

C A N A D A
Province de Québec
District of: Québec
Division No.: 01 - Montréal
Court No.: 500-11-037071-095 / 500-11-036947-097
Estate No.: 41-342155 / 41-341929

SUPERIOR COURT
(Commercial Division)
Bankruptcy and Insolvency Act

Notice of Application for Discharge of Trustee
(Paragraph 152(5)(c), Rule 61)

In the matter of the bankruptcies of
Earl Jones & Earl Jones Consultant & Administration Corporation
Of the City of Montréal
In the Province of Québec

Take notice that:

1. There is enclosed with this form a copy of the final statement of receipts and disbursements as taxed.
2. Notice of objection to the final statement must be filed with the registrar, at the Montréal courthouse, 1 Notre-Dame Street East, Room 1.146, Montréal QC H2Y 1B6 before November 2, 2012, and a copy of the notice served on the undersigned. The notice must state the reasons for the objection.
3. We will apply to the court on December 4, 2012, at the hour of 9:00 A.M., or so soon thereafter as the motion can be heard, for an order of discharge with respect to the above-mentioned estate.
4. Notice of objection to the discharge, setting out the reasons for opposition, must be filed with the registrar, at the Montréal courthouse, 1 Notre-Dame Street East, Room 1.146, Montréal QC H2Y 1B6 at least five days before the date of the hearing, and a copy of the notice must be served on us within those five days.

Dated at Montréal in the Province of Québec, October 17, 2012.

RSM Richter Inc. - Trustee
Per:



Philip Manel, CPA, CA, CIRP
1981 McGill College Avenue, 12th Floor
Montréal QC H3A 0G6
Phone: (514) 934-3400 Fax: (514) 934-8603

CANADA
PROVINCE OF QUEBEC
DISTRICT OF QUEBEC
DIVISION NO.: 01-MONTRÉAL
COURT NOS.: 500-11-036947-097 AND 500-11-037071-095
ESTATE NOS.: 41-341929 AND 41-342155

SUPERIOR COURT
(Commercial Division)
Bankruptcy and Insolvency Act

IN THE MATTER OF THE BANKRUPTCY OF EARL JONES CONSULTANT & ADMINISTRATION CORPORATION, a body politic and corporate, duly incorporated according to law and having its head office and its principal place of business at 1 Holiday Avenue, Suite 430, West Tower, Pointe-Claire, Quebec H9R 5N3

- AND -

IN THE MATTER OF THE BANKRUPTCY OF (BERTRAM) EARL JONES, c/o Me Jeffrey Boro, Boro, Polnicky, Lighter, 500 Place d'Armes, Suite 2350, Montréal, Quebec H2Y 2W2

TRUSTEE'S FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS (Note 1)

RECEIPTS

1. Cash in bank		16,976.11	\$
2. Sale of properties located at:			
a) Dorval, Québec	780,000.00	\$	
b) Mont-Tremblant, Québec	370,000.00		
c) Boca Raton, Floride	276,863.88		
d) Hyannis, Massachusetts	154,704.00	1,581,567.88	
3. Sale of cars		43,339.50	
4. Sale of office furniture		1,850.00	
5. Sale of home furniture		14,978.88	
6. Sale of painting		10,000.00	
7. Cash surrender value of Life insurance policies		55,745.14	
8. Pre-bankruptcy income tax refund		5,578.28	
9. Interest		3,424.03	
10. Tax			
a) GST collected	92.50		
b) QST collected	145.69		
c) Reimbursement of GST	791.18		
d) Reimbursement of QST	1,342.77	2,372.14	
TOTAL RECEIPTS		1,735,831.96	\$

DISBURSEMENTS

11. Fees paid			
a) To Official Receiver	300.00		
b) To Court	150.00	450.00	
12. Notice of Bankruptcy - Earl Jones Consultant & Administration Corporation			
a) To 312 creditors	420.00		
b) Postage	407.46		
c) Newspaper	2,644.73	3,472.19	
13. Notice of Bankruptcy - Earl Jones			
a) To 257 creditors	350.00		
b) Postage	328.56		
c) Newspaper	2,735.84	3,414.40	
14. Notice of Trustee's application for discharge			
a) To 212 creditors	318.00		
b) Postage	296.80	614.80	
15. Inspectors fees (\$40 per meeting)			
a) Grant Burton	160.00		
b) Jerry Coughlan	160.00		
c) Kevin Curran	200.00		
d) Peter Kent	200.00		
e) Ginny Nelles	200.00	920.00	

