



McDonald  
Vague

business recovery partners

**Gounden Investments Limited  
(In Liquidation)  
(As Corporate Trustee for the  
Gounden Property Trust)**

**Liquidators' Thirteenth Report  
(for the period from 16 April 2018  
to 15 October 2018)**

McDonald Vague Limited

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## 1 INTRODUCTION AND APPOINTMENT

Peri Micaela Finnigan and Boris van Delden, Insolvency Practitioners of Auckland, were appointed jointly and severally as liquidators of Gounden Investments Limited ("the company") on 16 October 2012.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This thirteenth report should be read in conjunction with the liquidators' previous reports. This report is being sent to all shareholders and the Companies Office only.

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

## 2 RESTRICTIONS

This report has been prepared in accordance with section 255(2)(d) of the Act. 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

### *Asset Realisations*

The company had no assets at the date of liquidation.

#### **4 INVESTIGATIONS**

As advised in previous reports, the liquidators initiated legal proceedings against the director and related entities (“the defendants”), funded by the Inland Revenue Department. A further individual was added to the proceedings was joined to the proceedings as a defendant on the application of the director.

An agreement has been reached between the liquidators and the defendants to settle all matters between them by way of the defendants making payment of a total of \$1.3 million over the period of 2 years from the date of the agreement. Further details of the agreement are confidential between the parties.

The proceedings related to the liquidation of this company and the related company, LS Property Developments Limited (In Liquidation) (“LSPD”). LSPD has filed a claim in the liquidation of the company for \$503,471.

Payment of \$51,018 has been made to IRD in partial reimbursement of the funding provided for the litigation.

#### **5 CREDITORS’ CLAIMS**

At the date of this report one preferential claim has been received by the liquidators from the Inland Revenue Department for the amount of \$398,895.

Two unsecured claims have been filed by the IRD and by the liquidators of LS Property Developments Limited (In Liquidation) for \$865,821.

Payment of \$77,352 has been made to LSPD in respect of its claim.

#### **6 FUNDS / LIKELY OUTCOME**

Further distributions will be dependent on the receipt of the settlement funds

#### **7 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION**

The following matter is outstanding:

- Receipt of the settlement funds

## 8 ESTIMATED DATE OF COMPLETION

Based on the above the liquidators estimate that will be at least 18 months before the liquidation can be completed.

## 9 CONTACT DETAILS

Enquiries should be directed to Colin Sanderson on DDI (07) 838 0908 or by email to [CSanderson@mvp.co.nz](mailto:CSanderson@mvp.co.nz).

The Liquidators can be contacted at:

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PERI M FINNIGAN  
LIQUIDATOR

DATED this 17<sup>th</sup> day of October 2018

# Realisations and Distributions

## Gounden Investments Limited (In Liquidation) 16 October 2012 to 15 October 2018

Realisations	Cash Received \$
Settlement funds	400,000
Sale of assets	3,000
Interest	177
IRD litigation funding	23,441
<b>Total Realisations</b>	<b>\$426,618</b>
Payments	
<b>Liquidators Fees</b>	
Liquidators Fees	176,272
Disbursements	Nil
<b>Total Liquidators Fees</b>	<b>\$176,272</b>
<b>Other Costs of Liquidation and Trading On</b>	
Legal fees	121,628
Commission	6
Residents Withholding Tax on Interest	49
<b>Total Costs of Liquidation and Trading On</b>	<b>\$121,683</b>
<b>Distributions</b>	
Distribution to LS Property Developments Limited (In Liquidation)	77,352
IRD reimbursement of litigation funding	51,017
<b>Total Distributions to Creditors</b>	<b>\$128,369</b>
<b>Total Payments</b>	<b>\$426,324</b>
<b>BALANCE HELD</b>	<b>\$294</b>

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