



Telephone: (902) 425-3100
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debtsolutions-halifax.ca

BDO Canada Limited
255 Lacewood Drive
Suite 201
Halifax NS B3M 4G2 Canada

September 29, 2023

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

Dear Sir/Madam:

Please be advised that Pathway has filed a Notice of Intention to Make a Proposal (the "NOI Filing") under subsection 50.4(1) of the Bankruptcy and Insolvency Act ("BIA") on September 28, 2023 (the "Effective Date"). BDO Canada Limited ("BDO") has been appointed as the Licensed Insolvency Trustee under the NOI Filing.

The effect of the NOI Filing is an automatic stay of proceedings against all creditors from commencing any judicial actions or realizations on security against Pathway without first obtaining the leave of the Court.

By filing the NOI, Pathway is utilizing a creditor protection process. Pathway intends to restructure through this process. To be clear, Pathway has not filed an assignment in bankruptcy.

As required by Section 50.4(6) of the BIA, we enclose the following documents for your inspection and file:

- Notice of Intention to Make a Proposal
- List of Creditors
- Consent of the Trustee to act
- Certificate of Filing of Notice of Intention to Make a Proposal

Pathway has 30 days from the Effective Date to either make a Proposal to its creditors or to seek an extension from the Supreme Court of Newfoundland and Labrador. Until the definitive Proposal is filed with the Official Receiver, creditors need not file Proofs of Claim or concern themselves with voting. When the Proposal is filed with the Official Receiver, the Trustee will issue further documentation to creditors, including the Proposal, Statement of Affairs, Proofs of Claim and Voting Letters for the consideration of creditors.

Management of the Pathway stress that it is their intent to restructure and continue operations. If you have any questions for Management, please contact them directly using your existing contact information.

If you have any questions relative to the Proposal process, please contact the BDO Halifax office.

Yours very truly

BDO CANADA LIMITED

Acting in its capacity as
Licensed Insolvency Trustee under the
Notice of Intention to Make a Proposal of
Pathway Construction Ltd.
and not in its personal capacity

Per:

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

Enclosures

District of: Newfoundland and Labrador
Division No. 01 - St. John's
Court No. 01
Estate No.

- FORM 33 -

Notice of Intention To Make a Proposal
(Subsection 50.4(1) of the Act)

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

Take notice that:

1. I, Pathway Construction Ltd., an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. BDO Canada Limited / BDO Canada Limitée of Suite 201, 255 Lacewood Drive, Halifax, NS, B3M 4G2, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the City of Clarenville in the Province of Newfoundland and Labrador, this 28th day of September 2023.



Pathway Construction Ltd.
Insolvent Person

To be completed by Official Receiver:

Filing Date

Official Receiver

District of: Newfoundland and Labrador
 Division No. 01 - St. John's
 Court No. 01
 Estate No.

- FORM 33 -

Notice of Intention To Make a Proposal
 (Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
 Pathway Construction Ltd.

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

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Adams Electrical Inc	211 Nicholsville Rd. Deer Lake NL A8A 1W5		2,300.14
Allnorth Consultants Ltd.	PO Box 968 Prince George BC V2L 4V1		1,343.13
Allstar Rebar Ltd	PO Box 3244, Stn Main Paradise NL A1L 1A0		9,337.62
Apex Construction Specialties Inc.	P O Box 8776, Stn A St. John's NL A1B 3T2		2,007.26
ARROW Construction Products Limited	P. O. Box 760 Fredericton, NB E3B 5B4		13,586.50
Atlantic Industries Ltd.	32 York Street P O Box 6161 Sackville NB E4L 1G6		7,946.73
Atlantic Ready Mix	PO Box 353 Corner Brook NL A2H 6E3		33,977.30
Bank of Montreal	St John's NL		450,000.00
Benley Ventures Ltd.	P.O. Box 123 Baytona NL A0G 2J0		20,240.00
BFL Canada Risk and Insurance Services Inc	181 University Ave Suite 1700 Toronto ON M5H 3M7		5,307.00
Brandt	PO Box 480 Grand Falls - Winsor NL A2A 2J9		971.18
Cabot Timber Mart	276 Balbo Drive Clarenville NL A5A 4B3		80,089.34
Canada Revenue Agency-Payroll	1050 Notre Dame Avenue Sudbury Tax Centre Sudbury ON P3A 5C2		548.82
Canadian Tire Mastercard - Fuel			3,361.09

