



McDonald
Vague

business recovery partners

THE FRANKLIN ESTATE LIMITED (IN LIQUIDATION)

Liquidators' Third Report For the period from 19 April 2023 to 18 October 2023

McDonald Vague Limited
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1 INTRODUCTION AND APPOINTMENT

Keaton Pronk and Iain McLennan, Licensed Insolvency Practitioners, of Auckland, were appointed as joint and several liquidators of The Franklin Estate Limited (In Liquidation) ("the company") on 19 October 2022.

This report has been prepared pursuant to Section 255(2)(d) of the Companies Act 1993 (**Act**) for the purpose of reporting on the liquidation of the Company. A Statement of Realisations and Distributions is **attached** as Appendix 1.

The report is being sent to all shareholders and all creditors who have filed a claim in the liquidation.

2 RESTRICTIONS

This report should be read in conjunction with the liquidators' previous reports.

This report has been prepared using the information known to us. We have not independently verified the accuracy or reliability of the information provided or undertaken audit of the Company. We do not accept any liability whatsoever to any party arising from 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 UPDATED INTERESTS STATEMENT

We have not become aware of any circumstances, relationships, or other facts since we last prepared an interests statement that create, or could reasonably be perceived as creating, a conflict of interest for us in relation to our independence as liquidators.

4 CONDUCT OF THE LIQUIDATION FOLLOWING OUR APPOINTMENT AS LIQUIDATORS

During the reporting period, we have:

- Bank Account Closure Statement of Affairs \$815
The liquidators have recovered funds from the company's bank account totalling \$816.

- Refunds
The liquidators have recovered the following refunds from suppliers

Crombie Lockwood	\$2,850
Rockgas	\$216

- Sale of Assets Statement of Affairs \$1,000
The liquidators have sold the assets of the company at auction recovering \$363.

- Sale of Furniture & Fittings/Plant and Equipment/Motor Vehicle
The liquidators have been unable to recover the Furniture & Fittings/Plant and Equipment/Motor Vehicle contained in two 40ft containers at the company's previously leased premise. The landlord has refused access to have the assets uplifted. The liquidators have commenced proceedings against the landlord through the disputes tribunal. We expect this action will be determined in the next 6 month period.

Since our appointment, we have:

- Interviewed the director and other parties with knowledge of the affairs of the Company
- Uplifted and reviewed the Company's books and records
- Investigated the affairs of the Company and the reasons for its failure
- Realised the assets of the company

5 INVESTIGATIONS

The liquidators investigations into the books, records and affairs of the company is nearing completion.

6 CREDITORS' CLAIMS

In the interest of minimising liquidator's fees, the liquidators will only formally accept or reject creditors' claims if there are funds available to pay a distribution.

The following claims have been received:

CLAIMS RECEIVED	NUMBER	VALUE	DISTRIBUTIONS	¢ IN THE \$
GSA Holders				
Specific Securities				
Preferential Claims				
Unsecured Claim – Related Entities	7	1,175,898	0	0
Unsecured Claim – Unrelated Entities	4	93,025	0	0

7 LIQUIDATORS' FEES

The Company has paid liquidators' fees and disbursements to the end of the reporting period totalling \$3,272 plus GST.

The liquidators' time costings to the cut-off date total \$18,298 plus GST, based on 55.1 hours of work undertaken are detailed in Appendix 2.

8 FUNDS / LIKELY OUTCOME

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

9 COMPLETION DATE AND MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Complete our investigations into the book records and affairs of the company
- Realise the remaining assets of the company

There is no change to the estimated date of completion since our last report.

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:

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Victoria Street West
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Keaton Pronk
LIQUIDATOR (License No: IP107)

Dated this 20th day of October 2023

Appendix One

Realisations and Distributions				2nd/subsequent	
			Since initial report	Since last report	
THE FRANKLIN ESTATE LIMITED (IN LIQUIDATION)					
19 October 2022 to 18 October 2023					
			18/04/2023	(last six months)	movement
Realisations					
Bank Account Closure			816	816	-
Rockgas Refund			216	216	-
Insurance Refund			2,850	2,850	-
Sale of Assets			363	363	-
Total Realisations			4,245	4,245	-
Payments					
Liquidators Fees					
Liquidators Fees			3,233	3,272	39
Disbursements			-	-	-
Total Liquidators Fees			3,233	3,272	39
Other Costs of Liquidation and Trading On					
Commissions			967	967	-
Total Costs of Liquidation and Trading On			967	967	-
Distributions					
Secured Creditor			-	-	-
Preferential Wages and Holiday Pay			-	-	-
Preferential GST and PAYE			-	-	-
Dividends to Unsecured Creditors			-	-	-
Total Distributions to Unsecured Creditors			-	-	-
Total Payments			4,200	4,239	39
BALANCE HELD			45	6	(39)

Appendix Two

THE FRANKLIN ESTATE LIMITED (IN LIQUIDATION) BREAKDOWN OF LIQUIDATORS REMUNERATION AND EXPENSES FOR THE PERIOD OF THE LIQUIDATION

19 Oct 2022 to 18 Oct 2023

Time costs by Position and Work Type													
	Hourly rate	Appointment Functions		Asset Realisation		Creditors & Report		Management & Tax		Investigation		Total	
		Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
Directors /Partners /Consultants/Liquidators	\$400			0.1	40							0.1	40
Forensic Accountants / Associates	\$300 - \$380	9	3,420	19.7	7,438	8.6	3,268	0.7	236	4.7	1,786	42.7	16,148
Insolvency Managers	\$140 - \$280											0	0
Insolvency Accountants	\$140 - \$200	5.3	1,060			0.6	120	5.1	690			11	1,870
Secretarial & Clerical Assistants	\$50 - \$170							1.3	240			1.3	240
Total		14.3	4,480	19.8	7,478	9.2	3,388	7.1	1,166	4.7	1,786	55.1	18,298

Disbursements	Cost
Airfares - domestic	
Local Travel	
General Expenses	574
Total	574

Work completed includes but is not limited to:

Appointment	All matters on the commencement of the appointment
Creditors	All communications, claims, reporting, enquiries
Asset Realisations	All matters in respect of the potential sale of assets/business/IP and subsequent sale of assets including trading/debtors
Management & Tax	All matters in respect of statutory reporting and the management of the file
Investigation	Analysis of bank statements, review of historic transactions and accounts to identify avenues for recovery