



BDO Canada Limited

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Supreme Court of Newfoundland and Labrador
Trial Division
Court House, 309 Duckworth Street
St. John's, NL A1C 1G9

February 21, 2024

DOCUMENT TRANSIT

Re: Proposal of Pathway Construction Ltd.

Court Nos: 24615

- Affidavit Proving Service of Notice on Creditors of Application by Trustee for Approval of Amended Proposal

A handwritten signature in black ink, appearing to read 'M. Markinger'. The signature is written in a cursive style with a large, looped 'M' and a long, sweeping tail.

TRUSTEE

CANADA
PROVINCE OF NEWFOUNDLAND AND LABRADOR
DIVISION No. 01 - Newfoundland and Labrador
COURT Nos. 24615
ESTATE Nos. 51-2992411

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
IN BANKRUPTCY

IN THE MATTER OF THE AMENDED PROPOSAL OF
PATHWAY CONSTRUCTION LTD.

AN INSOLVENT

AFFIDAVIT

Proving Service of Notice on Creditors and Insolvent
of Application by Trustee for Approval of Amended Proposal

I, the undersigned, Laura Hartlen, of the Trustee's office of BDO Canada Limited, hereby make oath and say:

1. That on the 16th day of February, 2024, I did send in the prescribed form by one or more of the various delivery methods prescribed in Rule 6(1) of the Bankruptcy and Insolvency Act to the above-named insolvent, to the proved creditors in the Amended Proposal as set out in Appendix "A" attached hereto, to Superintendent of Bankruptcy, and to the Registrar in Bankruptcy, a true copy of the notice required pursuant to Section 58(b) of the Bankruptcy and Insolvency Act.

SWORN BEFORE ME
in the Halifax Regional Municipality,
Province of Nova Scotia
this 21st day of, February 2024.

Laura Hartlen

J. Misener
A Commissioner of the Supreme Court of
Nova Scotia

JILLIAN MISENER
A Commissioner of the Supreme
Court of Nova Scotia
Expires November 18, 2025

Creditor Mailing List

“(A)”

In the Matter of the Proposal of
Pathway Construction Ltd.
of the Town of Clarenville, in the Province of Newfoundland and Labrador

Creditor Type	Name	Attention	Address
Director	Keith Wayne Chard		45 Marine Drive Clarenville NL A5A 1L3
Deferred	Eastern Roof & Floor Truss (2008 Inc)		27 Forest Road P. O. Box 17 Lethbridge NL A0C 1V0
Secured	Bank of Montreal		1675 Grafton Street, Suite 1400 Halifax NS B3J 0E9
	CNH Capital Canada Ltd.	Kelly Nicholas	301 - 4475 North Service Road Burlington ON L7L 4X7 Fax: (905) 632-6868 cscanada@cnhind.com
	CWB National Leasing Inc./ (formerly National Leasing Group Inc)	Bankruptcy Designate	1525 Buffalo Pl Winnipeg MB R3T 1L9 Fax: (866) 408-4852 debtenforcement@cwbnationalleasing.com
	Ford Credit Canada Limited	Bankruptcy Department	Box 1800 RPO Lakeshore West Oakville ON L6K 0J8 Fax: (780) 443-5367 bbankrup@ford.com
	RCAP Leasing Inc.	Collection Department	300 - 5575 North Service Road Burlington ON L7L 6M1 Fax: (905) 639-1363 rcap.collections@rcapleasing.com
	Scotiabank c/o BankruptcyHighway.com		PO Box 57100 Etobicoke ON M8Y 3Y2 Fax: (416) 253-3610 bankruptcydocuments@asset.net
	Vault Credit Corporation		5 - 41 Scarsdale Rd Toronto ON M3B 2R2 support@vaultcredit.ca
	Wells Fargo Financial Corporation Canada - NO LONGER CONFIRMED	Bankruptcy Department	PO Box 250, Station A Mississauga ON L5A 3A1 Fax: (866) 893-3630 wffccspecialty@wellsfargo.com
Unsecured	Adams Electrical Inc		211 Nicholville Rd. Deer Lake NL A8A 1W5
	Allnorth Consultants Ltd.		PO Box 968 Prince George BC V2L 4V1
	Allstar Rebar Ltd		PO Box 3244, Stn Main Paradise NL A1L 1A0
	Apex Construction Specialties Inc.		P O Box 8776, Stn A St. John's NL A1B 3T2
	ARROW Construction Products Limited		P. O. Box 760 Fredericton, NB E3B 5B4