District of: Newfoundland and Labrador
 Division No. 01 - St. John's
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 (Subsection 50.4(1) of the Act)

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 Pathway Construction Ltd.

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Creditor	Address	Account#	Claim Amount
Carma Construction Ltd	P. O. Box 790 Bonavista NL A0C 1B0		13,800.00
CARQUEST Canada Ltd 28	138 Bennett Drive Gander NL A1V 2E4		936.07
Central Cashier's Office	P.O. Box 8700 St. John's NL A1B 4J6		1,567.00
Central Hydraulics and Supply	6A Earle Street Grand Falls-Winsor NL A2B 1H5		4,390.94
City of St. John's	P.O. Box 908 St. John's NL A1C 5M2		348.60
City Tire & Auto - Corner Brook	38 Confederation Drive Corner Brook NL A2H 6J3		767.10
Clarkes Trucking & Exc. Ltd.	163 Paradise Road Paradise NL A1L 2Y1		2,748.90
Classic Truck & Trailer Tirecraft	26 Kyle Ave Mount Pearl NL A1N 4R5		14,657.28
Clifford Cooper Construction Ltd	General Delivery Old Shop, Trinity Bay NL A0B 2W0		954.50
Coastal Entrance Solutions	146 Glencoe Drive Mount Pearl NL A1N 4P7		4,613.80
Competitive Edge	P. O. Box 323 Gander NL A5A 1M5		357.08
CRA - HST			22,285.32
Dasit Recharging JMC Limited	88 Main Street Grand Falls-Windsor NL A2B 1J6		399.05
Dooleys Trucking	60 Ward Street P. O. Box 398 Gander NL A1V 1W8		252.82

District of: Newfoundland and Labrador
 Division No. 01 - St. John's
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 (Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
 Pathway Construction Ltd.

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List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Eastern Roof & Floor Truss (2008 Inc)	27 Forest Road P. O. Box 17 Lethbridge NL A0C 1V0		89,314.94
ER Heating and Refrigeration (2017) Limited	13 Myers Ave Clarenville NL A5A 1T5		29,587.44
ESSO			19,583.25
Floyd's Construction Limited	P. O. Box 45 Rocky Harbour NL A0K 4N0		471.50
Fortis Concrete Inc.	P. O. Box 9134 Clarenville, NL A5A 2C2		12,789.76
Greenwoods HHBC	Route 234, 1 Main St. Lethbridge NL A0C 1V0		3,460.05
H. WAREHAM & SONS LIMITED	49 McCurdy Drive Gander NL A1V 1A1		4,379.13
Harvey Gale & Son Limited	P. O. Box 683 241 Carolina Avenue Stephenville NL A2N 3B5		3,438.50
Hercules	520 Windmill Rd. Dartmouth NS B3B 1B3		1,068.01
Horwood's Limited	245 Grenfell Heights Grand Fall-Windsor NL A2A 2J2		2,277.00
Iron Rock Equipment Ltd	615 Carol Drive Labrador City NL A2V 1S6		547.04
Jewer Bailey Consultants ULC	75 Tiffany Court St. John's NL A1A 0L1		4,525.25
Kent	P. O. Box 1200 Saint John NB E2L 4G7		26,548.99
King Process Technology Inc	4 Brentwood Ave Portugal Cove-St. Phillips NL A1M 0B2		8,924.21

District of: Newfoundland and Labrador
 Division No. 01 - St. John's
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Notice of Intention To Make a Proposal
 (Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
 Pathway Construction Ltd.

