



McDonald
Vague

business recovery partners

TGG Mining Limited (In Liquidation)

Liquidators' First Report

McDonald Vague Limited

Level 10, 52 Swanson Street,
Auckland Central

PO Box 6092, Wellesley Street,
Auckland 1141, New Zealand

p: 09 303 0506

f: 09 303 0508

e: insol@mvp.co.nz

www.mvp.co.nz

1 INTRODUCTION AND APPOINTMENT

TGG Mining Limited ("the company") was placed into liquidation by a special resolution of the shareholders pursuant to Section 241(2)(a) of the Companies Act 1993 ("the Act") on 17 October 2017 at 11:00 a.m. Peri Micaela Finnigan and Colin Sanderson, 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:	14 May 2003
Company number:	1301267
Date ceased trading:	April 2017

Nature of business:	Gold Mining Company	
Share capital:	100 Shares	
Shareholders:	David John Thurlow	} 80 Shares
	Jessica Jane Garmonsway	
	Stephen James Thurlow	20 Shares
Directors:	David John Thurlow	
	Jessica Jane Garmonsway	
Related companies:	Matakitaki Dairy Limited	

The directors have advised that the gold mining operation ran out of gold and they were unable to recover enough to cover costs. The company ceased trading in April 2017 and the secured creditors uplifted the machinery that was subject to their securities.

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. As advised above, major items of machinery have been uplifted by the secured creditors. We have requested information from the secured creditors in relation to those assets.

Prior to the commencement of the liquidation, the directors listed a motor vehicle and a mobile workshop on Trademe. The mobile workshop did not sell and the liquidators have sold that to the director for the amount of the largest offer on Trademe plus GST.

The motor vehicle did not reach its reserve on the Trademe auction.

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, 24 November 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 nine secured parties had registered security interests against the company on the Personal Property Securities Register. The directors have advised that some are not owed anything.

RD1 Limited has a General Security registered over the company's all present and after acquired personal property.

The liquidators have written to all secured parties seeking information on the debt owed and copies of their security documents.

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 have been advised by the directors that there is approximately \$3,000 owing to a former employee for holiday pay.

The Inland Revenue Department has not yet provided us with a creditor's claim form, but we understand that there is approximately \$59,500 due in respect of unpaid GST.

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 \$435,595 including the estimated shortfall to the secured and preferential creditors.

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 Colin Sanderson on DDI (07) 838 0908 or by email to CSandersoon@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 24th day of October 2017

TGG Mining Limited (In Liquidation)
Statement of Affairs

Statement of Affairs for the above named company as at 17 October 2017 (being the date of liquidation) showing assets at estimated realisable values and liabilities expected to rank.

ASSETS SPECIFICALLY PLEDGED	<i>Estimated to Realise</i>	<i>Due to Secured Creditor</i>	<i>Deficiency Ranking as Unsecured</i>	<i>Surplus</i>
Personal Property Securities Register				
2014 Volvo Excavator - Leasing & Finance Ltd	120,000	190,609	(70,609)	-
2014 Volvo EC220D Excavator - Leasing & Finance (See note 5 below)	73,000	139,377	(66,377)	-
Kobelco SK350LC-8 Excavator - Pacific Crest (See note 5 below)	120,000	159,000	(39,000)	-
Estimated (deficiency) as regards specifically pledged assets	\$313,000	\$488,986	(\$175,986)	\$ -
 ASSETS AVAILABLE FOR PREFERENTIAL CREDITORS				
			<i>Book Value</i>	<i>Estimated to Realise</i>
Bank account balances			77	77
Total			\$77	\$77
 Less preferential creditors				
Employees				3,000
Inland Revenue Department				59,500
Total				\$62,500
				(\$62,423)
 ASSETS AVAILABLE FOR GENERAL SECURITY AGREEMENT HOLDER				
				<i>Estimated to Realise</i>
Estimated surplus from assets specifically pledged			\$	-
Ford Ranger Truck				25,000
Mobile workshop (See note 6 below)				3,500
Assorted tools				500
Total				\$29,000
 LESS GENERAL SECURITY AGREEMENT HOLDER				
RD1 Limited- first ranking General Security Agreement holder				953
Total				\$953
				\$28,047
Less deficiency as regards preferential creditors				62,423
Deficiency ranking as unsecured				(34,376)
 LESS UNSECURED CREDITORS				
Estimated deficiency as regards Secured Creditors				175,986
Estimated deficiency as regards preferential creditors				34,376
Trade creditors				161,536
Related company advances				52,000
Inland Revenue unsecured claim				11,697
Estimated (deficiency) as regards creditors				(\$435,595)

Notes:

1. There is no unpaid capital liable to be called up.
2. The above estimates are subject to the costs of the liquidation.
3. Assets held may be subject to Purchase Money Security Interest ("PMSI") or Reservation of Title claims.
4. The General Security Agreement holder's claim will continue to accrue interest until fully paid.
5. The secured creditors uplifted the equipment subject to their security prior to the liquidation commencing
6. The mobile workshop was listed on Trademe but did not meet its reserve. It has been sold to the director for the maximum offer, plus GST

