



McDonald  
Vague

business recovery partners

## THE FRANKLIN ESTATE LIMITED (IN LIQUIDATION)

### Liquidators' Second Report For the period from 19 October 2022 to 18 April 2023

McDonald Vague Limited  
Level 1, 136 Greenlane East,  
Auckland 1051

PO Box 6092, Victoria Street West,  
Auckland 1142, New Zealand

p: 09 303 0506

f: 09 303 0508

e: [insol@mvp.co.nz](mailto:insol@mvp.co.nz)

[www.mvp.co.nz](http://www.mvp.co.nz)

#### 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 report.

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 DURING THE PRECEDING SIX MONTHS

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.

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 ongoing.

#### 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 \$3,233 plus GST.

The liquidators' time costings to the cut-off date total \$15,946 plus GST, based on 47.8 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](mailto:kpronk@mvp.co.nz).

The Liquidators can be contacted at:

McDonald Vague Limited  
Level 1  
136 Greenlane East, Greenlane  
Auckland 1051

P O Box 6092  
Victoria Street West  
Auckland 1142



---

Keaton Pronk  
LIQUIDATOR (License No: IP107)

Dated this 28th day of April 2023

## Appendix One

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

## 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 Apr 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	17.1	6,498	6.2	2,356	0.2	76	4.7	1,786	37.2	14,136
Insolvency Managers	\$140 - \$280												
Insolvency Accountants	\$140 - \$200	5.3	1,060			0.6	120	1.3	260			7.2	1,440
Secretarial & Clerical Assistants	\$50 - \$170							3.3	330			3.3	330
<b>Total</b>		14.3	4,480	17.2	6,538	6.8	2,476	4.8	666	4.7	1,786	47.8	15,946

Disbursements	Cost
Airfares - domestic	
Local Travel	
General Expenses	574
<b>Total</b>	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