



McDonald  
Vague

business recovery partners

## Wiri Automotive Electrical Limited (In Liquidation)

### Liquidators' Tenth Report (for the period from 30 May 2018 to 29 November 2018)

McDonald Vague Limited

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#### 1 INTRODUCTION AND APPOINTMENT

Boris van Delden and Peri Micaela Finnigan, Insolvency Practitioners of Auckland, were appointed as joint and several liquidators of Wiri Automotive Electrical Limited ("the company") on 30 May 2014, in terms of Section 241(2)(a) of the Companies Act 1993 ("the Act").

Pursuant to Section 255(2)(d) of the Act, the liquidators herewith report on the progress of the liquidation. This tenth 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

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*

##### **3.1 Debtors**

We collected the accounts receivable owed to the company. We also commenced action against two debtor companies, however these have since been placed in liquidation.

We do not anticipate that either liquidation will realise sufficient funds for distributions to unsecured creditors.

### **3.2 Fixed Assets**

The liquidators continue to pursue one of the company's shareholders, Mr Kevin Whynn for the return of a boat which according to annual accounts signed by him, is company property. We have renewed the company's insurance of the boat pending its recovery.

### **3.3 Overdrawn Current Account – Mr Kevin Whynn**

We have taken steps regarding commencement of the company's claim against Mr Whynn in respect of his overdrawn current account. Mr Whynn disputes the claims against him.

## **4 INVESTIGATIONS**

The liquidators have completed their investigations to date, into the business affairs of the company prior to liquidation.

## **5 CREDITORS' CLAIMS**

### **5.1 Secured Creditors**

The BNZ held a General Security Agreement over the company's property. All amounts due to BNZ have been repaid in full.

The liquidators have returned the consignment stock belonging to one of the registered Purchase Money Interest Security (PMSI) holders. The liquidators have paid the other PMSI holder the amount they were entitled to under their security agreement.

### **5.2 Preferential Creditors**

The Applicant Creditor's preferential claim amounted to \$4,854. The Applicant Creditor's claim has been paid in full.

Employee claims for preferential wages and holiday pay amounted to \$13,434. The liquidators have made a distribution of 100 cents in the dollar to all employees.

Inland Revenue were owed \$39,787 in respect of preferential GST and PAYE. The liquidators have made a distribution of 100 cents in the dollar to Inland Revenue.

### **5.3 Unsecured Creditors**

As at the date of preparing this report 37 unsecured creditors claim forms have been received which total \$150,834. In the interests of minimising liquidators' fees, the liquidators will not attend to the formality of accepting or rejecting creditors' claims, until such time as we are in a position to pay a distribution to unsecured creditors.

## 6 FUNDS / LIKELY OUTCOME

The outcome of the liquidation lies almost entirely with recovery of amounts due and assets to be recovered from Mr Kevin Whynn. The liquidators anticipate that there may be a distribution to unsecured creditors, however it is too early to estimate the amount.

## 7 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Collection of shareholder's current account and assets retained,
- Claim for breach of directors' duties – retaining company assets,
- Distribution to unsecured creditors.

## 8 ESTIMATED DATE OF COMPLETION

It is impracticable at this stage to estimate a date for completion of the liquidation.

## 9 CONTACT DETAILS

Enquiries should be directed to Iain McLennan on (09) 303 0506 or by email to [imclennan@mvp.co.nz](mailto:imclennan@mvp.co.nz).

The Liquidators can be contacted at:

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PERI FINNIGAN  
LIQUIDATOR

DATED this 30<sup>th</sup> day of November 2018

# Realisations and Distributions

## Wiri Automotive Electrical Limited (In Liquidation) 30 May 2014 to 29 November 2018

<b>Realisations</b>	
McDonald Vague Advance	27
Interest	123
Debtors	25,080
Trading on Debtors	19,047
Debtors Payable to New Company	12,644
Trading on Sales	11,001
Reimbursement of Trading on Loss by Applicant Creditor	12,754
Sale of Inventory	8,138
Sale of Plant & Machinery	37,103
Sale of Accounts Receivable	120,253
Goodwill	33,000
Sundry Income	523
<b>Total Realisations</b>	<b>\$279,693</b>
<b>Payments</b>	
<b>Liquidators Fees</b>	
Liquidators Fees	20,857
Disbursements	579
<b>Total Liquidators Fees</b>	<b>\$21,436</b>
<b>Other Costs of Liquidation and Trading On</b>	
Debt Collection Costs	515
Trading on Purchases	8,972
Other Trading on Costs	8,129
Asset Valuation Expenses	1,500
Boat Insurance	456
Commission on Asset Sales	29
Trading on Wages, Holiday Pay and PAYE	22,753
Kiwisaver Employer Contributions	632
Resident Withholding Tax on Interest	34
Bank Fees	213
<b>Total Costs of Liquidation and Trading On</b>	<b>\$43,233</b>

<b>Distributions to Creditors</b>	
Secured Creditor – BNZ	135,378
Secured Creditor - Pan Pacific Auto Electronics	21,570
Preferential Applicant Creditor Costs	4,854
Preferential Wages and Holiday Pay	13,435
Preferential GST and PAYE	39,787
Dividends to Unsecured Creditors	
<b>Total Distributions to Creditors</b>	<b>\$215,024</b>
<b>Total Payments</b>	<b>\$279,693</b>
<b>BALANCE HELD</b>	<b>\$Nil</b>

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