

GERARD HULST & ASSOCIATES
CHARTERED ACCOUNTANTS

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LIQUIDATOR'S FIRST REPORT
(pursuant to section 255 of the Companies Act 1993)

to the Creditors and Shareholders of

B.J Hunter & C.J Lusby Limited (In Liquidation)

Gerard Hulst, Chartered Accountant of Auckland, was appointed Liquidator of the above company by an order of the High Court at Auckland on 19th day of July 2001 at 10.50am.

The Liquidator takes no responsibility for any misinformation contained in this report that has been supplied by the company, its officers or other persons.

COMPANY INFORMATION

| | |
|--------------------------------|---|
| Date of Incorporation : | 30 th May 1996 |
| Company Number : | 811134 |
| Trading Address : | 8 Hyperion Drive, Manurewa |
| Type of Business : | Plastering |
| Date trading ceased : | April 1999 |
| Share Capital : | 100 |
| Shareholders : | Bruce James HUNTER 33 Karen HUNTER 33 Chris John LUSBY 34 |
| Directors : | Bruce James HUNTER Karen HUNTER Chris John LUSBY |
| High Court Reference : | M665/01 |
| Petitioning Creditor : | The company was placed in Liquidation on the petition of the Commissioner of Inland Revenue. Costs of \$1,820.00 plus disbursements of \$494.31 were awarded. |

A statement of the company's financial position (assets and liabilities) at the date of liquidation is included with this report.

OBSERVATIONS

We have interviewed Chris Lusby and he has provided us with his opinion of why the company failed. An appointment has been set to meet with the other directors on the 21st August 2001.

The company operated an exterior plastering business that was operated from the Hunter's residence.

Mr Lusby said that he did not have any day to day involvement in the financial affairs of the company. He only became aware of the IRD debt in April 1999. By agreement amongst the Directors, the company then ceased to trade.

Company assets were dispersed equally amongst the three shareholders.

From what the director can recall, he believes that the company has no debtors or creditors other than the Inland Revenue Department.

COMPANIES WITH WHICH THE DIRECTORS HAVE AN ASSOCIATION

An Internet search of the companies register shows that Bruce James HUNTER and Karen HUNTER are both associated with the following company(s):

| Company | Detail | Status | Changes |
|--------------------|------------|---------------------------|---------|
| B.J Hunter Limited | Registered | Directors Shareholders | |

Chris John LUSBY is associated with the following company(s):

| Company | Detail | Status | Changes |
|----------------------------|------------|----------|---------|
| C.J Lusby Plasters Limited | Registered | Director | |

FINANCIAL INFORMATION

The last set of financial accounts for the company were for the year ended 31 March 2000 and were completed by Brian Spragg & Associates, Chartered Accountants.

Assets and Liabilities identified by the Liquidator are:

| | Estimated Realisable Value |
|-------------------------------|-------------------------------|
| <u>Assets</u> | |
| Shareholders current accounts | 34,825.00 |
| <u>Liabilities</u> | |
| Inland Revenue Department | unknown |

PROPOSALS FOR CONDUCTING THE LIQUIDATION

DISPOSAL OF ASSETS

Demand will be made on each shareholder for the balance of their current accounts.

OTHER ACTIONS OF THE LIQUIDATOR

I will conduct an investigation into the affairs of the company;

- a) To determine the date of insolvency
- b) To determine the conduct of the Directors
- c) To establish whether the directors owe any money to the company and to pursue recovery thereof.
- d) To determine if there are any voidable transactions and to pursue recovery thereof.

ESTIMATED COMPLETION DATE

The administration is expected to be completed by August 2002, subject to any court actions.

PROSPECT OF DIVIDEND

If money can be recovered from the shareholders, then a dividend will be paid.

NOTICE REGARDING MEETINGS

Having regard to the assets and liabilities of the company, the likely result of the liquidation and other relevant matters, the Liquidator considers in accordance with section 245 of the Companies Act 1993 that no meeting of creditors should be held at this time.

Consequently, a meeting of creditors will not be held unless within 14 days after receiving this notice a creditor gives notice in writing to the Liquidator requiring a meeting to be called.

LIQUIDATION COMMITTEE

At any time during the liquidation, any creditor may in writing request the Liquidator to call a meeting of creditors to consider whether a Liquidation Committee should be appointed, and if so, to choose the members of the committee.

A Liquidation Committee has certain powers set out in s315 of the Companies Act 1993, including to assist the Liquidator as appropriate in the conduct of the liquidation.

In the absence of a liquidation committee, the Liquidator will work closely with the petitioning creditor.



Gerard Hulst

Liquidator

Dated this 15th day of August 2001.

UNSECURED CREDITOR'S CLAIM*Section 304(1) Companies Act 1993***B.J Hunter & C.J Lusby Limited (In Liquidation)***P.O Box 6901 Wellesley Street, Auckland 1***Name and postal address of creditor in full:****Telephone Number:****Facsimile Number:****Amount Claimed:**

\$

I, _____

(title if claim is not on behalf of an individual) _____

claim that the company was at the date it was put into liquidation indebted to the above named creditor for the amount claimed. We hold no security for the amount claimed.

PARTICULARS OF CLAIM

| Invoice Date | Invoice Number | Brief Description of Goods or Services Provided | Invoice Amount |
|--------------|----------------|---|----------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Attach separate sheet if space is insufficient

You are not required to attach any supporting documents at this stage, but you may attach them now, if you think it would expedite the processing of the claim. The liquidator may require the production of all documents.

WARNING: It is an offence under the Companies Act to make or authorise the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or Omit, or authorise the omission from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.

Signed:**Date:****RESERVED FOR LIQUIDATOR'S DECISION**

CLAIM ADMITTED FOR PAYMENT

OR

CLAIM REJECTED FOR PAYMENT

Preferential Claim

Ordinary Claim

Deferred Claim

\$

\$

\$

Signed Liquidator:

Dated: