

## Coastline Imports & Exports Limited (In Liquidation)

### Liquidators Amended First Report

08 January 2009

#### 1. Background

Coastline Imports & Exports Limited ("the company") was placed into liquidation by a special resolution of the shareholders on the 18<sup>th</sup> day of December 2008, at 3.08pm. Kenneth Peter Brown and Thomas Lee Rodewald, Chartered Accountants of Tauranga were appointed as Joint and Several Liquidators of the company. We detail below the Liquidators first report, for the information of creditors of the company.

#### 2. Disclaimer

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#### 3. Company Information

Date of Incorporation: 24 June 1999

Trading Address: 13 Mclean Street, Tauranga

Type of business: Specialist company that imports and exports heavy machinery.

Date trading ceased: 18 December 2008

Shareholders: George Stuart Cruse  
Mary Ann Dungan Cruse

Directors: George Stuart Cruse

#### **Events leading to appointment of Liquidators**

The company commenced operations on the 24 June 1999. The business regarded themselves as specialist importers and exporters of heavy machinery.

On 18 December 2008 the directors resolved that they could no longer continue its business because of accumulated liabilities from a lack of sufficient income and consequently resolved to put the company into liquidation.

#### **4. Statement of Affairs**

We attach as *Appendix 1* a statement of the company's affairs as at the date of our appointment.

A Creditors Schedule as at the date of appointment is also attached as *Appendix 2*.

Due to time constraints in the preparation of the first report some information was not disclosed. Therefore as liquidators we have prepared this amended first report in order to include this information which has recently come to our attention.

Over the next few months we will be pursuing the directors to ensure that all relevant information is obtained so full disclosure can be made

#### **5. Proposals for Conducting the Liquidation**

The Liquidators will review all the available accounting and statutory information, which will include pursuing available debtors, and will seek to establish if there were any potentially voidable transactions made by the company.

Further we will look to establish if the directors have completed their statutory duties as required by the Companies Act 1993.

Over the last couple of days in correspondence with solicitors it has come to our attention that there have been a number of disputes with the company, with either legal action having commenced or pending.

One dispute which has resulted in a Mareva Order being placed on the company by Bernard Gillon Motorsport Limited makes it difficult to fulfil our duties as liquidators.

#### **6. Estimated Date of Completion of Liquidation and Notice As To Further Reports**

It is not practicable to estimate the date of the completion of the liquidation at this stage. Further reports will be issued after each six months of the liquidators remaining in office with a final report at the conclusion of the liquidation.

## **7. Creditors Meeting**

No meeting will be held. The Liquidators dispense with holding a creditors meeting pursuant to Section 243 of the Companies Act 1993 as the dividend is expected to be nil or very small.

In accordance with Section 314 of the Companies Act 1993 a creditor or shareholder may request the Liquidators to call a meeting of creditors or shareholders at any time in the course of the Liquidation to vote on a proposal that a Liquidation Committee be appointed to act with the Liquidators. This request must be in writing.

The Liquidators may decline a request by a creditor or a shareholder to call a meeting on the grounds that:

- a) the request is frivolous or vexatious; or
- b) the request was not made in good faith; or
- c) the costs of calling the meeting would be out of proportion to the value of the company's assets.

The decision to decline a request may be reviewed by the Court on the application of any creditor or shareholder.

## **8. Creditors Claims**

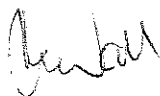
If your terms of trade with the company include reservation of title of goods supplied please contact Blair Millar on 07 571 6280.

Please complete and return the enclosed Unsecured Creditors Claim form by the 30 January 2009 to PO Box 15660, Tauranga. If you believe that you are a secured creditor please contact our Tauranga office and the appropriate forms will be sent to you.

Completion of your claim should be given your urgent attention. If creditors do not lodge a claim with the Liquidators, they are not entitled to share in any distribution to creditors that may be made by the Liquidators.

## **9. Further Information**

If you require any further information or if you have any information that will be of assistance to the Liquidators please contact Blair Millar at our Tauranga Office.



Thomas Lee Rodewald  
*Joint Liquidator*

*Appendix I*  
**Coastline Imports & Exports Limited (In Liquidation)**  
 Statement of Assets & Liabilities as at January 2009  
**Coastline Imports & Exports Limited (In Liquidation)**  
 Statement of Assets & Liabilities as at January 2009

<u>ASSETS</u>	Estimated Realisable Value
Stock on Hand	\$ 20,000
Plant & Equipment	\$ 6,460
Hoist (2008 Launch 2 Post Hoist)	\$ 2,500
Furniture & Fittings	\$ 490
<b>Total Assets</b>	<b>\$ <u>29,450</u></b>
 <u>LIABILITIES</u>	
<i>PREFERENTIAL CREDITORS</i>	
Inland Revenue Department	\$ 52,492
 <i>SECURED CREDITORS</i>	
South Canterbury Finance - Waikato Regional Office	\$ 177,874
Marac Finance	\$ 3,293
 <i>UNSECURED CREDITORS</i>	
	\$ 6,672
 <i>CONTINGENT LIABILITIES (note 2)</i>	
	\$ 380,953
<b>Total Liabilities</b>	<b>\$ <u>621,283</u></b>
<b>Net Deficit</b>	<b>\$ <u>591,833</u></b>

**Note 1**

The statement excludes any liability for the shareholders current accounts and any intercompany and related party debts.

**Note 2**

Items in dispute with legal action either having commenced or pending and include action by:

Graham Collie

Ross Warwick Green & Sue Lynette  
Green

Pick-A-Part Avondale Limited

Bernard Gillon Motorsport Limited

Craig Bullock

*Disclaimer*

*This statement should be read in conjunction with the disclaimer on page one of the above Liquidators report and Rodewald Hart Brown Ltd have not audited the report and they, their directors or employees accept no liability to any other party in relying on the information presented. The purpose of the report is to give creditors of the company an indication of the financial position of the company as at the date of appointment of the liquidators.*

*Rodewald Hart Brown Limited*

## *Appendix II*

### Coastline Imports & Exports Limited (In Liquidation) Schedule of Creditors as at 18<sup>th</sup> December 2008.

Cooney Lees Morgan	PO Box 143	87 First Ave	Tauranga 3140
Young Read Woudberg Ltd	PO Box 948	13 Mclean Street	Tauranga 3140
Inland Revenue Department	Private Bag		Tauranga
Craig Bullock	5 Dent Place		Papakura 2110
Bernard Gillon Motorsport	C-/ Flamecrusher 2006 Ltd	6A Hynds Rd, Greerton	Tauranga
Ross & Sue Green	60 Totara Rd	Whenuapai	Auckland
Pick A Part Avondale Ltd	705 Avondale Road	Avondale	Auckland
Graham Collie	20 Pohutukawa Rd	Whenuapai	Auckland 1008