

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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In re:	§	
	§	Chapter 15
	§	
Q'MAX SOLUTIONS INC.,	§	
	§	Case No. 20-34791 (MI)
	§	
Debtor in a Foreign Proceeding.	§	
	§	

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**STATEMENT OF FOREIGN REPRESENTATIVE  
PURSUANT TO FED. R. BANKR. P. 1007(A)(4)**

KPMG Inc. (“KPMG”), solely in its capacity as court-appointed receiver and manager (“Receiver” or “Foreign Representative”) of Q’Max Solutions Inc. (“QSI” or the “Debtor”) and certain other related Canadian entities pursuant to the *Consent Receivership Order* dated May 28, 2020 (the “Receivership Order”), entered by the Court of Queen’s Bench of Alberta in Judicial Centre of Calgary, Alberta, Canada, Court File No. 2001-06722 (the “Canadian Court” and the “Canadian Proceeding”) pending under Canada’s Bankruptcy and Insolvency Act (“BIA”), and as authorized foreign representative of the Debtor, respectfully submits the following *Statement of Foreign Representative Under Fed. R. Bankr. P. 1007(a)(4)* (the “Statement”).

The Receiver is an authorized foreign representative as defined in 11 U.S.C. § 101(24). The Canadian Proceeding is a foreign proceeding as defined in 11 U.S.C. § 101(23). The Debtor is a debtor as defined in 11 U.S.C. § 1502(1).

**A. Corporate Ownership Statement Pursuant to Rule 7007.1**

1. Fluid Holding Corp. is the direct 100% owner of QSI, each of which are British Columbia corporations that are extra-provincially registered in Alberta, Canada.

**B. Administrators in Foreign Proceedings Respecting the Debtors**

2. As more fully set forth in the *Verified Petition for (I) Recognition of Foreign Main Proceeding, (II) Recognition of Foreign Representative, and (III) Related Relief Under Chapter 15 of the Bankruptcy Code*, filed contemporaneously with this Statement, the name and address of the administrator in the foreign proceeding of the Debtor is:

KPMG Inc., solely in its capacity as receiver and manager  
c/o Anamika Gadia  
Suite 3100, 205-5th Avenue SW  
Calgary, AB, T2P 4B9  
Canada

**C. Litigation in the United States in Which the Debtor is a Party**

3. As of the filing of the Debtor's chapter 15 petition, the Receiver is aware of the following litigation that has been commenced and is pending in the United States in which the Debtor is a party:

(a) M-I L.L.C. d/b/a M-I Swaco v. Q'Max Solutions, Inc.; Q'Max America, Inc.; and Sanjit Roy, pending in the United States District Court for the Southern District of Texas Houston Division.

Attorney for Plaintiff, M-I Swaco  
John R. Keville  
Winston & Strawn, LLP  
800 Capitol Street, 24<sup>th</sup> Floor  
Houston, Texas 77002  
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Attorney for Defendant, QSI  
Chris Hanslik  
BoyarMiller  
2925 Richmond Avenue, 14<sup>th</sup> Floor  
Houston, TX 77027  
Telephone: (713) 850-7766  
chanslik@boyarmiller.com

Attorney for Defendant, Q'Max America,  
Inc. (dismissed)  
Jarrod B. Martin, (counsel to Christopher  
Murray, chapter 7 trustee)  
1200 Smith Street, Suite 1400  
Houston, Texas 77002  
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(b) *Atlas Energy Tower LLC v. Q'Max Solutions Inc.*, Cause No. 2020-57316 (127th Dist.  
Ct., Harris County).

Attorney for Plaintiff, Atlas Energy  
Tower LLC  
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Lauren K. Drawhorn  
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**D. Entities Against Whom Provisional Relief is Sought Under 11 U.S.C. § 1519**

4. The Receiver seeks provisional relief to the fullest extent permitted under section 1519 of the Bankruptcy Code, including with respect to the above-described pending litigation and parties thereto.

**DECLARATION**

I, Anamika Gadia, by and on behalf of the Receiver, declare under penalty of perjury that I have read the foregoing Statement and it is true and correct to the best of my information and belief.

Respectfully submitted this 30th day of September, 2020,

***KPMG INC., solely in its capacity as  
court-appointed receiver and manager  
of Q'Max Solutions Inc.***

By: Anamika Gadia  
Anamika Gadia  
Senior Vice President