

# Meltzer Mason Heath

Chartered Accountants practising as insolvency specialists

**Refer to: Mike Lamacraft**

## Liquidators' First Report

### Ali S Properties Limited (In Liquidation)

#### 1. Appointment

We advise that Arron Leslie Heath and Michael Lamacraft were appointed joint and several Liquidators of the above company on 5 September 2006 by special resolution of shareholders.

Arron Heath and Mike Lamacraft are full time Insolvency Practitioners. They have not previously acted in any capacity for the company or the officers and shareholders of the company.

#### 2. Background

<i>Date of Incorporation:</i>	13 November 2001
<i>Trading Address:</i>	16 Easton Park Parade, Glenfield, Auckland
<i>Type of Business:</i>	Property Development
<i>Date Ceased Trading:</i>	5 September 2006
<i>Shareholder:</i>	Harry Winston Stanley 100 shares
<i>Director:</i>	Harry Winston Stanley
<i>Share Capital:</i>	100 ordinary shares
<i>Date of Liquidation:</i>	5 September 2006

#### 3. Events Leading to Appointment

We are advised that a development project overran by two years with huge cost overruns and interest charges. Fixed sale prices meant that losses were incurred. The company was unable to satisfy its taxation and other obligations and having sought advice the director determined that the proper course was to place the company in to voluntary liquidation.



#### **4. Statement of Affairs**

The Liquidators have prepared an Estimated Statement of Affairs being the assets and liabilities of the company at the date of liquidation. We attach a copy.

#### **5. Proposals for Conducting the Liquidation**

##### ***5.1 Realisation of Assets***

We are advised that the company has no assets apart from the vehicle.

##### ***5.2 Examination of Books and Records***

The Liquidators will examine the company's available books and records and conduct a brief review of the company's affairs.

##### ***5.3 Information Relevant to the Liquidation***

Should any creditor (or other party) possess any information that may be relevant to the liquidation, or may lead to realisation(s) for the benefit of creditors, please advise the Liquidators in writing as soon as possible.

#### **6. Creditors Claim Form**

Creditors should complete and return the attached Creditor's claim form by 6 October 2006. Creditors who do not make a claim within the period may be excluded from any distribution that may be made.

#### **7. Retention of Title Claims/Security Interests**

Please note, if you believe you have a valid retention of title claim or security interest over goods or equipment supplied to Ali S Properties Limited (In Liquidation), and you have not yet contacted the Liquidators, please contact us immediately.

#### **8. Initial Creditors Meeting**

As it is unlikely there will be a distribution to creditors, pursuant to s245 of the Companies Act 1993 the Liquidators propose to dispense with the meeting of creditors to consider whether to appoint different Liquidators, and to consider the views of creditors.

Accordingly a meeting of creditors will not be called unless a creditor gives notice to the Liquidators within 10 working days after receiving this notice, requiring a meeting to be called.

**9. Liquidation Committee**

At any time during the liquidation, any creditor may in writing, request the Liquidators 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 Liquidators as appropriate in the conduct of the liquidation.

**10. Estimated Date of Completion of Liquidation**

It is not practicable to estimate the date of completion of the liquidation at this stage.

Enquiries should be directed to: Mike Lamacraft

M Lamacraft  
**Liquidator**

Dated this 7<sup>th</sup> day of September 2006.

Attach:

**Estimated Statement of Affairs of  
Ali S Properties Limited (In Liquidation)  
As at the date of the Appointment of Liquidators  
Being 5 September 2006**

	<i>Estimated to Realise</i>	<i>Owed to Secured Creditor</i>	<i>Estimated Realisable Value</i>
	\$	\$	\$
<b>Assets Specifically Pledged</b>			
Vehicle	150,000	(220,000)	(70,000)
General Security Agreement (“GSA”)	Nil	(65,000)	(65,000)
			<u>(135,000)</u>
<b>Assets not Specifically Pledged</b>			Nil
<b>Estimated Total Assets Available for Preferential Creditors and Secured Creditors</b>			<u>Nil</u>
First Ranking Preferential Creditors			
Wages and Holiday Pay (Includes PAYE)			Nil
			<u>Nil</u>
Second Ranking Preferential Creditors			
Inland Revenue Department – GST			(576,000)
			<u>(576,000)</u>
<b>Shortfall as regards GSA brought down</b>			(65,000)
<b>Estimated Total Deficiency as regards Preferential Creditors and GSA holder</b>			<u>(641,000)</u>
Unsecured Creditors			
- Secured Creditor Shortfall brought down		(70,000)	
- Trade Creditors		(448,000)	
- Shareholder Advances		(300,000)	
			<u>(818,000)</u>
<b>Total Deficiency as regards Unsecured Creditors and Shareholders</b>			<u>(1,459,000)</u>
Issued and Paid Up Capital			(100)
<b>Total Deficiency as regards Unsecured Creditors and Shareholders</b>			<u><u>(1,459,100)</u></u>

**Note:** The above estimates are subject to the costs of realisation, including Liquidators’ fees.

**Disclaimer of Liability:**

We have prepared the Estimated Statement of Affairs as at the date of liquidation being 5 September 2006.

The Estimated Statement of Affairs has been prepared based on information from the books and records of the company together with information supplied by the Director. This information has not been verified. The Liquidators have not carried out an audit or reviewed the information supplied and therefore they do not accept any responsibility for the accuracy of the information from which the Estimated Statement of Affairs has been prepared. Further, the Estimated Statement of Affairs has been prepared for the purpose of the liquidation only, and the Liquidators do not accept any responsibility on any ground whatever, including liability in negligence, to any other person.