

# ABC ACQUISITIONS (NZ) LIMITED (IN LIQUIDATION)

### LIQUIDATORS EIGHTH REPORT

Pursuant to Section 255(2)(d) of the Companies Act 1993

# For the Period from 16 March 2012 to 15 September 2012

# 1. PROGRESS OF THE ADMINISTRATION OF THE LIQUIDATION

The liquidators report herewith on the progress made in the liquidation of ABC Acquisitions (NZ) Limited. Included in this report is the liquidators' Statement of Realisations and Distributions to 15 September 2012.

This report to creditors follows all previous reports and should be read in conjunction with all previous reports. This report is being sent to all shareholders and to all creditors who have filed a claim in the liquidation.

## 2. REALISATION OF COMPANY ASSETS

Since the liquidators' seventh report to creditors the liquidators have obtained a pre liquidation GST refund due to the company of \$1,065,647. The liquidators remain in correspondence with the Inland Revenue Department over further company assets, and as part of this are involved in a formal disputes process.

## 3. CREDITORS' CLAIMS

There has been no change in the position of creditors since the date of the last report.

#### 4. INVESTIGATIONS

The liquidators' investigations into the books, records and affairs of the company remain ongoing.

## 5. LIQUIDATORS' FEES

Liquidators' fees to the date of this report are \$161,529 excluding GST excluding unbilled fees of \$5,386. The fees are based on 551 hours of work undertaken as follows:-



Work Category		Hours	\$
•	Appointment functions and management	129	35,767
•	Asset Realisations	12	3,516
•	Creditors' claims, enquiries and reports	26	6,053
•	Taxation	366	115,913
•	Investigations	18	5,666
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Totals		551	\$166,915

Liquidators' fees in a Court ordered winding up are to be approved by the Court, and if required, a retrospective application for fee approval will be made by the liquidators.

Section 284(1) of the Companies Act 1993 provides that an application (with the leave of the Court) may be made by a creditor, shareholder or director of a company in liquidation to review or fix the remuneration of the liquidators. In circumstances where no application has been made to review or fix the liquidators' remuneration the Court will be less inclined to rigorously examine the fees submitted by the liquidators for subsequent approval.

## 6. FUNDS / LIKELY OUTCOME

The liquidators expect to pay a further distribution to creditors. The timing and size of the dividend will depend upon the outcome of the liquidators' correspondence with associated parties and the Inland Revenue Department, discussed above.

## 7. MATTERS DELAYING COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Debtor recoveries.
- GST refund claim.
- Completion of income tax returns.
- Completion of investigations.

# 8. CONCLUSION

It is uncertain at this stage as to when this liquidation will be completed.

Any queries can be directed to Jared Booth of these offices on DDI 0-9-306 3340 or by visiting our website at www.mvp.co.nz.

Yours faithfully

for ABC ACQUISITIONS LIMITED

(IN LIQUIDATION)

**BORIS VAN DELDEN** 

LIQUIDATOR

DATED this  $28^{12}$  day of September 2012

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Number of Company: 1750473

Name of Company: ABC ACQUISITIONS (NZ) LIMITED (IN LIQUIDATION)

Subject: LIQUIDATOR'S STATEMENT OF REALISATIONS AND

DISTRIBUTIONS FOR THE PERIOD 16 MARCH 2009 TO

15 SEPTEMBER 2012

	Cash Received
CASH HAS BEEN RECEIVED AS FOLLOWS: Bank Account Closure Pre Liquidation GST Refund Interest Stock	\$ 204,912 1,065,647 15,142 5,298
TOTAL REALISATIONS	\$1,290,999
CASH HAS BEEN PAID AS FOLLOWS: Costs Charges & Expenses of Liquidation Liquidators' Fees Disbursements Legal Fees Salvage Costs Auctioneer Costs Bank Fees Resident Withholding Tax Deductions  Preferential Creditors	161,529 3,260 92,013 116 1,192 233 308
Applicant Creditor – Court Awarded Costs Other Preferential Creditors	3,172 690
TOTAL DISTRIBUTIONS	\$262,513
TOTAL REALISATIONS LESS TOTAL DISTRIBUTIONS	1,290,999 262,513
BALANCE HELD	\$1,028,486
BALANCE REPRESENTED BY: ASB Bank Limited – Current Account ASB Bank Limited – Interest Bearing Trust Account GST Suspense Account	1,121 1,015,264 12,101
TOTAL	\$1,028,486

**Note:** The above figures are GST exclusive

BORIS VAN DELDEN

LIQUIDATOR

Dated this 28 to day of September 2012

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