

DUPLICATE

IN THE HIGH COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY

I TE KŌTI MATUA O AOTEAROA  
ŌTAUTAHI ROHE

CIV-2019- 409-336

UNDER

Part 16 of the Companies Act

IN THE MATTER OF

**ARROW INTERNATIONAL (NZ) LTD (IN LIQUIDATION)** a company having its registered office at Arrow International Group Limited, 1 Broadway, Newmarket, Auckland, 1023, NZ

AND

of an application by **ANDREW JAMES BETHELL, ANDREW JOHN McKAY** Chartered Accountants and CAANZ-accredited Insolvency Practitioners of BDO Auckland Level 4, BDO Centre, 4 Graham Street, Auckland 1010 and **COLIN ANTHONY GOWER**, RITANZ-accredited Insolvency Practitioner of BDO Christchurch Ltd, Level 4, 287/293 Durham Street North, Christchurch Central as liquidators of Arrow International (NZ) Limited (in liquidation)

**Applicants**

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**COURT ORDERS UNDER THE COMPANIES ACT 1993 FOR DIRECTIONS AS TO SERVICE (WITHOUT NOTICE)**

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**BUDDLE FINDLAY**  
NEW ZEALAND LAWYERS  
Barristers and Solicitors  
Christchurch

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1. The without notice interlocutory application made by **ANDREW JAMES BETHELL**, **ANDREW JOHN McKAY** of Auckland, Chartered Accountants, and **COLIN ANTHONY GOWER** of Christchurch, Chartered Accountant, (together, the “**Applicants**”) on 19 June 2019 was determined by the Honourable Associate Judge Lester on 24 June 2019, and varied by minute dated 26 June 2019.
2. The determination was made without a hearing.
3. The following orders were made:
  - (a) service of the originating application for directions and the narrative of the accompanying affidavit of Colin Anthony Latham Gower and memorandum of counsel (the **Application**) shall occur by the applicants:
    - (i) Serving a copy of the Application on the following Clients of Arrow International NZ Limited (in liquidation) (**Arrow**):
      - (1) NZ Ski Limited;
      - (2) Du Velle Properties Limited;
      - (3) Resolute Investments 2016 Limited;
      - (4) Papanui Properties Limited;
      - (5) Presbyterian Support South Canterbury;
      - (6) Harewood Investments Limited;
      - (7) Massey University;
      - (8) The Salvation Army (Wellington and Linwood);
      - (9) Sudima Hotels New Zealand;
      - (10) Dunedin Central Post Office;
    - (ii) serving a copy of the Application on:
      - (1) Trade Contractors, Consultants and Purchase Order Suppliers who were engaged pursuant to a PMCM contract between Arrow and the PMCM Contract client and:



- A. Who were not paid following submission of their January 2019 payment claims; or
- B. in respect of whom Arrow continued to hold retentions against for pre-1 April 2017 contracts.

(2) All secured creditors of Arrow.

- (iii) posting a copy of the application for directions pursuant to section 284(1)(a) Companies Act and the affidavit of Colin Anthony Latham Gower to their website so that general unsecured creditors who may wish to be heard can apply to the Court.
  - (iv) In each case in (i) and (ii) above serving the Application by email to the email address by which the Arrow normally communicates with that party.
  - (v) If a party does not acknowledge receipt of service by email pursuant to (iv) or where an email address is not known, or the email is not successfully delivered, the Application is to be served by posting a copy to the physical address by which Arrow normally communicates with that party.
  - (vi) In each case in (i) and (ii) advising each party that the bundle of documents annexed to the affidavit of Colin Anthony Latham Gower is available on the applicants' website or from the applicants' solicitors.
- (b) leave to join the proceeding is granted to those parties served with the proceeding who wish to be heard providing that those interested parties indicate their intention to be heard within 20 working days of the date of service;
- (c) leave to apply to modify the above orders is granted to the applicants, and to any person who can demonstrate a sufficient interest in the liquidation upon appropriate notice being given to the applicants;
- (d) the reasonable costs of this application be paid out of the assets of Arrow.



Date: 1st July 2019

Signature:



D. McMillan

(Deputy Registrar)