# **GERARD HULST & ASSOCIATES**

CHARTERED ACCOUNTANTS

# Box 6901 Wellesley Street Auckland 1

File ref.: 4/1 document : report01e

## LIQUIDATOR'S FIRST REPORT

(pursuant to section 255 of the Companies Act 1993)

## to the Creditors and Shareholders of

# The Chestnut Company of New Zealand Limited (In Liquidation)

Gerard Hulst, Chartered Accountant of Auckland, was appointed Liquidator of the above company by special resolution at Auckland on 9<sup>th</sup> day of August 2001 at 7.04pm.

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:** 5<sup>th</sup> December 1997

Company Number: AK884024

**Trading Address:** Unit C, 44 – 46 Constellation Drive, Mirangi Bay.

**Type of Business:** Chestnut Processors.

**Date trading ceased**: 9<sup>th</sup> August 2001

Share Capital: 1,350,000 Shares

Shareholders: Various

**Director:** Jeffery Donald TOMBLESON

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

#### **OBSERVATIONS**

I have arranged on 10<sup>th</sup> September 2001 to meet with David Greenslade.

#### FINANCIAL INFORMATION

The last sets of financial accounts for the company was for the year ended 31 December 2000 and were completed by Nobilo & Co Limited, Chartered Accountants.

Assets and Liabilities identified by the Liquidator are:

	Estimated Realisable Value
<u>Assets</u>	
Vince Demarte – Australian Debtor	A114,000.00
Assets at cost price	312,623.00
<u>Liabilities</u>	
Group A Creditors	51,684.48
Group B Creditors	82,315.52

# PROPOSALS FOR CONDUCTING THE LIQUIDATION

## **DISPOSAL OF ASSETS**

I will discuss with the director and management the most beneficial manner in which to dispose of the specialised equipment. An international tender may be warranted.

#### 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 31<sup>st</sup> October 2002.

## PROSPECT OF DIVIDEND

If the assets can be realised for realistic prices and the Australian debt collected, then there will be a dividend to creditors.

# **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.

Gerard Hulst Liquidator

Dated this 3rd day of September 2001.

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# **UNSECURED CREDITOR'S CLAIM**

Section 304(1) Companies Act 1993

# The Chestnut Company of New Zealand Limited (In Liquidation) P.O Box 6901 Wellesley Street, Auckland 1

Name and postal address of creditor in full:

Telephone Number:							
Facsimi	ile Number:						
Amount Claimed: \$		\$					
l,							
claim tha		is at the da	ate it was put into liquidati hold no security for the an		above named		
		PAR	RTICULARS OF CLAIM				
Invoice Date	e Invoice Brief Description of Goods or Services F Number		vices Provided	Invoice Amount			
		<u> </u>					
		-	arate sheet if space is insu		1. Successful assessables		
the process	required to attach any suing of the claim. The liqui	idator may req	ments at this stage, but you may a juire the production of all documents	ttach them now, ii you tiiii S.	1K It Would expedite		
material p	articular knowing it to be f	false or mislead	Act to make or authorise the makir ding; or Omit, or authorise the omis ding in a material particular.				
Signed	Signed: Date:						
		ESERVED	FOR LIQUIDATOR'S DE	CISION			
	CLAIM ADMITTED FOR PAYMENT		0R	CLAIM REJECTED FOR PAYMENT			
Pı	Preferential Claim		Ordinary Claim	Deferred Claim			
\$			\$	\$			
Si	gned Liquidator:			Dated:			