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

TGG Mining 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	
BOQ Equipment Finance Limited	P O Box 303 529, North Harbour	Albany	AUCKLAND
BW Palmer Limited	26 Wakefield Street	WESTPORT 7825	
Don Caldwell			
ElectroNet Services	P O Box 375	GREYMOUTH	
E-Quip Engineering Limited	P O Box 458	GREYMOUTH 7840	
Fleetphone Limited	108 Quarantine Road	NELSON	
Gough Finance Limited	P O Box 16 168	Hornby	CHRISTCHURCH 8030
Gough Gough & Hamer Limited	P O Box 16 168	Hornby	CHRISTCHURCH 8030
Ground Power Electrical	5 Helena Way	The Wood	NELSON 7010
Helen McEwan Accounting	P O Box 2302	Stoke	NELSON 7041
Inland Revenue Department	P O Box 39 010	Wellington Mail Centre	LOWER HUTT 5045
Leasing & Finance Limited Partnership	P O Box 1061	Shortland Street	AUCKLAND 1140
Matakitaki Dairy Limited	365 Matakitaki Road	R D 3	MURCHISON
Norwood Farm Machinery Centre	P O Box 94	WESTPORT 7825	
Pacific Crest Limited / Partners Finance & Lease Limited	P O Box 104 029	Henderson	AUCKLAND 0610



Appendix 2


Creditor Names	Address 1	Address 2	Address 3
PGG Wrightson Limited	P O Box 292	DUNEDIN	
RD1 Limited Farm Source	P O Box 9045	HAMILTON 3204	HAMILTON 3204
RWCA Accounting & Advisory	Private Bag 75 098	NELSON 7040	
Spark NZ Trading Limited	P O Box 1473	CHRISTCHURCH 8140	
Sutherland Tyres Limited	4 Adderley Street	WESTPORT 7825	
Translog Services Limited	P O Box 3053	Richmond	NELSON
Weber York Limited	5 Helena Way	The Wood	NELSON 7010
West-Trak Equipment Limited	P O Box 164	WESTPORT 7866	

Notice of Liquidators' Decision to Dispense with Meeting of Creditors

After having regard to the assets and liabilities of TGG Mining 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 the writer on DDI (07) 838 0909 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 24th day of October 2017

Appendix 4

IN THE MATTER of The Companies Act 1993

and

IN THE MATTER of TGG Mining Limited (In Liquidation)

Notice to Creditors to Prove Debts or Claims

Notice is given that the liquidator of TGG Mining Limited (In Liquidation) ("the company"), fix Friday, the 24th day of November 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 24th day of October 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: 17 October 2017

Unsecured Creditor's Claim

(Also for use by Preferential Creditors)

SECTION 304(1) COMPANIES ACT 1993
(For help see www.mvp.co.nz or email
claims@mvp.co.nz)

NAME AND POSTAL ADDRESS OF CREDITOR IN FULL Telephone Numbers: () () E-Mail My Reference is: (if applicable)	* Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993. The information will be used and retained by the liquidators and McDonald Vague and will be released to other parties only with your authorisation or in compliance with the Privacy Act 1993. Under Section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must – (a) Contain full particulars of the claim; and (b) Identify any documents that evidence or substantiate the claim. You may have access to and request correction of any personal information. (*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)
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NAME OF COMPANY IN LIQUIDATION: _____ (IN LIQUIDATION)

I _____
 (If claim is made on behalf of creditor, specify relationship to creditor and authority)
 claim that the company was at the date it was put into liquidation indebted to the abovenamed creditor for the sum of (Amount in words):

STATUS OF CLAIM:

1. I am an unsecured creditor for (Also applicable to secured creditors who hereby surrender their security)	\$
2. I am a preferential creditor for (Refer details on reverse)	\$
3. My total claim is for (State currency if other than \$NZ)	Other Currency <input type="text"/> NZ \$ <input type="text"/>

4. I have claimed retention/reservation of title rights pursuant to rights held by me
 Note: If you are a secured creditor contact this office and a Secured Creditors Claim Form will be sent to you. Tick if Applicable
(Refer details on reverse)

Full particulars of the claim are set out, and any supporting documents that substantiate the claim, are identified on the reverse of this form.
 (The liquidator may require the production of a document under Section 304(2) of the Companies Act 1993. You are **not required to attach any supporting documents** at this stage, but you may attach them now, if you think it would expedite the processing of the claim.)

SIGNED: _____	Date: / /
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WARNING —	It is an offence under Section 304(6) of the Companies Act 1993 to – Make or authorise the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or Omit, or authorise the omission from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.
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Received (Date Stamp)	RESERVED FOR OFFICE USE: Claim admitted/rejected for voting purposes: (Delete one) <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Signed:</td> <td style="width: 50%;">Date: / /</td> </tr> <tr> <td>Preferential Claim for:</td> <td>Ordinary Claim for:</td> </tr> <tr> <td style="text-align: center;">\$</td> <td style="text-align: center;">\$</td> </tr> <tr> <td>Preferential Claim for:</td> <td>Ordinary Claim for:</td> </tr> <tr> <td style="text-align: center;">\$</td> <td style="text-align: center;">\$</td> </tr> </table> Signed Liquidator: _____ Date: / /	Signed:	Date: / /	Preferential Claim for:	Ordinary Claim for:	\$	\$	Preferential Claim for:	Ordinary Claim for:	\$	\$
Signed:	Date: / /										
Preferential Claim for:	Ordinary Claim for:										
\$	\$										
Preferential Claim for:	Ordinary Claim for:										
\$	\$										
	Note: If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.										



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: \$ _____