

PROOF OF CLAIM

(Section 50.1, subsections 65.2(4), 81.2(1), 102(2), 124(2), 128(1), and paragraphs 51(1)(e) and 66.14(b) of the Act
(See instructions on reverse)

(All notices or correspondence regarding this claim must be forwarded to the following address:

In the matter of the BANKRUPTCY OF 360NETWORKS INC. of Vancouver, British Columbia, and the claim of _____, creditor.

I, _____ (name of creditor or representative of the creditor), of _____ (city and province), do hereby certify:

- 1. That I am a creditor of the above-named debtor (or that I am _____ (state position or title) of _____ (name of creditor)).
2. That I have knowledge of all the circumstances connected with the claim referred to below.
3. That the debtor was, at the date of bankruptcy (or the date of the receivership, or in the case of a proposal, the date of the notice of intention or of the proposal, if no notice of intention was filed), namely the 9th day of January 2007, and still is, indebted to the creditor in the sum of \$ _____, as specified in the statement of account (or affidavit or solemn declaration) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled.
4. (Check and complete appropriate category.)
A. UNSECURED CLAIM OF \$ _____ That in respect to this debt, I do not hold any assets of the debtor as security and (Check appropriate description.)
B. CLAIM OF LANDLORD FOR DISCLAIMER OF A LEASE \$ _____ That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows:
C. SECURED CLAIM OF \$ _____ That in respect of this debt, I hold assets of the debtor valued at \$ _____ as security, particulars of which are as follows:
D. CLAIM BY FARMER, FISHERMAN, OR AQUACULTURIST OF \$ _____ That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of \$ _____.
E. CLAIM AGAINST DIRECTOR \$ _____
5. That, to the best of my knowledge, I am (or the above-named creditor is) (or am not or is not) related to the debtor within the meaning of section 4 of the Act.
6. That the following are the payments that I have received from, and the credits that I have allowed to, the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act:
NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.
WARNINGS: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Dated at _____ this _____ day of _____, 20_____.

Witness
Phone Number: _____
Fax Number: _____

Creditor

CHECKLIST FOR PROOFS OF CLAIM

This checklist is provided to assist you in preparing the accompanying proof of claim form, and where required, proxy form in a complete and accurate manner. Please specifically check each requirement. **CLAIMS NOT COMPLETED CORRECTLY IN EVERY RESPECT WILL BE RETURNED.**

GENERAL

- * The claim must be signed.
- * The signature of a witness is required.
- * The claim must be signed personally by the **individual** completing this declaration.
- * Give the complete address where all notices or correspondence is to be forwarded.
- * The amount on the statement of account must correspond to the amount on the proof of claim.

PARAGRAPH (1) OF THE PROOF OF CLAIM

- * Creditor must state full and complete legal name of company or firm.
- * If the individual completing the proof of claim is not the creditor himself, he must state his position or title.

PARAGRAPH (3) OF THE PROOF OF CLAIM

- * **A detailed statement of account must be attached.** If the claim is for a guarantee, a copy of the guarantee must be attached.
- * The statement of account must be complete.

NOTE:

A detailed statement of account must be attached to the proof of claim and must show the date, the number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments. A statement of account is **not** complete if it begins with an amount brought forward.

PARAGRAPH (4) OF THE PROOF OF CLAIM

- * An unsecured creditor must strike out sub-paragraphs B, C, D and E.
- * A preferred creditor (as allowed by section 136 of the Bankruptcy and Insolvency Act) must strike out sub-paragraphs B, C, D and E and must complete sub-paragraph A by checking the appropriate description.
- * A secured creditor must strike out sub-paragraphs A, B, D and E and must complete sub-paragraph C and provide a certified true copy of the security instrument as registered.
- * A farmer, fisherman or aquaculturist must strike out sub-paragraphs A, B, C and E.

PARAGRAPH (5) OF THE PROOF OF CLAIM

- * All claimants must indicate if he or she is related or not to the debtor, as defined in Section 4 of the **Bankruptcy and Insolvency Act**, by striking out "AM" or "AM NOT".

PARAGRAPH (6) OF THE PROOF OF CLAIM

- * All claimants must attach a detailed list of all payments or credits received or granted, as follows:
 - (a) within the three (3) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are not related.
 - (b) within the twelve (12) months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are related.

**A STATEMENT OF ACCOUNT MUST BE ATTACHED,
OR YOU WILL NOT BE ELIGIBLE TO RECEIVE DIVIDENDS.**

PROXY

NOTE:

The Bankruptcy and Insolvency Act permits a proof of claim to be made by a duly authorized agent of a creditor but this does not give such a person power to vote at the first meeting of creditors or to act as the proxy of the creditors unless the proxy form is completed by the creditor appointing the authorized agent as proxy.

GENERAL

- * A creditor may vote either in person or by proxy.
- * A debtor may not be appointed a proxy to vote at any meeting of his creditors.
- * The trustee may be appointed as a proxy for any creditor.
- * A corporation may vote by an authorized agent at meeting of creditors.
- * In order for a duly authorized person to have a right to vote he must himself be a creditor or be the holder of a properly executed proxy. The name of the creditor must appear in the proxy.

PREFERRED CLAIMS

SECTION 136 (CONDENSED)

ORDER OF DISTRIBUTION (Subject to secured creditors)

- (1) The cost of administration of the estate.
 - (a) The expenses and fees of the Trustee
 - (b) Legal costs of the estate
- (2) Wages, salaries and commissions for services rendered in the six months preceding the bankruptcy, to a maximum of \$2,000 per person, together with expenses of a travelling salesman incurred in this same period to a maximum of \$1,000.
- (3) Municipal taxes assessed within two years preceding the bankruptcy which do not constitute a charge on real property, restricted to the value of the bankrupt's interest in the property.
- (4) The Landlord for arrears of rent for a period of three months preceding the bankruptcy, and accelerated rent for a period not exceeding three months subsequent to the bankruptcy, if provision is made in the lease. The Landlord's preferred claim is limited to the proceeds from the sale of the assets on the premises under lease at the date of the bankruptcy and any payments made by the Trustee on account of accelerated rent shall be credited by the Landlord against the amount payable by the Trustee for occupation rent.
- (5) One solicitor's bill of costs, including sheriff's fees and land registration fees, shall be payable to the creditor who has first attached by way of garnishment or lodged with the sheriff an attachment, execution or other process against the property of the Bankrupt.
- (6) Claims resulting from injuries to employees of the Bankrupt to which the provision of Workers' Compensation Act do not apply, but only to the extent of monies received from persons or companies guaranteeing the Bankrupt against damages resulting from such injuries, such as liability insurance policies.