**Earl Jones Consultant & Administration Corporation and Earl Jones
Trustee's Final Statement of Receipts and Disbursements**

16. Cost of realization of assets and occupancy			
a) Appraisal fees - paintings	200.00		
b) Insurance	10,643.63		
c) Taking of possession cost	18,526.10		
d) Security cost	13,253.43		
e) Electricity and gas	3,322.45		
f) Land surveyor	750.00		
g) Occupancy cost (common fees)	23,098.26		
h) Municipal and school taxes	12,827.90		
i) Real estate commission	79,723.07		
j) Notary fees and costs	16,879.77	179,224.61	19,050.77
17. Miscellaneous			
a) Photocopies	5,565.76		
b) Stenographer fees	7,230.95		
c) Telephone	1,931.01		
d) Courier and postage	1,233.00		
e) Redirection of mail	165.00		
f) Bailiff fees	514.15		
g) Travel	1,431.81		
h) Storage	12,179.42		
i) Creditors meeting - room reservation	1,000.51		
j) Bank charges	1,053.89		
k) Notary and professional fees	2,467.82		
l) Miscellaneous	1,877.18	36,650.50	
18. Redemption of security for property located at:			
a) Dorval, Québec (Appendix 1)	557,682.71		
b) Mont-Tremblant, Québec (Appendix 2)	241,751.33		
c) Boca Raton, Florida (Appendix 3)	212,251.02		
d) Hyannis, Massachusetts (Appendix 4)	19,093.47	1,030,778.53	
TOTAL DISBURSEMENTS BEFORE THE TRUSTEE'S REMUNERATION AND THE LEGAL FEES AND DISBURSEMENTS		1,255,525.03	
19. Taxes			
a) GST	24,396.46		
b) QST	43,172.67		
c) GST remittance	92.50		
d) QST remittance	145.69	67,807.31	
20. Trustee's fees		313,337.14	
21. Legal fees and disbursements (duly taxed)		99,162.47	
TOTAL DISBURSEMENTS		1,735,831.96	
22. AMOUNT AVAILABLE FOR DISTRIBUTION (Note 2)		(0.00)	\$

**Earl Jones Consultant & Administration Corporation and (Bertram) Earl Jones
Trustee's Final Statement of Receipts and Disbursements**

NOTES:

Note 1 : On July 29, 2009, the Petition for Receiving Order filed on July 10, 2009 againts Earl Jones Consultant & Administration Corporation ("EJC"), in accordance with the *Bankruptcy and Insolvency Act*, was heard before the Court and the Bankruptcy of EJC was pronounced. RSM Richter Inc. was named Trustee to the Bankrupt Estate. The Trustee was confirmed in its functions during the creditors' meeting held on August 18, 2009.

On August 19, 2009, the Petition for Receiving Order filed on July 27, 2009 against (Bertram) Earl Jones ("Jones"), in accordance with the *Bankruptcy and Insolvency Act*, was heard before the Court and the Bankruptcy of Jones was pronounced. RSM Richter Inc. was named Trustee to the Bankrupt Estate. The Trustee was confirmed in its functions during the creditors' meeting held on September 9, 2009.

On October 18, 2011, an Order was rendered which authorized the consolidation of the two Estates.

At the time of the Bankruptcy, the Trustee was unable to obtain the cooperation of EJC nor Jones and was unable to file the Statement of Affairs as provided for in the *Bankruptcy and Insolvency Act*.

Note 2 : There are no funds to distribute for a dividend to the Creditors. The Trustee has substantial unpaid time charges. Any additional recoveries will be applied thereto.

RSM Richter Inc.
Trustee

August 16, 2012

Date

(Signed)

Per: Philip Manel, CPA, CA

Approved by:

Grant Burton, Inspector

Peter Kent, Inspector

Jerry Coughlan, Inspector

(Signed)

Ginny Nelles, Inspector

(Signed)

Kevin Curran, Inspector

Appendix 1 - Property located at 870 Lakeshore Road, Apt . X3, Dorval, Québec H9S 5X7

Attestation Concerning Redemption of the Security

In the matter of the Bankruptcy of Earl Jones Consultant & Administration Corporation and the Bankruptcy of (Bertram) Earl Jones.

