



**Notice and Statement of the Receiver**  
**(Subsection 245(1) and 246(1) of the Bankruptcy and Insolvency Act)**

**IN THE MATTER OF THE RECEIVERSHIP OF**  
**MERK INVESTMENTS LTD.**

The receiver gives notice and declares that:

1. On March 6, 2023, the Ontario Superior Court of Justice (the “**Court**”) granted an order (the “**Receivership Order**”), pursuant to section 243 (1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended and section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended, appointing Alvarez & Marsal Canada Inc. receiver and manager (“**Receiver**”), without security, of all of the assets, undertakings and properties (the “**Assets**”) of Merk Investments Ltd. (“**Merk**” or the “**Company**”).
2. The Receiver has made inquiries with the Company’s management and its external accountant regarding the Company’s books and records and has been advised that the Company’s financial information has not been updated since June 30, 2020. The Company’s bank statements as at the date of the Receivership Order indicate a cash balance of \$1,814.39. The Receiver’s investigation of the Company’s books and records is ongoing. Accordingly, the estimated book value of the Assets as at March 6, 2023 (based on Merk’s unaudited books and records) was as follows:

	<b>Estimated Book Value</b> <b>(in CAD\$ 000s)</b>
Cash	\$2
Other Assets	TBD
Total Assets	<u>\$2</u>

**Note: Realizable values may materially differ from the above. The Receiver has not audited, reviewed or otherwise attempted to verify the accuracy of the foregoing.**

3. The undersigned took possession and control of the property described above on the 6<sup>th</sup> day of March, 2023.
4. The following information relates to the receivership:

Address of insolvent person:	46 Village Centre Place, 3 <sup>rd</sup> Floor, Mississauga, ON
Principal line of business:	Holdco for mortgage investments and/or financings.
Location of business:	46 Village Centre Place, 3 <sup>rd</sup> Floor, Mississauga, ON

Amounts owed by the insolvent person to creditors as at March 6, 2023 (based on Merk's unaudited books and records) are as follows:

	<b>Estimated Amount (in CAD\$ 000s)</b>
Secured	\$1,000
Unsecured	60
<b>Total</b>	<b>\$1,060</b>

Attached as Appendix "A" is a list of all known creditors as at the date of receivership. This information has not been audited or verified by the Receiver.

5. The Receiver's intended plan of action during the receivership is to determine the assets and liabilities of Merk, evaluate realization strategies for any assets of the Company and, if applicable, execute a realization process in respect of same.
6. Additional Information:

A copy of the receivership order is posted on the Receiver's website at [www.alvarezandmarsal.com/skymark](http://www.alvarezandmarsal.com/skymark). Other public information, including court materials will be posted to this website as that information becomes available.

Contact person for Receiver:

Name: Melanie MacKenzie  
Telephone No.: (416) 847-5158  
Facsimile No.: (416) 847-5201  
Email: [skymark@alvarezandmarsal.com](mailto:skymark@alvarezandmarsal.com)

Dated at Toronto, this 15<sup>th</sup> day of March, 2023.

**ALVAREZ & MARSAL CANADA INC.  
IN ITS CAPACITY AS COURT-APPOINTED RECEIVER AND MANAGER OF  
MERK INVESTMENTS LTD.  
AND NOT IN ITS PERSONAL CAPACITY**

Per: Greg Karpel  
Senior Vice-President

**APPENDIX A  
IN THE MATTER OF THE RECEIVERSHIP OF MERK INVESTMENTS LTD.**

<b>NAME OF CREDITOR</b>	<b>ADDRESS</b>	<b>Amount Due (CAD\$)</b>
<b>SECURED CREDITORS</b>		
Bridging Financing Inc.		1,000,000.00
Auto One Group		TBD
<b>TOTAL SECURED CREDITORS</b>		<b>\$ 1,000,000.00</b>
<b>UNSECURED CREDITORS</b>		
Scotiabank	44 King Street West, Toronto, ON, M5H1H1	60,000.00
7539088 Canada Inc.	c/o Bennett Jones LLP, 3400 One First Canadian Place, PO Box 130, Toronto, ON M5X 1A4 Attn: Lincoln Caylor	TBD
1989474 Ontario Inc.	c/o Bennett Jones LLP, 3400 One First Canadian Place, PO Box 130, Toronto, ON M5X 1A4 Attn: Lincoln Caylor	TBD
Minister of Finance	Insolvency Unit, 6th Floor, 33 King St. W., Oshawa, ON L1H 8H5	TBD
Receiver General	1050 Notre Dame Ave, Sudbury ON P3A 5C1	TBD
<b>TOTAL UNSECURED CREDITORS</b>		<b>60,000.00</b>
<b>GRAND TOTAL</b>		<b>\$ 1,060,000.00</b>