



McDonald
Vague

business recovery partners

JDC Dairies Limited (In Liquidation)

Liquidators' First Report

McDonald Vague Limited

Level 10, 52 Swanson Street,
Auckland Central

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1 INTRODUCTION AND APPOINTMENT

JDC Dairies Limited ("the company") was placed into liquidation by a special resolution of the sole shareholder pursuant to Section 241(2)(a) of the Companies Act 1993 ("the Act") on 19 May 2017 at 2:00 p.m. Peri Micaela Finnigan and Boris van Delden, CAANZ Accredited Insolvency Practitioner, of Auckland, were appointed as joint and several liquidators of the 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 ATTACHMENTS

The following documents are attached to this report:

- Appendix 1: Statement of Affairs setting out the company's estimated financial position
- 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
- Appendix 5: Creditors claim form

4 COMPANY STRUCTURE AND BACKGROUND

Date of incorporation:	25 March 2014
Company number:	5025640
Date ceased trading:	19 May 2017
Nature of business:	Sharemilking

Trading address:	528 Upper Buller Road, Inangahua
Share capital:	1,200 Shares
Shareholder:	Johnathan David Clarke
Director:	Johnathan David Clarke

As at the date of liquidation the company ceased managing the farm and its management was returned to the farmer.

The director has advised that the company was placed into liquidation following multiple bad seasons with poor milk solid production. The company was subsequently unable to meet its high debt servicing on its historical debts.

5 STATEMENT OF AFFAIRS

A Statement of Affairs showing the company's estimated financial position as at the date of our appointment is provided at Appendix 1.

6 ASSETS AND PROPOSALS FOR CONDUCTING THE LIQUIDATION

We will realise all available assets. If any creditor is interested in or knows of any other party who may be interested in purchasing any of the assets, please advise us urgently.

We will complete a thorough review of the company's books, records and affairs to:

- ensure that all assets have been properly accounted for,
- determine if there are any other avenues of recovery for creditors,
- determine if the company's officers have properly carried out their duties, and take appropriate steps where necessary.

If there are funds available for distribution to creditors, we will verify creditors' claims and make a distribution. We will then complete the liquidation and request that the Registrar of Companies remove the company from the register.

7 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. Also provided is a creditor's claim form at Appendix 5 for completion and return to this office by Friday, the 30th day of June 2017. Creditors that have not made a claim by the date on the notice may be excluded from any distribution made. If you believe that you are a secured creditor, please contact us and the appropriate form will be sent to you.

7.1 Secured Creditors

As at the date of liquidation eight secured parties had registered security interests against the company on the Personal Property Securities Register.

- ANZ Bank New Zealand Limited
- Bank of New Zealand
- Farmlands Finance Limited
- UDC Finance Limited

Personal Property Securities Act / Reservation of Title

If any creditor believes that they hold a Purchase Money Security Interest entitling them to any goods or proceeds from realisation of goods, they should contact us immediately.

If any creditor believes that they have a Reservation of Title over goods and they have not perfected their interest, they should also contact us immediately.

7.2 Preferential Creditors

We estimate that there is approximately \$7,386 owing to former employees for wages, holiday pay and redundancy pay.

The Inland Revenue Department has not yet provided us with a creditor's claim form but we understand that there are amounts due in respect of GST, PAYE and other payroll deductions in excess of \$300,000.

7.3 Unsecured Creditors

From our review of the company's accounting records and other information we estimate that the amount due to unsecured creditors is approximately \$43,000

8 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.

9 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

10 ESTIMATED DATE OF COMPLETION

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

11 CONTACT DETAILS

Enquiries should be directed to Keaton Pronk on DDI (09) 969 1518 or by email to kpronk@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 29th day of May 2017

JDC Dairies Limited (In Liquidation) Statement of Affairs

Statement of Affairs for the above named company as at 19 May 2017 (being the date of liquidation) showing assets at estimated realisable values and liabilities expected to rank.

ASSETS SPECIFICALLY PLEDGED

	<i>Book Value</i>	<i>Estimated to Realise</i>	<i>Due to Secured Creditor</i>
2015 Honda TRX 500 - BNZ	11,018	unknown	} 22,818
2015 Honda TRX 500 - BNZ	11,018	unknown	
2015 Honda XR 150 - BNZ	3,390	unknown	
2015 Honda Pioneer SXS 700 - BNZ	23,992	unknown	
2015 Honda CTX 200 - BNZ	4,238	unknown	
2008 Puma Tractor - UDC	not listed	unknown	39,621
Balance	\$ 53,656	\$ -	\$ 62,438

ASSETS

	<i>Book Value</i>	<i>Estimated to Realise</i>
Plant and Equipment	125,161	unknown
Total	\$125,161	\$ -

LESS GENERAL SECURITY AGREEMENT HOLDER/S

ANZ - first ranking General Security Agreement holder	23,553
Farmlands Co-operative Society Limited - second ranking General Security Agreement holder	7,249
Total	\$30,802

LESS PREFERENTIAL CREDITORS

Employees	7,386
Inland Revenue Department	300,000
Total	\$307,386

LESS UNSECURED CREDITORS

Trade creditors	43,000
Estimated deficiency as regards unsecured creditors	\$443,626

Notes:

1. There is no unpaid capital liable to be called up.
2. The above estimates are subject to the costs of the liquidation.
4. The General Security Agreement holder's claim will continue to accrue interest until fully paid.

