

## Instruction Letter

### **INSTRUCTION LETTER FOR THE CLAIMS PROCEDURE OF BOMET POLYMER INC.**

#### **A. CLAIMS PROCEDURE**

By Order of the Ontario Superior Court of Justice (Commercial List) made January 29, 2020 (the "**Claims Procedure Order**"), BDO Canada Limited (the "**Receiver**"), in its capacity as court-appointed Receiver of Bomet Polymer Inc. (the "**Company**"), has been authorized to conduct a claims procedure (the "**Claims Procedure**") with respect to claims against the Company in accordance with the terms of the Claims Procedure Order.

Unless otherwise defined, all capitalized terms used herein shall have the meanings given to those terms in the Claims Procedure Order.

The Claims Procedure Order, the Claim Document Package, additional Proofs of Claim and related materials may be accessed from the Receiver's website at <https://www.bdo.ca/en-ca/extranets/bpi/>.

This letter provides instructions for responding to or completing the Proof of Claim or a Notice of Dispute. Reference should be made to the Claims Procedure Order for a complete description of the Claims Procedure.

The Claims Procedure is intended for any Person with any Claims of any kind or nature whatsoever against the Company, whether liquidated, unliquidated, contingent or otherwise. Please review the enclosed material for the complete definitions of a "Claim" to which the Claims Procedure applies.

All notices and enquiries referred to in this instruction letter and with respect to the Claims Procedure should be addressed to:

BDO Canada Limited  
in its capacity as Receiver of Bomet Polymer Inc.

25 Main Street W., Suite 800  
Hamilton, ON L8P 1H1

Attention: Adam Boettger, CPA, CIRP, LIT  
Manager  
Direct: (905) 633-4926  
aboettger@bdo.ca

**B. FOR CREDITORS WHO RECEIVE A CLAIM STATEMENT**

Certain Known Creditors of the Company will receive a Claim Statement from the Receiver specifying the amount of such Creditor's Claim as determined by the Receiver based on the books and records of the Company (the "**Known Claim**")

If you receive a Claim Statement and you do not dispute the amount of the Known Claim, you are not required to take any further action or to file a Proof of Claim with the Receiver in the Claims Procedure.

If you wish (a) to dispute the amount of the Known Claim set forth in the Claim Statement, or (b) to assert an additional Claim in relation to the Applicant other than the Known Claim, you are required to deliver a Notice of Dispute to the Receiver so that it is received by the Receiver **before 5:00 p.m. (Toronto Time) on May 26, 2020** (the "**Claims Bar Date**").

If a completed Notice of Dispute in respect of a Known Claim is not received by the Receiver by the Claims Bar Date, the Creditor shall be forever barred from disputing the amount of the Known Claim and any Claim of a different nature or in excess of the amount specified in the Known Claim shall be forever barred and extinguished. **IF A NOTICE OF DISPUTE IS NOT RECEIVED BY THE RECEIVER WITHIN THE PRESCRIBED TIME PERIOD, THE CLAIM AS SET OUT IN THE CLAIM STATEMENT WILL BE DEEMED TO BE THE CLAIM OF THE CREDITOR AND WILL BE FINAL AND BINDING ON THE CREDITOR FOR ALL PURPOSES.**

Where a Creditor sends a Notice of Dispute to the Receiver, the Receiver will review the Notice of Dispute and, as soon as reasonably practicable, provide to the Creditor a response in writing by registered mail, courier service, facsimile or email as to whether the Claim set out in the Notice of Dispute is accepted, disputed in whole, or disputed in part. Where the Claim is disputed in whole or in part, the Receiver will issue a Notice of Revision or Disallowance indicating the reasons for the dispute.

The Claims Procedure Order further provides that where a Creditor objects to a Notice of Revision or Disallowance, the Creditor must notify the Receiver of the objection in writing by registered mail, courier service, facsimile or email within fifteen (15) days of receipt of the Notice of Revision or Disallowance (the "**Objection**").

The Creditor shall immediately thereafter serve on the Receiver, a Notice of Motion, filed at the Court and made returnable within thirty (30) days after the date that the Receiver received the Objection, for the determination of the claim in dispute. The Notice of Motion is to be supported by a sworn affidavit setting out the reasons for the dispute.

**C. FOR CREDITORS SUBMITTING A PROOF OF CLAIM**

Unless you are a Known Creditor and you have received a Claim Statement, if you believe that you have a Claim against the Company, you must file a Proof of Claim with the Receiver.

All Proofs of Claim must be received by the Receiver by the Claims Bar Date of May 26, 2020 at 5:00pm (Toronto Time).

**PROOFS OF CLAIM MUST BE RECEIVED BY THE CLAIMS BAR DATE OR THE APPLICABLE CLAIM WILL BE FOREVER BARRED AND EXTINGUISHED.**

If you are required to file a Proof of Claim pursuant to the Claims Procedure but do not file a Proof of Claim by the Claims Bar Date you shall not be entitled to participate in any distribution in respect of such Claim.

Additional Proof of Claim forms can be obtained by contacting the Receiver at the telephone numbers and address indicated above and providing particulars as to your name, address and facsimile number or email address. Additional Proof of Claim forms and related materials may also be accessed from the Receiver's web site at [www.bdo.ca/en-ca/extranets/bpi/](http://www.bdo.ca/en-ca/extranets/bpi/).

Where a Creditor files a Proof of Claim with the Receiver, the Receiver will review the Proof of Claim and, as soon as reasonably practicable, provide to the Creditor a response in writing by registered mail, courier service, facsimile or email as to whether the Claim set out in the Proof of Claim is accepted, disputed in whole, or disputed in part. Where the Claim is disputed in whole or in part, the Receiver will issue a Notice of Revision or Disallowance indicating the reasons for the dispute.

The Claims Procedure Order further provides that where a Creditor objects to a Notice of Revision or Disallowance, the Creditor must notify the Receiver of the objection in writing by registered mail, courier service, facsimile or email within fifteen (15) days of receipt of the Notice of Revision or Disallowance.

The Creditor shall immediately thereafter serve on the Receiver, a Notice of Motion, filed at the Court and made returnable within thirty (30) days after the date that the Receiver received the Objection. The Notice of Motion is to be supported by a sworn affidavit setting out the reasons for the dispute.

**DATED** at Hamilton, Ontario this 31<sup>st</sup> day of January, 2020.

BDO Canada Limited in its capacity as Receiver of Bomet Polymer Inc.