



McDonald  
Vague

business recovery partners

# Caldera Health Employee Fund Limited (In Liquidation)

## Liquidators' First Report

McDonald Vague Limited

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**TO: The directors, shareholders, and known creditors of the company**

### 1 INTRODUCTION AND APPOINTMENT

Caldera Health Employee Fund Limited ("the company") was placed into liquidation by a special resolution of the shareholders pursuant to Section 241(2)(a) of the Companies Act 1993 ("the Act") on 14 October 2019 at 2:00 p.m. Peri Micaela Finnigan and Boris van Delden, CAANZ Accredited Insolvency Practitioners, of Auckland, were appointed as joint and several liquidators of the company.

This liquidation was advanced at the same time as the related liquidation of Caldera Health Limited, the trading company.

### 2 RESTRICTIONS

In preparing this report and its appendices, we have relied upon information provided to us. We have not independently verified or audited that information. Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party as a result of the circulation, publication, reproduction, or use of this report.

We reserve the right (but are under no obligation) to review and, if we consider necessary, amend this report to take into account any information existing at the date of this report that becomes known to us after this report is published.

### 3 INDEPENDENCE

A declaration of independence is attached at Appendix 1. As far as we are aware there are no conflicts real, perceived, or risks of independence.

### 4 ATTACHMENTS

The following documents are attached to this report:

- Appendix 1: Declaration of independence / relationships / indemnities and upfront payments
- Appendix 2: Schedule of company creditors' names and addresses
- Appendix 3: Notice of Liquidators' decision to dispense with meeting of creditors
- Appendix 4: Notice to creditors to prove debts or claims

## 5 COMPANY STRUCTURE AND BACKGROUND

Date of incorporation:	28 May 2010
Company number:	2496073
Date ceased trading:	14 October 2019
Nature of business:	Share Option Company
Trading address:	74 Leonard Road, Mt Wellington, Auckland
Share capital:	1 Share
Shareholder:	Caldera Health Limited
Director:	Graham Wilfred Watt
Related company:	Caldera Health Limited (In Liquidation)

This above company was a vehicle for compensation to a director for consulting services for a three year term beginning 1 September 2013. The agreement provided shares via the company that the director had the option to purchase.

The company did not trade and has no assets and no external liabilities. The liquidation is for the purpose of winding up the company alongside its related company, Caldera Health Limited.

## 6 STATEMENT OF AFFAIRS

No Statement of Affairs showing the company's estimated financial position as at the date of our appointment has been provided as the company did not trade.

## 7 ASSETS AND PROPOSALS FOR CONDUCTING THE LIQUIDATION

We will request that the Registrar of Companies remove the company from the register.

## 8 LIABILITIES AND CREDITOR CLAIMS

A schedule of known creditors and their addresses is provided at Appendix 2, as required by Section 255(2)(c) of the Act. A notice to creditors to prove debts or claims is provided at Appendix 4.

### 8.1 *Secured Creditors*

There are no secured parties that have registered security interests against the company on the Personal Property Securities Register.

### 8.2 *Preferential Creditors*

We are unaware of any preferential claims.

### 8.3 *Unsecured Creditors*

The amount due to unsecured creditors is \$Nil.

## 9 CREDITORS' MEETING / LIQUIDATION COMMITTEE

A notice of the Liquidators' decision to dispense with the meeting of creditors is provided at Appendix 3.

Any creditor or shareholder may at any time in the course of the liquidation request that the liquidators call a meeting pursuant to Section 314 of the Companies Act 1993, for the purpose of appointing a liquidation committee. Any request for a meeting must be submitted to the liquidators in writing.

## 10 FURTHER INFORMATION

If you are aware of any information that would assist the Liquidators, please set the details out in writing, attach any supporting evidence, and send it to us. Please note that it can be difficult for liquidators to act in reliance on information that is not provided in writing.

If any creditor wishes to receive the six monthly reports by email as and when they are published, please ensure that an email address is provided on your creditors' claim form.