Disclaimer of Liability:

The information contained in the Statement of Affairs has been supplied by the company. We have not verified the information supplied. The Statement of Affairs has been prepared for the purpose of the liquidation and we do not accept any responsibility on any grounds whatsoever, including liability in negligence, to any party.



Appendix 2

JDC Dairies 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
Accident Compensation Corporation	P O Box 3248	WELLINGTON 6140	
ANZ Bank New Zealand Limited	85 High Street	RANGIORA 7400	
ATS - The Real Farmers Co-Op	97 Burnett Street	ASHBURTON	
Bank of New Zealand	Private Bag 92 089	Victoria Street West	AUCKLAND 1142
Buller Industrial	64 Palmerston Street	WESTPORT	
Caltex Westport	P O Box 92	WESTPORT	
Cody Boyes	Lower Buller Gorge Road	WESTPORT	
Continuous Accounting Limited	P O Box 552	ASHBURTON 7740	
David Hall	Lower Buller Gorge Road	WESTPORT	
Farmlands Co-operative Society Limited	P O Box 271	CHRISTCHURCH 8140	
FMG Insurance	P O Box 1943	Palmerston North Central	PALMERSTON NORTH
HA & MA Sieblink	2326 State Highway 69	R D 1	REEFTON 7895
Honda Farm Trail & Road	173 Tainui Street	GREYMOUTH 7805	GREYMOUTH
Inland Revenue Department	P O Box 39 010	Wellington Mail Centre	LOWER HUTT 5045
IT@Work	149 Palmerston Street	WESTPORT	
Meridian Energy Limited	P O Box 2128	CHRISTCHURCH	
Mikaela Kennedy	Meadows Road	Inangahua	WESTPORT
Moonlight Estate Limited	T/A Agripro Mechanical	141 Taylorville Road, Coal Creek	GREYMOUTH 7802
Power Farming West Coast	P O Box 398	GREYMOUTH 7840	
Primary ITO	P O Box 10 383	The Terrace	WELLINGTON 6143

Appendix 2

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Creditor Names	Address 1	Address 2	Address 3
Rotoco Farms Limited	Atarau	R D 1	BLACKBALL 7871
Ruralco (Ashburton Trading Supplies)	P O Box 433	ASHBURTON 7740	
Russell, Moon and Fail	Barristers & Solicitors	P O Box 22	ASHBURTON
Spark NZ Trading Limited	P O Box 1473	CHRISTCHURCH 8140	
Tony Boyes	Meadows Road	Inangahua	WESTPORT
UDC Finance Limited	P O Box 91 145	Victoria Street West	AUCKLAND 1142
WK Advisors and Accountants Limited	P O Box 349	BLENHEIM 7240,	

Notice of Liquidators' Decision to Dispense with Meeting of Creditors

After having regard to the assets and liabilities of JDC Dairies 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 Marisa Brugeyroux of this office on DDI (09) 306 3340 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 29th day of May 2017

Appendix 4

IN THE MATTER of The Companies Act 1993

and

IN THE MATTER of JDC Dairies Limited (In Liquidation)

Notice to Creditors to Prove Debts or Claims

Notice is given that the liquidator of JDC Dairies Limited (In Liquidation) ("the company"), fix Friday, the 30th day of June 2017, 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 29th day of May 2017

ADDRESS OF LIQUIDATOR

McDonald Vague Limited
Level 10, 52 Swanson Street
AUCKLAND 1010

PO Box 6092
Wellesley Street
AUCKLAND 1141

Telephone: (09) 303 0506
Facsimile: (09) 303 0508
Website: www.mvp.co.nz

DATE OF LIQUIDATION: 19 May 2017



The Insolvency & Business Recovery Specialists

McDONALD VAGUE LIMITED

PO Box 6092, Wellesley St, Auckland 1141, New Zealand.
Telephone 0-9-303 0506, Facsimile 0-9-303 0508

Particulars of Claim

If the creditor owes money to the company, please give full details.

Date	Details of Claim and Identification of Documents that Evidence or Substantiate the Claim	Amount \$

CLAIMS AGAINST INVENTORY (Romalpa Claims)(Consignment Goods) (Retention of Title) etc.

Please provide details of the basis of the retention of title claim filed by you and/or details of entry on the Personal Property Securities Register.

PREFERENTIAL CLAIMANTS ONLY

Guideline

The Seventh Schedule of the Companies Act 1993 sets out those claims which are regarded as preferential and shows their extent and order of priority. For example, wages and salary of any employee in respect of services rendered to the company during the four months preceding the commencement of liquidation are preferential AND the total sum to which priority is to be given in the case of any one employee for wages, holiday pay, deductions, redundancy and child support must not exceed \$20,340 or such greater amount as is prescribed at the commencement of the liquidation.

1. Why do you believe you are a preferential creditor?
(eg. employee, GST, etc) _____
2. Details of your claim: _____

If applicable please record here your GST Registration number: _____

and total GST included in your tax invoice: _____ \$