



Rodewald Consulting Limited  
P O Box 15543  
Tauranga 3144  
Phone: 021 227 7408  
E-Mail: tomr@rodewaldconsulting.co.nz

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## **Mahesa Limited (In Liquidation) Liquidator's First Report**

6 November 2018

### **1. Background**

Mahesa Limited ("the Company") was placed into liquidation by special resolution of the shareholders on the 1<sup>st</sup> day of November 2018 at 5:00pm. Thomas Lee Rodewald and Steven Khov, both CA ANZ Accredited Insolvency Practitioners were appointed as Liquidators of the Company.

### **2. Disclaimer**

*This report is not intended for general circulation, nor is it to be reproduced or used for any purpose other than that outlined above without written permission in each specific instance. The Liquidator does not accept any responsibility or liability for any damage or loss occasioned to any party as a result of the circulation, publication, reproduction or use of this report. In particular the Liquidator takes no responsibility for any misinformation contained therein that has been supplied by the company, its officers or any other person. The report is also based upon information available at this date, and the Liquidator therefore reserves the right to review, and if necessary, amend the report.*

### **3. Declaration of Independence, Relevant Relationships and Indemnities**

Attached as **Appendix 1** is the Declaration of Independence, Relevant Relationships and Indemnities.

### **4. Company Information**

Date of Incorporation:	18 March 2015
Trading Address:	124 Hobsonville Road, Hobsonville, Auckland
Type of business:	Café/Restaurant
Date trading ceased:	1 November 2018
Shareholders:	SBCM 2015 Limited, Joewi Hoerijanto, Erina Sharmaine Hoerijanto
	Number of Shares: 1,000
Director:	Erina Sharmaine Hoerijanto

### **5. Events Leading to Appointment of Liquidators**

The Director of the company has advised the reason for the failure of the Company is due to an inability to meet the residual debts of the Company following the sale of the business prior to liquidation. The business traded as the Hobsonville Kitchen.

## **6. Statement of Affairs**

We attach as **Appendix 2** a statement of the Company's affairs as at the date of our appointment.

This has been prepared from information provided by a director of the Company and the Liquidator is not yet able to express an opinion on the validity of that information.

Also attached as **Appendix 3** is a list of known creditors as at the date of appointment.

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

The Liquidator will review the Company's books and records to establish if there are any potentially voidable transactions, any potential shareholder current issues and ensure the Director/s have complied with their duties and obligations imposed on them under the Companies Act 1993.

## **8. 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 six monthly, with a final report at the conclusion of the liquidation.

## **9. Creditors Meeting**

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 such meeting should be held.

A meeting will not be called unless within 10 working days after receiving this notice a creditor gives notice in writing to the Liquidators requiring a meeting to be called.

The Liquidator dispenses 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 Liquidator 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 Liquidator. This request must be in writing.

The Liquidator 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.

#### **10. Creditors Claims**

If your terms of trade with the company include reservation of title of goods supplied please contact Farhana Nisha by email [farhanan@rodewaldconsulting.co.nz](mailto:farhanan@rodewaldconsulting.co.nz).

Please complete and return the enclosed Unsecured Creditors Claim form by 4 January 2019 to PO Box 15543, Tauranga 3144. 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 Liquidator, the creditor is not entitled to share in any distribution to creditors that may be made by the Liquidator.

#### **11. Further Information**

If you require any further information or if you have any information that will be of assistance to the Liquidators please contact Kieran Jones ([kieranj@rodewaldconsulting.co.nz](mailto:kieranj@rodewaldconsulting.co.nz)) at our Auckland Office.



Thomas Lee Rodewald  
*Liquidator*



Steven Khov  
*Liquidator*

**Declaration of Independence, Relevant Relationships and Indemnities**

**Name of Insolvent: Mahesa Limited (In Liquidation)**

We, Thomas Lee Rodewald and Steven Khov, both CA ANZ Accredited Insolvency Practitioners declare that:

**Independence**

- We have undertaken a proper assessment of risks to independence in accordance with the law, code and applicable professional standards;
- We have determined that the assessment identified no real or potential risks to independence.

**Relationship**

We have had the following communication or contact with the insolvent and/or its director and/or associated parties.

- Meetings, phone calls and emails with its Shareholder's

We were referred this appointment by: A shareholder of the company.

We have provided no other information to the insolvent, officers of the insolvent or the advisors.

We have had the following relationship with the insolvent, associates of the insolvent or security holder:

One of the liquidators, Steven Khov has previously been appointed liquidator of one of the shareholders companies and also been appointed as receiver by one of the shareholders previously.

And for the following reason confirm we believe this is not a conflict of interest:

The above previous dealings does not impact the ability for the liquidators to perform their duties in this appointment.

We have not provided any professional services to the company with the preceding 2 years;

We have no other relevant relationships, including personal, business and professional relationships, over the previous 24 months with the insolvent, an associate of the insolvent or any person or entity that has a charge over the whole or substantially whole of the Insolvent's property that should be disclosed.

**Independence and Upfront Payments**

We have received no indemnity from the insolvent or associated party or any other party.

We have received no upfront payment; however we expect the shareholders to cover the liquidators costs.