This report and all subsequent reports will be available on the Liquidators' website at [www.mvp.co.nz](http://www.mvp.co.nz)

## 11 ESTIMATED DATE OF COMPLETION


The Liquidators believe the liquidation may be concluded within six months.

## 12 CONTACT DETAILS

Enquiries should be directed to the writer on DDI (09) 303 9519 or by email to [pfinnigan@mvp.co.nz](mailto:pfinnigan@mvp.co.nz).

The Liquidators can be contacted at:

McDonald Vague Limited  
Level 10, 52 Swanson Street, Auckland 1010  
P O Box 6092, Wellesley Street, Auckland 1141

  
PERI M FINNIGAN  
LIQUIDATOR

DATED this 18<sup>th</sup> day of October 2019

## Appendix 1

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# **Caldera Health Employee Fund Limited (In Liquidation) Declaration of Independence / Relationships / Indemnities and Upfront Payments**

## **A DECLARATION OF INDEPENDENCE**


- (i) The appointed and McDonald Vague Limited have undertaken a proper assessment of the risks of independence prior to accepting appointment in accordance with the law code of conduct and applicable professional standards and have concluded that they have no prior business or professional relationship with the insolvent that is a real or potential risk and that they are independent.

## **B DECLARATION OF RELATIONSHIPS**

- (ii) The appointed and McDonald Vague Limited have no prior business or professional or personal relationship with known associates of the insolvent that are a real or potential risk.
- (iii) The appointed disclose there are no other relevant relationships to declare.
- (iv) The appointed and McDonald Vague Limited have not provided any prior professional services to the insolvent or known associates of the insolvent in the prior two years.

## **C DECLARATION OF INDEMNITIES AND UPFRONT PAYMENTS**

- (v) There is no indemnity nor upfront payment.

  
PERI M FINNIGAN  
LIQUIDATOR

DATED this 18<sup>th</sup> day of October 2019

**Caldera Health Employee Fund Limited (In Liquidation)**  
**Schedule of Creditors' Names and Addresses**  
Pursuant to Section 255(2)(c) of the Companies Act 1993

Creditor Names	Address 1	Address 2	Address 3
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**Note:**    There are no Creditors

## Appendix 3


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### Notice of Liquidators' Decision to Dispense with Meeting of Creditors

After having regard to the assets and liabilities of Caldera Health Employee Fund Limited (In Liquidation) and the likely result of the liquidation, the liquidators propose to dispense with a meeting of creditors pursuant to Section 245 of the Companies Act 1993.

The liquidators do not, however, wish to preclude creditors from expressing their views. Please contact the writer on DDI (09) 303 9519 if you have any specific enquiries.

If you wish to request that a creditor's meeting be called, notice in writing is required within 10 working days of receiving this notice. Your notice you must also state the reason you require a meeting so that an agenda can be prepared and circulated to creditors and creditors can be given the opportunity to vote on any proposed resolutions by voting letter.



PERI M FINNIGAN  
LIQUIDATOR

DATED this 18<sup>th</sup> day of October 2019

## Appendix 4

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IN THE MATTER of                      The Companies Act 1993

and

IN THE MATTER of                      Caldera Health Employee Fund Limited (In Liquidation)

### **Notice to Creditors to Prove Debts or Claims**

Notice is given that the liquidator of Caldera Health Employee Fund Limited (In Liquidation) ("the company"), fix Friday, the 29<sup>th</sup> day of November 2019, as the day on or before which the company's creditors are to make their claims and establish any priority their claims may have under Section 312 of the Companies Act 1993. Creditors not having made a claim by this date may be excluded from any distribution made.

  
PERI M FINNIGAN  
LIQUIDATOR

DATED this 18<sup>th</sup> day of October 2019

#### **ADDRESS OF LIQUIDATOR**

McDonald Vague Limited  
Level 10, 52 Swanson Street  
AUCKLAND 1010

P O Box 6092  
Wellesley Street  
AUCKLAND 1141

Telephone: (09) 303 0506  
Facsimile: (09) 303 0508  
Website: [www.mvp.co.nz](http://www.mvp.co.nz)

**DATE OF LIQUIDATION: 14 October 2019**