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

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Log Max	P.O. Box 1398 Moncton NB E1C 8T6		4,820.12
Madsen Construction Equipment	141 Glencoe Drive Mount Pearl NL A1N 4S7		4,110.96
Marwood Ltd.	Postal Station A PO Box 338 Fredericton NB E3B 4Z9		111,916.83
Modern Printing Group	1037 Topsail Rd Mount Pearl NL A1N 5E9		412.85
P & B Trucking	13 Industrial Park Springdale NL A0J 1T0		10,292.50
Parts for Trucks	15 MacDonald Ave Darthmouth NS B3B 1C6		5,884.03
Paul Equipmnet & Sons (2008)	CP/Box 2535 55 Rue Drapeau Street Balmoral NB E8E 2W7		2,359.15
Pete Noseworthy			6,000.00
Provall Parts Limited	7 Blackmore Avenue Clarenville NL A5A 1B8		6,550.51
Quality Component Repair			1,756.63
R Coates Contracting	P. O. Box 156 Glenwood NL A0G 2K0		276.00
R&R HVAC and Controls Ltd	961 CBS Highway Conception Bay South NL A1X 7T2		7,762.50
Richard Power CPA	221E Memorial Drive Clarenville, NL A5A 1R3		5,175.00
Riverbend Freight Services Ltd	26 Kyle Avenue Mount Pearl NL A1N 4R5		17,250.00
S&H Construction Ltd	P.O. Box 9132 Clarenville NL A5A 2C2		1,517.60

District of: Newfoundland and Labrador
 Division No. 01 - St. John's
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- FORM 33 -

Notice of Intention To Make a Proposal
 (Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
 Pathway Construction Ltd.

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

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Shagg Island Enterprises Ltd.	P. O. Box 293 Musgravetown NL A0C 1Z0		3,898.50
South Coast Construction Inc.	2 Fish Plant Road P. O. Box 369 Burgeo NL A0N 2H0		3,547.75
Stephenson's Services (2006) Limited	P. O, Box 180 Bloomfield NL A0C 1A0		2,153.37
T & G Woodworks	Site 3 Box 8 Appleton NL A0G 2K0		2,290.80
Technical Lift and Transport Limited	37 Tobins Road St. John's NL A1E 6A3		26,101.43
Town Of Clarenville	99 Pleasant Street Clarenville NL A5A 1V9		2,340.05
Town of Georges Brook - Milton	149 Trinity Drive Georges Brook-Milton NL A5A 0L4		2,000.00
Town of Ramea	P.O. Box 69 Ramea NL A0N 2J0		391.00
United Rentals of Canada, Inc.	Postal Station A P O Box 4526 Toronto ON M5W 5Z9		11,619.44
Vardy Villa Limited	129 Cormack Drive Clarenville NL A5A 1M5		7,076.59
Wajax	PO Box 11790 Dept 29 M9082C/U Succursale Centre-Ville QC H3C 0C4		873.47
Western Pumps Services	P. O. Box 39 Norris Point NL A0K 3V0		3,646.14
Workplace Health & Safety	146-148 Forest Rd St. Johns NL A1A 3B8		9,043.27
Total			1,167,076.13

District of: Newfoundland and Labrador
Division No. 01 - St. John's
Court No. 01
Estate No.

- FORM 33 -

Notice of Intention To Make a Proposal
(Subsection 50.4(1) of the Act)

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



Pathway Construction Ltd.
Insolvent Person



Industry Canada
Office of the Superintendent
of Bankruptcy Canada

Industrie Canada
Bureau du surintendant
des faillites Canada

District of Newfoundland and Labrador
Division No. 01 - Newfoundland and Labrador
Court No. 24612
Estate No. 51-2992411

In the Matter of the Notice of Intention to make a proposal of:

Pathway Construction Ltd.

