

E-SMART TECHNOLOGIES INC  
Form 8-K  
May 15, 2009

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

**Date of Report: May 14, 2009 (Date of earliest event reported: October 30, 2008)**

**e-Smart Technologies, Inc.**

(Exact Name of Registrant as Specified in Charter)

**Nevada**  
(State or other jurisdiction

of incorporation)

**000-30717**  
(Commission File Number)

**526 West 26<sup>th</sup> Street, Suite 710, New York, New York, 10001**

(Address of principal executive offices) (Zip Code)

**88-0409261**  
(IRS Employer

Identification No.)

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(212) 727-3790

(Registrant's telephone number, including area code)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4 (c) under the Exchange Act (17 CFR 240.13e-4(c))

**Item 8.01 Other Events**

On October 30, 2008, certain individuals alleged to be creditors of the Company filed a petition for Involuntary Bankruptcy in the U.S. Bankruptcy Court, Southern District of New York ( Bankruptcy Court ) requesting relief from the Bankruptcy Court under Chapter 7 of the U.S. Bankruptcy Code.

On April 29, 2009, a hearing was held before The Honorable Robert D. Drain in the US Bankruptcy Court, Southern District of New York, in which , based upon all the pleadings, the Court ordered that the involuntary petitions filed against IVI Smart Technologies, Inc., Intermarket Ventures, Inc., and e-Smart Technologies, Inc., be withdrawn with prejudice.

**Item 9.01 Financial Statements and Exhibits**

**(d) Exhibits**

<b>No.</b>	<b>Description</b>
99.1	Order Dismissing Involuntary Petition with Prejudice IVI Smart Technologies, Inc.
99.2	Order Dismissing Involuntary Petition with Prejudice Intermarket Ventures, Inc.
99.3	Order Dismissing Involuntary Petition with Prejudice e-Smart Technologies, Inc.
99.4	April 29, 2009 US Bankruptcy Court Southern District New York Hearing Transcript.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

E-SMART TECHNOLOGIES, INC.

Date: May 14, 2009

By: /s/ Mary Grace  
Mary Grace, President  
Chief Financial Officer

Exhibit Index

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