Unsecured	Atlantic Industries Ltd.		32 York Street P O Box 6161 Sackville NB E4L 1G6
	Atlantic Ready Mix		PO Box 353 Corner Brook NL A2H 6E3
	Bank of Montreal		1675 Grafton Street, Suite 1400 Halifax NS B3J 0E9
	Benley Ventures Ltd.		P.O. Box 123 Baytona NL A0G 2J0
	BFL Canada Risk and Insurance Services Inc		181 University Ave Suite 1700 Toronto ON M5H 3M7
	Brandt		PO Box 480 Grand Falls - Winsor NL A2A 2J9
	Cabot Timber Mart		276 Balbo Drive Clareville NL A5A 4B3
	Canada Revenue Agency-Payroll		1050 Notre Dame Avenue Sudbury Tax Centre Sudbury ON P3A 5C2
	Canadian Tire Mastercard - Fuel		N/A NL
	Carma Construction Ltd		P. O. Box 790 Bonavista NL A0C 1B0
	CARQUEST Canada Ltd 28		138 Bennett Drive Gander NL A1V 2E4
	Central Cashier's Office		P.O. Box 8700 St. John's NL A1B 4J6
	Central Hydraulics and Supply		6A Earle Street Grand Falls-Winsor NL A2B 1H5
	City of St. John's		P.O. Box 908 St. John's NL A1C 5M2
	City Tire & Auto - Corner Brook		38 Confederation Drive Corner Brook NL A2H 6J3
	Clarkes Trucking & Exc. Ltd.		163 Paradise Road Paradise NL A1L 2Y1
	Classic Truck & Trailer Tirecraft		26 Kyle Ave Mount Pearl NL A1N 4R5
	Clifford Cooper Construction Ltd		General Delivery Old Shop, Trinity Bay NL A0B 2W0
	Coastal Entrance Solutions		146 Glencoe Drive Mount Pearl NL A1N 4P7
	Competitive Edge		P. O. Box 323 Gander NL A5A 1M5
	CRA - GST/HST - Sudbury	Quebec Insolvency Intake Centre	Shawinigan - Sud National Verification and Collection Centre 4695 Shawinigan-Sud Blvd Shawinigan-sud QC G9P 5H9 Fax: (833) 697-2390
Unsecured	Dasit Recharging JMC Limited		88 Main Street Grand Falls-Windsor NL A2B 1J6
	Dooleys Trucking		60 Ward Street P. O. Box 398 Gander NL A1V 1W8
	ER Heating and Refrigeration (2017)		13 Myers Ave

		Clareville NL A5A 1T5
	Esso l'Imperiale - C460; 463; 464; 465; 466 Proposals	a/s FCT Default Solutions Département d'Insolvabilité
		PO Box 2514, Stn B London ON N6A 4G9 Fax: (647) 439-1419 dsinsolvency@collectlink.com
	Floyd's Construction Limited	P. O. Box 45 Rocky Harbour NL A0K 4N0
	Fortis Concrete Inc.	P. O. Box 9134 Clareville, NL A5A 2C2
	Greenwoods HHBC	Route 234, 1 Main St. Lethbridge NL A0C 1V0
	H. WAREHAM & SONS LIMITED	49 McCurdy Drive Gander NL A1V 1A1
	Harvey Gale & Son Limited	P. O. Box 683 241 Carolina Avenue Stephenville NL A2N 3B5
	Hercules	520 Windmill Rd. Dartmouth NS B3B 1B3
	Horwood's Limited	245 Grenfell Heights Grand Fall-Windsor NL A2A 2J2
	Iron Rock Equipment Ltd	615 Carol Drive Labrador City NL A2V 1S6
	Jewer Bailey Consultants ULC	75 Tiffany Court St. John's NL A1A 0L1
	Kent	10 Messenger Drive, St John's NL A1B 0H6
	King Process Technology Inc	4 Brentwood Ave Portugal Cove-St. Phillips NL A1M 0B2
	Log Max	P.O. Box 1398 Moncton NB E1C 8T6
	Madsen Construction Equipment	141 Glencoe Drive Mount Pearl NL A1N 4S7
	Manuel's Metal Recycling Limited	Box 657 Lewisporte NL A0G 3A0
	Marwood Ltd.	Postal Station A PO Box 338 Fredericton NB E3B 4Z9
	Meridian Onecap Credit Corporation (formerly Roynat Lease Finance - Toronto)	PO Box 30597 RPO Madison Burnaby BC V5C 6J5 collections@meridianonecap.ca
	Modern Printing Group	1037 Topsail Rd Mount Pearl NL A1N 5E9
Unsecured	P & B Trucking	13 Industrial Park Springdale NL A0J 1T0
	Parts for Trucks	15 MacDonald Ave Darthmouth NS B3B 1C6
	Paul Equipmnet & Sons (2008)	CP/Box 2535 55 Rue Drapeau Street Balmoral NB E8E 2W7
	Pete Noseworthy	N/A NL
	Provall Parts Limited	7 Blackmore Avenue Clareville NL A5A 1B8

Quality Component Repair		2-42 Brandon St Moncton NB E1C 7E6
R Coates Contracting		P. O. Box 156 Glenwood NL A0G 2K0
R&R HVAC and Controls Ltd		961 CBS Highway Conception Bay South NL A1X 7T2
RCAP Leasing Inc.	Collection Department	300 - 5575 North Service Road Burlington ON L7L 6M1 Fax: (905) 639-1363 rcap.collections@rcapleasing.com
Richard Power CPA		221E Memorial Drive Clarenville, NL A5A 1R3
Riverbend Freight Services Ltd		26 Kyle Avenue Mount Pearl NL A1N 4R5
S&H Construction Ltd		P.O. Box 9132 Clarenville NL A5A 2C2
Shagg Island Enterprises Ltd.		P. O. Box 293 Musgravetown NL A0C 1Z0
South Coast Construction Inc.		2 Fish Plant Road P. O. Box 369 Burgeo NL A0N 2H0
Stephenson's Services (2006) Limited		P. O, Box 180 Bloomfield NL A0C 1A0
T & G Woodworks		Site 3 Box 8 Appleton NL A0G 2K0
Technical Lift and Transport Limited		37 Tobins Road St. John's NL A1E 6A3
Town Of Clarenville		99 Pleasant Street Clarenville NL A5A 1V9
Town of Georges Brook - Milton		149 Trinity Drive Georges Brook-Milton NL A5A 0L4
Town of Ramea		P.O. Box 69 Ramea NL A0N 2J0
United Rentals of Canada, Inc.		Postal Station A P O Box 4526 Toronto ON M5W 5Z9
Unsecured	Vardy Villa Limited	129 Cormack Drive Clarenville NL A5A 1M5
	Wajax	PO Box 11790 Dept 29 M9082C/U Succursale Centre-Ville QC H3C 0C4
	Western Pumps Services	P. O. Box 39 Norris Point NL A0K 3V0
	Workplace Health & Safety	146-148 Forest Rd St. Johns NL A1A 3B8



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BDO Canada Limited
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Halifax NS B3M 4G2 Canada

District of: Newfoundland and Labrador
Division No.: 01 - Newfoundland and Labrador
Estate No.: 51-2992411
Court No.: 24615

SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
In Bankruptcy

TO THE CREDITORS OF PATHWAY CONSTRUCTION LTD. ("PATHWAY")

Dear Sir/Madam:

We are writing to provide you with an update on the progress of the Amended Proposal submitted by Pathway.

Amended Proposal Approval:

We are pleased to inform you that the Amended Proposal was approved at the meeting of creditors held on January 11, 2024. A copy of the Amended Proposal is now available on the Trustee's website for your review. You can access the document by visiting <https://www.bdo.ca/services/financial-advisory-services/business-restructuring-turnaround-services/current-engagements/pathwayconstruction>.

Court Application for Approval:

A court application for the approval of the Amended Proposal has been filed, and the hearing is scheduled for March 7, 2024. The court application documents, including the Trustee's report, is also available on the Trustee's website for your reference.

Correspondence on Court Hearing Outcome:

Following the court hearing, the Trustee will send correspondence to all creditors informing them of the outcome.

Expectation of Payment:

If the Amended Proposal is ratified by the court, we anticipate that payments will be made to creditors as outlined in the terms of the Amended Proposal. The proposed payment schedule and terms are detailed in the Amended Proposal.

We strongly encourage you to check the Trustee's website regularly for updates on the Pathway proceedings. Any additional information, changes, or notices related to the proceedings will be posted on the website promptly.

If you have any questions for Management, please contact them directly using your existing contact information.

If you have any questions relative to the Amended Proposal, please do not hesitate to contact the Trustee via email at mmavhunga@bdo.ca or by phone at +1 902 425 3380.

Dated at Halifax, Nova Scotia, this 16th day of February 2024.

BDO CANADA LIMITED

Acting in its capacity as
Licensed Insolvency Trustee under the
Proposal of Pathway Construction Ltd.
and not in its personal capacity

Per:

Neil Jones, CA, CPA, CIRP, LIT
Senior Vice-President

Enclosures



CANADA
PROVINCE OF NEWFOUNDLAND AND LABRADOR
ESTATE NO: 51-2992411
COURT NO: 24615
DISTRICT NO: 01

FORM 40.1

Notice of Hearing of Application for Court Approval of Proposal

(Paragraph 58(b) of the Act)

In the Matter of the Amended Proposal of

Pathway Construction Ltd. ("Pathway")

of the Town of Clarenville in the Province of Newfoundland and Labrador

In Supreme Court of Newfoundland and Labrador in Bankruptcy

Take notice that an application will be made to the court, at **309 Duckworth Street, P.O Box 937, St John's, Newfoundland and Labrador**, on the **7th day of March 2024 at 10:00 AM**, to approve the amended proposal of Pathway, as accepted by the creditors at a meeting held on the 11th day of January 2024.

Dated at Halifax, Nova Scotia, this 16th day of February 2024.

BDO CANADA LIMITED
Acting in its capacity as
Licensed Insolvency Trustee under the
Proposal of Pathway Construction Ltd.
and not in its personal capacity

Per:

A handwritten signature in black ink, appearing to read 'Neil Jones', written in a cursive style.

Neil Jones, CA, CPA, CIRP, LIT
Senior Vice-President