

Petri Enterprises Ltd (In Receivership) (“the Company”)

Company number: 6387415

**Receivers’ First Report on the State of Affairs**

Pursuant to Section 23 of the Receiverships Act 1993

**DATE 4 October 2018**



## 1. Introduction

Thomas Lee Rodewald and Kenneth Peter Brown were appointed joint and several receivers and managers (“Receivers”) of Petri Enterprises Ltd (In Receivership) (“the Company”) on 7 August 2018 under the terms of a General Security Agreement (“GSA”) dated 25 August 2017 giving (“the Bank”) security interests or charges created by the GSA with all the powers conferred by the GSA and at law.

## 2. Restrictions

This report has been prepared by us in accordance with and for the purposes of Section 23 of the Receiverships Act 1993. It is prepared for the sole purpose of reporting on the state of affairs with respect to the property in receivership and the conduct of the Receivership.

All information contained in this report is provided in accordance with Sections 26 and 27 of the Receiverships Act 1993. In compiling this report we have relied upon and not independently verified or audited information or explanations provided to us.

We reserve the right (but will be under no obligation) to review this report and if we consider it necessary to revise the report in the light of any information existing at the date of this report which becomes known to us after that date.

Certain information can be withheld by the Receivers if inclusion would materially prejudice the exercise of the Receivers’ functions.

## 3. Events leading to our appointment

We were approached by the GSA Holder’s legal advisors who requested we meet with them to discuss alternatives. As a result of these discussions receivers and managers were appointed.

## 4. Steps taken since our appointment

The Receivers have undertaken the following since their appointment:

- Following assessment of financial performance and contracts in progress, determined that trading of the Company was not viable;
- Arranged for an inventory and valuation of the Company’s fixed assets;
- Undertaken a tender/sale process for the majority of the Company’s assets;
- Assessed the Personal Property Securities Register (“PPSR”) claims from suppliers;
- Reported to the appointing creditor;
- Contacted unsecured creditors and Inland Revenue;
- Taken legal advice on a range of issues;
- Dealt with finance and leasing matters;
- Undertaken a collection process for accounts receivable balances; and
- Fulfilled our statutory obligations set out in the Receiverships Act 1993.

## 5. Particulars of assets

A statement of affairs at the time of our appointment is attached as **Appendix 1**.

## 6. Property disposed of and any proposals for the disposal of property

We have contacted interested parties who were referred to us regarding the sale of some of the assets.

The large assets were advertised for tender and all items have sold except for one truck. This will be marketed. The smaller assets remaining will be auctioned.

## 7. Particulars of debts and liabilities currently outstanding and requiring to be satisfied from the property in receivership

At the commencement of the receivership, the amounts owed to the GSA Holder was as follows:

The Powell Family Trust                      \$816,526

### Secured creditors

Container Co (NZL) Ltd	Discharged
Gough Gough & Hamer	unknown
Team Talk Limited	Discharged
Toyota Finance Limited	Discharged

Full particulars of securities registered against the Company's assets are attached as **Appendix 2**.

### Preferential creditors

#### Employees

There were no employees at the date of receivership.

#### Inland Revenue

There is no debt owed to the Inland Revenue Department.

### Unsecured creditors

The process of realising the Company's assets is not yet complete, however due to the extent of the GSA holder debt it is unlikely there will be any funds available for unsecured creditors.

## 8. Receipts and Payments to 4 October 2018

We attach as **Appendix 3** a copy of the receipts and payments to date.

## 9. Contact Information

If you require any further information, please direct enquiries to:

Karen Ragg  
Phone: 07 571 6280  
Email: karen.ragg@bdo.co.nz



BDO Tauranga Limited  
PO Box 15660  
TAURANGA 3144

Level 1  
525 Cameron Road  
TAURANGA 3110

Dated this

A handwritten signature in blue ink, appearing to read 'Thomas Lee Rodewald'.

**Thomas Lee Rodewald**  
Receiver and Manager

A handwritten signature in blue ink, appearing to read 'Kenneth Peter Brown'.

**Kenneth Peter Brown**  
Receiver and Manager

*Partners and staff acting as Receivers or Administrators do so as agents of the company without personal liability.*

## APPENDICES

### Appendix 1 - Statement of Affairs as at 7 August 2018

#### APPENDIX 1

Petri Enterprises Limited (In Receivership)

Statement of Affairs

As at 7 August 2018

	Estimated Realisable Value
<b>Assets</b>	<b>\$</b>
Trade debtors	5,000
Office Equipment	300
Motor Vehicles	200,000
Total	<u>205,300</u>
 <b>Less Secured Creditors:</b>	
The Powell Family Trust	816,526
Container Co (NZL) Ltd	Discharged
Gough Gough & Hamer	unknown
TeamTalk Limited	Discharged
Toyota Finance Limited	<u>Discharged</u>
	816,526
 <b>Preferential Creditors</b>	 0
 <b>Deficit before Unsecured Creditors</b>	 <u>(611,226)</u>
 <b>Unsecured Creditors</b>	
Trade Creditors excluding PPSR	<u>41,801</u>
	41,801
 <b>Estimated deficit (subject to costs of Receivership)</b>	 <u><u>(653,027)</u></u>

## Appendix 2 - Securities registered on the PPSR

28/08/2017	The Powell Family Trust - All Present and After Acquired Personal Property
14/08/2017	Teamtalk Limited - Good - Other
15/09/2017	Toyota Finance Limited - Goods - Motor Vehicles
10/10/2017	Container Co (NZ) Limited - Goods - Other
27/11/2017	Gough Gough & Hamer - Goods - Other

### Appendix 3 - Summary of Receipts and Payments to 4 October 2018

RECEIPTS	Total (NZD)
GST on Income	4,820.30
Insurance Refund	697.94
Interest Received	7.56
Plant & Equipment	26,086.96
Pre Appointment Debtors	3,884.80
Stock	1,465.66
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	36,963.22
PAYMENTS	
Advertising	275.41
Courier	6.40
GST on Expenses	3,182.10
Legal Fees	2,258.74
Receivers Fees	11,631.21
Rent Paid	2,000.00
Repairs & Maintenance	3,294.32
RWT	2.12
Searches	2.00
Stationery & Printing	201.00
Storage	300.00
Telephone & Tolls	150.00
Travel & Mileage	164.81
Valuation Fees	930.00
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	24,398.11
Balances in Hand	12,565.11
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	36,963.22