PARTNERS

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Business Recovery & Insolvency Specialists

DML RESOURCES LIMITED (IN LIQUIDATION) LIQUIDATORS' NINETEENTH REPORT TO CREDITORS

for the period from 7 November 2007 to 6 May 2008 (pursuant to section 255(2)(d) of the Companies Act 1993) Level 4 143 Nelson Street PO Box 6092 Wellesley St Post Office Auckland 1010 New Zealand

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PROGRESS OF THE ADMINISTRATION OF THE LIQUIDATION 1.

- The liquidators report to creditors on the progress made in the administration of the liquidation of DML Resources Limited (In Liquidation) ("DML") during the period 7 November 2007 to 6 May 2008.
- All assets of DML have been realised other than the possible recovery from Malaysia detailed in section 3 of this report.
- 1.3 The liquidators have paid 75 cents in the dollar to admitted unsecured creditors. In addition to this distribution to creditors, payment has also been made from the Voidable Preference Trust to those creditors entitled to the funds held in that trust. Creditors entitled to the Voidable Preference Trust funds had claims in the liquidation totalling \$7,216,692. The total payment to these creditors in May 2005 from the trust funds was \$1,371,171 (i.e. 19 cents in the dollar).

2. **CREDITORS' CLAIMS**

As reported previously all creditor claims have been reviewed and have been either settled, accepted, rejected or withdrawn by the creditor. Creditors' claims total \$13.09 million.

3. **DML MALAYSIA**

- 3.1 The ongoing litigation between the Malaysian joint venture company, 50% owned by DML interests, and the Malaysian contractor relating to a coal mining contract terminated in 1998 continues in the Malaysian court system. The joint venture company is now seeking to register the arbitrator's awards in the High Court as a Court Judgement in order to enforce recovery. The next hearings are now scheduled for June 2008 and July 2008.
- The joint venture company has also lodged a complaint regarding the actions of 3.2 directors of the Malaysian contracting company with the Companies Commission of Malaysia and the Commercial Crime Division of Malaysian Police.
- The Malaysian contractor continues to object and appeal every process. therefore appears unlikely that this matter will be resolved within the next three years.

- 3.4 There are still concerns regarding recoverability from the Malaysian contractor.
- 3.5 The liquidators regularly monitor this matter with the joint venture partner and Malaysian lawyers.

4. COMPLETION

The completion of this liquidation is dependent upon conclusion of the litigation affecting the Malaysian joint venture company detailed in the preceding section of this report.

Creditors are advised that this report and all previous reports are available on our website www.mvp.co.nz. Any enquiries can be directed to the liquidators at this office.

Yours faithfully

for DML RESOURCES LIMITED

(IN LIQUIDATION)

GRAEME G McDONALD

LIQUIDATOR

JOHN L VAGUÉ

LIQUIDATOŔ

Dated this /1 day of June 2008

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