Insolvent Person

BDO CANADA LIMITED / BDO CANADA LIMITÉE

Licensed Insolvency Trustee

Date of the Notice of Intention:

September 28, 2023

CERTIFICATE OF FILING OF A NOTICE OF INTENTION TO MAKE A PROPOSAL
Subsection 50.4 (1)

-- AMENDED --

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that the aforementioned insolvent person filed a Notice of Intention to Make a Proposal under subsection 50.4 (1) of the Bankruptcy and Insolvency Act;

Pursuant to subsection 69. (1) of the Act, all proceedings against the aforementioned insolvent person are stayed as of the date of filing of the Notice of Intention.

Date: September 29, 2023, 14:47

E-File/Dépôt Electronique

Official Receiver

Maritime Centre , 1505 Barrington Street, 16th Floor, Halifax, Nova Scotia, Canada, B3J3K5, (877)376-9902

Canada



Telephone: (902) 425-3100
Fax: (902) 425-3777
Toll Free: (800) 337-5764
debtsolutions-halifax.ca

BDO Canada Limited
255 Lacewood Drive
Suite 201
Halifax NS B3M 4G2 Canada

Superintendent of Bankruptcy
Industry Canada, Bankruptcy Branch
Maritime Centre
1505 Barrington Street, Suite 1605
Halifax, NS B3J 3K5

September 28, 2023

Dear Sir:

Re: In the Matter of the Proposal of Pathway Construction Ltd.

BDO Canada Limited / BDO Canada Limitée of Suite 201, 255 Lacewood Drive, Halifax, Nova Scotia hereby consents to act as Trustee in the matter of the above Proposal pursuant to Division I of the Bankruptcy and Insolvency Act.

Yours very truly

BDO Canada Limited / BDO Canada Limitée
Trustee

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

Neil Jones, CA, CPA, CIRP, LIT

CANADA
PROVINCE OF NEWFOUNDLAND AND LABRADOR
ESTATE NO: 51-2992411
COURT NO: 24612

SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
IN BANKRUPTCY

IN THE MATTER OF THE PROPOSAL OF

Pathway Construction Ltd.

NOTICE OF STAY OF PROCEEDINGS

Notice is hereby given that the above debtor filed a Notice of Intention to Make a Proposal under the Bankruptcy and Insolvency Act on September 28, 2023.

Every receiving order and every assignment made in pursuance of this Act takes precedence over all judicial or other attachments, garnishments, certificates having the effect of judgments, certificates of judgment, judgments operating as hypothecs, execution or other process against the property of a bankrupt, except such as have been completely executed by payment to the creditor or his agent, and except also the rights of a secured creditor.

Upon the filing of a proposal made by an insolvent person or upon the bankruptcy of any debtor, no creditor with a claim provable in bankruptcy shall have any remedy against the debtor or his property or shall commence or continue any action, execution or other proceedings for the recovery of a claim provable in bankruptcy until the Trustee has been discharged or until the proposal has been refused, unless with the leave of the Court and on such terms as the Court may impose.

Where a proposal has been made, the sheriff or other officer of any Court or any other person having seized property of the insolvent under execution or attachment or any other process shall, upon receiving a copy of the Certificate of Appointment of Trustee as a true copy thereof, forthwith deliver to the Trustee all of the property of the insolvent in his hands.

Where the sheriff has sold the property of the insolvent or any part thereof, he shall deliver to the Trustee the money so realized by him less his fees and the costs referred to in Subsection 70(2).

Any property of an insolvent under seizure for rent or taxes shall on production of a true copy of the Certificate of Appointment of Trustee as a true copy thereof be delivered forthwith to the Trustee, but the costs of distress are a first charge thereon, and if such property or any part thereof has been sold, the money realized therefrom less the costs of distress and sale shall be paid to the Trustee.

DATED at Halifax, Nova Scotia - September 29, 2023

BDO CANADA LIMITED

Acting in its capacity as
Licensed Insolvency Trustee under the
Notice of Intention to Make a Proposal of
Pathway Construction Ltd.
and not in its personal capacity

Per:



For

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

Enclosures