



McDonald
Vague

business recovery partners

NZSOUTHPOLE TEAM LIMITED (IN LIQUIDATION)

McDonald Vague Limited

Level 1, 136 Greenlane East,
Auckland 1051

PO Box 6092, Victoria Street West,
Auckland 1142, New Zealand

p: 09 303 0506

f: 09 303 0508

e: insol@mvp.co.nz

www.mvp.co.nz

Liquidators' Seventh Report For the period from 03 January 2023 to 02 July 2023

1 INTRODUCTION AND APPOINTMENT

Iain McLennan and Keaton Pronk, Licensed Insolvency Practitioners, of Auckland, were appointed as joint and several liquidators of NZSouthpole Team Limited (in Liquidation) ("the company") on 03 July 2020.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This seventh report should be read in conjunction with the liquidators' previous report(s). This report is being sent to all shareholders and all creditors who have filed a claim in the liquidation.

A Statement of Realisations and Distributions is **attached**.

2 RESTRICTIONS

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, revise this report in respect of any information existing at the date of this report which becomes known to us after that date.

3 CONDUCT OF THE LIQUIDATION DURING THE PRECEDING SIX MONTHS

The director has made numerous failed appeals to the High Court and Court of Appeal against the liquidation order. Costs have been awarded to the liquidation and the applicant creditor against the applicant director and another party. As we understand it the appeals process has come to an end.

To date the director has not co-operated with the liquidator's requests for the records of the business and is in breach of a number of S261 notices.

The manager of the company has advised the liquidators of one potential recovery action but has declined to provide any evidence to support the claim he asserts exists.

Asset Realisations since the liquidators last report

3.1 Current Account **(Statement of Affairs: \$not included)**

The liquidators have reviewed the bank accounts for the company, there appears to be an overdrawn shareholder current account. The liquidators have made demand for the overdrawn current account. Realisation processes are being commenced.

3.2 Related Party Debtors **(Statement of Affairs: \$not included)**

The liquidators have reviewed the bank accounts for the company, there appears to be a related party debtor. The liquidators have made demand for the debt. Realisation processes are being commenced.

3.3 Costs Awards **(Statement of Affairs: \$not included)**

Costs have been awarded to the liquidation and the applicant creditor against the applicant director and another party. Collection processes are being considered.

4 INVESTIGATIONS

The liquidators' investigation into the books, records and affairs of the company is ongoing.

5 CREDITORS' CLAIMS

5.1 Secured Creditors

No secured creditors claims have been received to date.

5.2 Preferential Creditors

A preferential claim has been received in respect of the applicant creditor's costs of \$5,352. A distribution of 100 cents in the dollar has been paid on this claim.

The Inland Revenue Department has submitted a preferential claim for \$1,574. No dividend has been paid for this claim as at the date of this report.

5.3 Unsecured Creditors

As at the date of preparing this report 4 unsecured creditor claims have been received which total \$66,918. One of the claims outlined in the earlier reports has been withdrawn and amended. The liquidators consider that all but one of the creditors claims are able to be admitted. That being the case the current admissible unsecured creditor claims total approximately \$32,116.

6 LIQUIDATORS' FEES

Liquidators' fees to the date of this report are \$108,498 excluding GST. The fees are based on 313 hours of work undertaken as follows:

Work Category	Hours	\$
Appointment functions	20	5,781
Asset realisations	50	17,883
Creditors' claims, enquiries and reports	7	1,967
Taxation	3	526
Investigations & Legal	233	82,341
Total	313	\$108,498

Liquidators' fees in a Court ordered liquidation 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 Act 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.

7 FUNDS / LIKELY OUTCOME

It is too early to determine whether or not there will be a distribution to creditors.

8 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Receipt of the companies books and records
- Realise the remaining assets of the company

9 ESTIMATED DATE OF COMPLETION

It is currently too early to estimate a date of completion for the Liquidation.

10 CONTACT DETAILS

Enquiries should be directed to Keaton Pronk on DDI +64 (9) 969 1518 or by email to kpronk@mvp.co.nz.

The Liquidators can be contacted at:

McDonald Vague Limited
Level 1, 136 Greenlane East
Auckland 1051

P O Box 6092
Victoria Street West
Auckland 1142



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Iain McLennan
LIQUIDATOR (Licence No: IP82)

Dated this 17th day of July 2023

Realisations and Distributions

NZsouthpole Team Limited (In Liquidation)

3 July 2020 to 2 July 2023

02/07/2023

Realisations

Bank Account Closure	12,860
ACC Refund	1,078
Sale of Assets	35,043

Total Realisations **48,981**

Payments

Liquidators Fees

Liquidators Fees	34,795
Disbursements	192

Total Liquidators Fees **34,987**

Other Costs of Liquidation and Trading On

Legal Fees	5,000
Auctioneers Comission and Costs	3,616

Total Costs of Liquidation and Trading On **8,616**

Distributions

Applicant Creditors	5,352
Preferential Wages and Holiday Pay	-
Dividends to Unsecured Creditors	-

Total Distributions to Creditors **5,352**

Total Payments **48,955**

BALANCE HELD **27**