I, Philip Manel, of RSM Richter Inc., Trustee, report to the Office of the Superintendent of Bankruptcy on the following:

1. As at the date of the sale's transaction, the amount due to Scotia Bank, as secured lender, amounted to \$557,682.71, as per the Memorandum of Adjustments prepared by the Notary.
2. As at the date of the sale's transaction, the amount due to Condominiums Havre Saint-Louis, as secured lender for the common fees, amounted to \$6,531.14, as per the Memorandum of Adjustments prepared by the Notary.
3. As Trustee, I initiated the sale process of the encumbered assets on September 9, 2009.
4. I sold the encumbered assets on June 30, 2010 for an amount of \$780,000.00:

Sale amount	\$ 780,000.00
Related disbursements	(48,166.04) (see 5)
Trustee's fees	(17,505.34) (see 6)
Net realization value	<u>\$ 714,328.62</u>

5. The disbursements (including taxes) relating to the redemption are as follows:

Electricity and gas	\$ 770.72
Land Surveyor	846.56
Notary fees and costs	1,186.14
Municipal and school taxes	5,743.49
Real Estate commission	<u>39,619.13</u>
	<u>\$ 48,166.04</u>

6. The part of my remuneration (including taxes) pertaining to this redemption amounts to \$17,505.34.
7. On June 30, 2010, I redeemed the security of Scotia Bank and delivered the amount of \$557,682.71 (including interest at that date) and the security of Condominiums Havre Saint-Louis and delivered the amount of \$6,531.14, generating an equity for the mass of creditors amounting to \$150,114.77.

Dated at Montréal, this 16 day of Aug. 2012.

RSM Richter Inc.
Trustee


Philip Manel, CA, CPA

Appendix 2 - Property located at 49 Allée des Becs-Scie, Mont-Tremblant, Québec

Attestation Concerning Redemption of the Security

In the matter of the Bankruptcy of Earl Jones Consultant & Administration Corporation and the Bankruptcy of (Bertram) Earl Jones.

I, Philip Manel, of RSM Richter Inc., Trustee, report to the Office of the Superintendent of Bankruptcy on the following:

1. As at the date of the sale's transaction, the amount due to Scotia Bank, as secured lender, amounted to \$241,751.33, as per the Memorandum of Adjustments prepared by the Notary.
2. As at the date of the sale's transaction, the amount due to the Syndicate of the co-owners, as secured lender for the common fees, amounted to \$2,800.04, as per the Memorandum of Adjustments prepared by the Notary.
3. As Trustee, I initiated the sale process of the encumbered assets on September 9, 2009.
4. I sold the encumbered assets on September 16, 2010, for an amount of \$370,000.00:

Sale amount	\$	370,000.00
Related disbursements		(32,841.93) (see 5)
Trustee's fees		(9,692.17) (see 6)
Net realization value	\$	<u>327,665.90</u>

5. The disbursements (including taxes) relating to the redemption are as follows:

Electricity and gas	\$	991.61
Alarm system		150.47
Occupancy cost (common fees)		1,414.60
Notary fees and costs		1,337.34
Municipal and school taxes		5,255.80
Real Estate commission		23,492.11
	\$	<u>32,841.93</u>

6. The part of my remuneration (including taxes) pertaining to this redemption amounts to \$9,692.17.
7. On September 16, 2010, I redeemed the security of Scotia Bank and delivered the amount of \$241,751.33 (including interest at that date) and the security of the Syndicate of co-owners and delivered the amount of \$2,800.04, generating an equity for the mass of creditors amounting to \$83,114.53.

Dated at Montréal, this 16 day of Aug . 2012.

RSM Richter Inc.
Trustee


Philip Manel, CA, CPA

Appendix 3 - Property located at 1040 Banyan Road, Unit 406-C, Boca Raton, Florida, USA

Attestation Concerning Redemption of the Security

In the matter of the Bankruptcy of Earl Jones Consultant & Administration Corporation and the Bankruptcy of (Bertram) Earl Jones

I, Philip Manel, of RSM Richter Inc., Trustee, report to the Office of the Superintendent of Bankruptcy on the following:

1. As at the date of the sale's transaction, the amount due to Wachovia Mortgage, as first ranking secured lender, amounted to US\$133,682.53 and as second ranking secured lender amounted to US\$85,572.48 for a total of US\$219,255.01 being CAN\$212,251.02, as per the Memorandum of Adjustments prepared by the Notary.
2. As at the date of the sale's transaction, the amount due to the Condo Association, as secured lender for the common fees, amounted to US\$5,621.31 (CAN\$5,441.74), as per the Memorandum of Adjustments prepared by the Notary.
3. As Trustee, I initiated the sale process of the encumbered assets on September 9, 2009.

