



McDonald  
Vague

business recovery partners

## North South Finance Limited (In Liquidation)

### Liquidators' Eighteenth Report (for the period from 17 September 2018 to 16 March 2019)

McDonald Vague Limited

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#### 1 INTRODUCTION AND APPOINTMENT

Boris van Delden and Iain McLennan, Insolvency Practitioners of Auckland, were appointed jointly and severally as liquidators of North South Finance Limited ("the company") on 17 September 2010 by the High Court at Auckland.

Grant Robert Graham and Brendon James Gibson were appointed Joint and Several Receivers and Managers of the assets and undertakings of the Company on 8 July 2010, pursuant to a Debenture Trust Deed dated 10 August 2001 granted in favour of Covenant Trustee Company Limited ("the Trustee"). On 13 March 2018 Brendon James Gibson and Grant Robert Graham, Receivers (KordaMentha) ceased to act.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This eighteenth report should be read in conjunction with the liquidators' previous reports. 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

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 receivers have had control of the realisation of company assets. The receivers' final report to 31 March 2018 advises that 72.12 cents in the dollar has now been distributed to investors. According to that report approximately \$11,000 is unclaimed by investors entitled to distributions. Please contact the liquidators if you consider you have missed a distribution payment.

#### 4 INVESTIGATIONS

Given the above recoveries for investors, the liquidators consider that it is highly unlikely that any further litigation recoveries will be commenced based on a cost benefit analysis taking into account the small amount of unsecured trade creditors.

#### 5 CREDITORS' CLAIMS

##### 5.1 *Preferential Creditors*

No preferential claims have been received. The receivers also report that they are unaware of any Inland Revenue Department debt.

##### 5.2 *Unsecured Creditors*

We have received three unsecured claims totalling \$7,849.

#### 6 LIQUIDATORS' FEES

Liquidators' fees totalling \$16,010 (exclusive of GST) have been received by the liquidators at the date of this report.

Our total time and costs are set out below.

Liquidators' fees at the date of this report are \$64,865. The fees are based on 212.8 hours of work undertaken as follows:

<b>Work Category</b>	<b>Hours</b>	<b>\$</b>
Appointment functions	25.2	6,379
Asset realisations	1.6	648
Creditors' claims, enquiries and reports	16.2	4,005
Management	11.5	2,912
Taxation	0.3	90
Investigations	158.0	50,831
<b>Total Unbilled Time and Costs</b>	<b>212.8</b>	<b>\$64,865</b>

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. In circumstances where no application has been made to review or fix the liquidators' remuneration the Court will be less inclined to rigorously examine the fees submitted by the liquidators for subsequent approval.

## 7 FUNDS / LIKELY OUTCOME

The receivers report there was a shortfall on the amounts due to the secured creditors. There is therefore unlikely to be any distribution for unsecured creditors.

## 8 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matter is outstanding:

- Completion of the liquidation.

## 9 ESTIMATED DATE OF COMPLETION

The liquidators give notice that the liquidation will be completed within the next six months.

## 10 CONTACT DETAILS

Enquiries should be directed to Boris van Delden on DDI (09) 306 3342 or by email to [bvandelden@mvp.co.nz](mailto:bvandelden@mvp.co.nz).

The Liquidators can be contacted at:

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BORIS VAN DELDEN  
LIQUIDATOR

DATED this 1<sup>st</sup> day of May 2019

# Realisations and Distributions

## North South Finance Limited (In Liquidation) 17 September 2010 to 16 March 2019

Realisations	Cash Received \$
Surplus from Receivership	17,837
Unpresented Cheques from Receivers Distribution to Creditors	11,393
<b>Total Realisations</b>	<b>\$29,230</b>
Payments	
<b>Liquidators Fees</b>	
Liquidators Fees	16,010
Disbursements	Nil
<b>Total Liquidators Fees</b>	<b>\$16,010</b>
 <b>Total Payments</b>	 <b>\$16,010</b>
 <b>BALANCE HELD</b>	 <b>\$13,220</b>

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