

File ref.: 4/1 document : report01

## LIQUIDATOR'S FIRST REPORT

(pursuant to section 255 of the Companies Act 1993)

# to the Creditors and Shareholders of

# LAUREL BOUTIQUE (NZ) Limited (In Liquidation)

Gerard Hulst, Chartered Accountant of Auckland, was appointed Liquidator of Laurel Boutique (NZ) Limited pursuant to a resolution of the shareholder dated 29 July 2002 and timed at 2.10 pm.

The Liquidator takes no responsibility for any misinformation contained in this report that has been supplied by the company, its officers or other persons.

#### **COMPANY INFORMATION**

Date of Incorporation:

2 October 1996

**Company Number:** 

AK 828383

**Trading Address:** 

125 Queen Street, Auckland 1

Type of Business:

Clothing retailer

Date trading ceased:

2 August 2002.

Share Capital:

100 shares

Shareholders:

Andrea Christine RAKICH

100 shares

**Directors:** 

Andrea Christine RAKICH

A statement of the company's financial position (assets and liabilities) at the date of liquidation is included with this report.

#### **OBSERVATIONS**

The company traded in women's high end fashion clothing. Even though the company had a loyal customer base it experienced three bad seasons in a row.

The director was unable to identify any specific cause of the down turn other than the difficulties experienced by retailers in general.

The new stock for the 2002 summer season had been ordered on indent and was scheduled to be delivered at the beginning of August.

The Director considered it would be unfair to the suppliers to take delivery of the stock knowing that the company may not be able to trade out of the current position. The Director had no alternative but to place the company into liquidation.

Prior to the liquidation the business had been extensively advertised "for sale", however no genuine expressions of interest were forthcoming.

# COMPANIES WITH WHICH THE DIRECTORS HAVE AN ASSOCIATION

The director is not associated with any other company.

#### FINANCIAL INFORMATION

The last set of financial accounts for the company were for the year ended 30 June 2001 and were completed by Hamon & Associates Ltd.

Assets and Liabilities identified by the Liquidator are :

|   | Estimated<br>Realisable Value                                |
|---|--|
| Assets Stock – not subject to retention of title Shop Fittings  | 1,000.00<br>5,000.00<br><b>\$ 6,000.00</b>                   |
| Liabilities Staff – preferential holiday pay Secured Charge debenture IRD – preferential PAYE and GST – est Unsecured creditors – est | 800.00<br>21,000.00<br>5,200.00<br>60,000.00<br>\$ 87,000.00 |

# PROPOSALS FOR CONDUCTING THE LIQUIDATION

#### **DISPOSAL OF ASSETS**

The shop remained open for the period 29 July to 2 August in an attempt to sell stock at "sale prices". trading was very light.

Retention of title claims over stocks have been attended to and garments returned to suppliers. The balance will be disposed of in an appropriate manner.

The shop fittings will be taken to auction.

#### OTHER ACTIONS OF THE LIQUIDATOR

I will conduct an investigation into the affairs of the company;

- a) To determine the date of insolvency
- b) To determine the conduct of the Director
- c) To establish whether the director owes any money to the company and to pursue recovery thereof.
- d) To determine if there are any voidable transactions and to pursue recovery thereof.

#### **ESTIMATED COMPLETION DATE**

The administration is expected to be completed by 31 July 2003, subject to any court actions.

#### PROSPECT OF DIVIDEND

It is unlikely that there will be a dividend to unsecured creditors.

#### NOTICE REGARDING MEETINGS

Having regard to the assets and liabilities of the company, the likely result of the liquidation and other relevant matters, the Liquidator considers in accordance with section 245 of the Companies Act 1993 that no meeting of creditors should be held at this time.

Consequently, a meeting of creditors will not be held unless within 14 days after receiving this notice a creditor gives notice in writing to the Liquidator requiring a meeting to be called.

#### LIQUIDATION COMMITTEE

At any time during the liquidation, any creditor may in writing request the Liquidator to call a meeting of creditors to consider whether a Liquidation Committee should be appointed, and if so, to choose the members of the committee.

A Liquidation Committee has certain powers set out in s315 of the Companies Act 1993, including to assist the Liquidator as appropriate in the conduct of the liquidation.

Gerard Hulst Liquidator

Dated this 5<sup>th</sup> day of August 2002.

File ref: 31/

### **UNSECURED CREDITOR'S CLAIM**

Section 304(1) Companies Act 1993

# Laurel Boutique (NZ) Limited (In Liquidation) P.O Box 6901 Wellesley Street, Auckland 1

Name and postal address of creditor in full:

| Telephone i                            | Number:   |                                    |  |   |                                      |
|--|---|------------------------------------|--|---|--------------------------------------|
| Facsimile N                            | lumber:   |                                    |  |   |                                      |
| E-mail addr                            | ess:  |                                    |  |   |                                      |
| Amount Claimed: \$                     |   | \$                                 |  |   |                                      |
| l,                                     |   |                                    | and the second s |   | <del></del>                          |
| claim that th                          | not on behalf of a<br>e company wa<br>he amount cla | as at the da                       | ate it was put into liquidat<br>hold no security for the ar  | ion indebted to the nount claimed.                          | above named                          |
|  |   | PAF                                | RTICULARS OF CLAIM   |   |                                      |
| Invoice<br>Date                        | •   |                                    | vices Provided   | Invoice<br>Amount   |                                      |
|  |   |                                    |  |   |                                      |
|  |   |                                    |  |   |                                      |
|  |   |                                    |  |   |                                      |
|  |   | 1                                  |  |   |                                      |
|  |   |                                    |  |   |                                      |
|  |   |                                    | arate sheet if space is ins  |   | into it would avmedite               |
| You are not requal<br>the processing o | ired to attach any s<br>f the claim. The liq        | supporting docu<br>uidator may rec | ments at this stage, but you may a<br>juire the production of all document   | attach them now, if you thi                                 | ink it would expedite                |
| material particu                       | ular knowing it to be                               | false or mislea                    | s Act to make or authorise the maki<br>ding; or Omit, or authorise the omi<br>ding in a material particular.   | ng of, a claim that is false<br>ssion from a claim of any i | or misleading in a<br>matter knowing |
| Signed:                                |   |                                    | D  | eate:   |                                      |
| Olg. Tou.                              | F   | RESERVED                           | FOR LIQUIDATOR'S DI  | ECISION   |                                      |
| CLAIM ADMITTED FOR PAYMENT             |   | 0R                                 | CLAIM REJECTED FOR PAYMENT   |   |                                      |
| Preferential Claim                     |   | Ordinary Claim                     | Deferred Claim   |   |                                      |
| \$                                     |   | \$                                 | \$   |   |                                      |
| Signe                                  | ed Liquidator:                                      |                                    |  | Dated:  |                                      |
|  |   |                                    |  |   |                                      |