UPON YOU FOR VOTING AND/OR DISTRIBUTION PURPOSES UNDER THE PLAN COMPROMISE OF THE DEBTOR.**

DATED AT MONTREAL, this ☉<sup>th</sup> day of ☉ 2016.

**RAYMOND CHABOT INC.**  
COURT-APPOINTED MONITOR OF  
JAVA-U GROUP INC.  
JAVA-U FOOD SERVICES INC.  
CAFÉ JAVA-U INC.  
JAVA-URTA INC.

Philippe Daneau, CPA, CA, CIRP, SAI