4. I sold the encumbered assets on February 15, 2011, for an amount of CAN\$276,863.86:

	<u>CAN \$</u>
Sale amount	276,863.88
Related disbursements	(31,344.93) (voir 5.)
Trustee's fees	(2,806.00) (voir 6.)
Net realization value	<u>242,612.95</u>

5. The disbursements (including taxes) relating to the redemption are as follows:

	<u>CAN \$</u>
Electricity and gas	917.62
Maintenance	233.44
Municipal and school taxes	571.66
Notary fees and costs	13,010.38
Real Estate commission	16,611.83
	<u>31,344.93</u>

6. The part of my remuneration (including taxes) pertaining to this redemption amounts to CAN\$2,908.00.
7. On February 15, 2011, I redeemed the security of Wachovia Mortgage and delivered the amount of US\$219,255.01 (CAN\$212,251.02) (including interest at that date) and the security of the Condo Association and delivered the amount of US\$5,621.31 (CAN\$5,441.74), generating an equity for the mass of creditors amounting to CAN\$24,920.19.

Dated at Montréal, this 16 day of Aug. 2012.

RSM Richter Inc.
Trustee

Philip Manel, CA, CPA



Appendix 4 - Property located at 550 Lincoln Road Extension, Unit no. 16 (D-4), Hyannis, MA, USA

Attestation Concerning Redemption of the Security

In the matter of the Bankruptcy of Earl Jones Consultant & Administration Corporation and the Bankruptcy of (Bertram) Earl Jones.

I, Philip Manel, of RSM Richter Inc., Trustee, report to the Office of the Superintendent of Bankruptcy on the following:

1. As at the date of the sale's transaction, the amount due relating to labour and construction material amounted to US\$17,385.20 for Centerville Construction and to US\$794.47 for a total of US\$18,179.67 (CAN\$19,093.47), as per the Memorandum of Adjustments prepared by the Notary.
2. As at the date of the sale's transaction, the amount due to the Condo Association, as secured lender for the common fees, amounted to US\$6,580.00 (CAN\$6,910.74), as per the Memorandum of Adjustments prepared by the Notary.
3. As Trustee, I initiated the sale process of the encumbered assets on September 9, 2009.
4. I sold the encumbered assets on June 30, 2010 for an amount of CAN\$154,704.00:

	<u>CAN \$</u>
Sale amount	154,704.00
Related disbursements	(3,005.18) (voir 5.)
Trustee's fees	<u>(13,126.79) (voir 6.)</u>
Net realization value	<u>138,572.03</u>

5. The disbursements (including taxes) relating to the redemption are as follows:

	<u>CAN \$</u>
Electricity and gas	402.32
Municipal and school taxes	1,256.95
Notary fees and costs	<u>1,345.91</u>
	<u>3,005.18</u>

6. The part of my remuneration (including taxes) pertaining to this redemption amounts to CAN\$13,126.79.
7. On June 30, 2010, I redeemed the security of Centerville Construction US\$17,385.20 and the one of Edward Rogean US\$794.45 and delivered the amount of US\$17,385.20 and US\$794.45 respectively and the security of the Condo Association and delivered the amount of US\$6,580.00 (CAN\$6,910.74), generating an equity for the mass of creditors amounting to CAN\$112,567.82.

Dated at Montréal, this 16 day of Aug. 2012.

RSM Richter Inc.
Trustee


Philip Manel, CA, CPA

CANADA
Province de Québec
District de : Québec
No division : 01 - Montréal
Nos cour: 500-11-037071-095 / 500-11-036947-097
Nos dossier: 41-342155 / 41-341929

COUR SUPÉRIEURE
(Chambre commerciale)
Loi sur la faillite et l'insolvabilité

Certificat de Taxation

Dans l'affaire des faillites de
Earl Jones & Earl Jones Consultant & Administration Corporation
de la ville de Montréal
dans la province de Québec

Ordonnance est rendue fixant les déboursés du syndic à la somme de 1,255,525⁰³ \$, ainsi
que sa rémunération à la somme de 313,337.14 \$.

Daté le 4 octobre 2012, à Montréal en la province de Québec.



Par: Me
Registraire
Officier à la taxation