Thomas Lee Rodewald  
*Liquidator*



Steven Khov  
*Liquidator*

**Mahesa Limited**  
**Statement of Affairs as at the Date of the Appointment of the**  
**Liquidators being 1 November 2018**

	<i>Note</i>	<i>Estimated to Realise</i>
<b>Assets</b>		
Plant & Equipment	1	Nil
Debtors		Nil
Motor vehicles		Nil
Cash in Bank		Nil
		<hr/>
		<hr/>
<b>Less Secured Claims</b>		
Nil		
<b>Less Preferential Claims</b>		
Employee Claims		Unknown
PAYE on Employee Claims		Unknown
IRD – GST		89,000
IRD – PAYE		Unknown
		<hr/>
		<hr/>
<b>Deficit before Unsecured Creditors</b>		<b>(Unknown)</b>
<b>Less Unsecured Creditors</b>		
IRD – Income Tax (penalties & interest)		Unknown
IRD – GST (penalties & interest)		Unknown
IRD – PAYE (penalties & interest)		Unknown
Trade Creditors		24,051
		<hr/>
		<hr/>
<b>Deficit (before costs of liquidation)</b>		<b>(Unknown)</b>

*Disclaimer*

*This statement should be read in conjunction with the disclaimer on page one of the above Liquidator's report and Rodewald Consulting Limited 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 Liquidator.*

*Rodewald Consulting Limited*

**Mahesa Limited**  
**Schedule of Creditors as at 1 November 2018**

Name	Address 1	Address 2	Address 3
Ali Yildiz	54 Stanley Point Road	Stanley Point	Auckland 0624
Best Jet Laundry	3/59 Porana Road	Wairau Valley	Auckland 0627
Bon Accord Products Limited	PO Box 71072	Rosebank	Auckland 1348
City Produce Limited	14 Pelorus Place	Pakuranga	Auckland 2010
Coyo Pty Ltd	60F Surrey Crescent	Grey Lynn	Auckland 1021
CPC (New Zealand) Limited	PO Box 90535	Victoria Street West	Auckland 1142
Enable Business Limited	PO Box 19236	Courtenay Place	Wellington 6149
First Security Guard Services Limited	2 Arthur Brown Place	Mount Wellington	Auckland 1060
Genesis Energy Limited	Private Bag 3131	Waikato Mail Centre	Hamilton 3240
Goodman Fielder New Zealand Limited	PO Box 90450	Victoria Street West	Auckland 1142
Hendrix Refrigeration Limited	11 Bethells Road	Waitakere	Auckland 0614
Inland Revenue Department	PO Box 33130	Takapuna	Auckland
J and P Trade Limited t/a The Fresh Chicken Company	PO Box 39617	Howick	Auckland
Loaf Limited	PO Box 55 125	Eastridge	Auckland 1146
logan Mcdonald			
Markat	PO Box 19607	Woolston	Christchurch 8241
Ocean Electrical Limited	Unit 7a, 43a Linwood Ave	Mount Albert	Auckland 1025
Petes Packaging Limited	PO Box 21589	Henderson	Auckland 0650
POS Connections Limited	48 Bankside Road	Silverdale	Auckland 0932
Provida Foods Limited	PO Box 20 115	Te Rapa	Hamilton 3241
Rentokil Initial Limited	L1, 89 Carbine Road	Mount Wellington	Auckland 1060
Rubiix Accountants Limited	PO Box 8810	Symonds Street	Auckland 1150
Russels Curtains (2003) Limited	PO Box 7118	Nelson Mail Centre	Nelson 7040
Service Foods Limited	PO Box 132330	Sylvia Park	Auckland
Tea Total Limited	PO Box 303 439	North Harbour 0751	Auckland

## CREDITORS CLAIM FORM

(Also for use by Preferential Creditors)

Section 304 (1) Companies Act 1993

Name and postal address of creditor in full ..... ..... ..... ..... Telephone number: ..... My reference is: ..... (if applicable) E-mail address: ..... <input type="checkbox"/> I consent to receiving future information about the company by email	*Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993. The information will be used and retained by Rodewald Consulting Limited and will be released to other parties only with your authorization or in compliance with the Privacy Act 1993. Under section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must - (a) Contain full particulars of the claim; and (b) Identify any documents that evidence or substantiate the claim. You may have access to, and request correction of any personal information. (*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)
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### Mahesa Limited (In Liquidation)

I \_\_\_\_\_ (If claim is made on behalf of creditor, specify relationship to creditor and authority) claim that the company was at the date it was put into liquidation indebted to the above named creditor for the sum of [amount in words and figures]:

\$ \_\_\_\_\_

<b>STATUS OF CLAIM:</b>	<b>TICK</b>
1. I am an unsecured creditor	<input type="checkbox"/>
2. I am surrendering the security I hold and I am claiming as an unsecured creditor	<input type="checkbox"/>
3. I am making a preferential claim (refer details of reverse)	<input type="checkbox"/>
4. I am claiming reservation of title rights pursuant to rights held by me (Refer details on reverse)	<input type="checkbox"/>

Full particulars of the claim are set out, and any supporting documents that substantiate the claim are identified on the reverse of the form. *(Please include copies of all unpaid invoices)*

Signed:	Date:
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**WARNING:-** It is an offence under section 304(6) of the Companies Act 1993 to:-  
 Make, or authorize the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or  
 Omit, or authorize the omission, from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.

Received (Date Stamp)	Reserved for Office Use:  Claim admitted for voting purposes:      Signed:      Date:  Claim rejected for voting purposes:      Signed:      Date:  Claim rejected for payment:      Signed:      Date:  Preferential claim for:      Ordinary Claim for:      Deferred Claim for: \$      \$      \$  Signed Liquidator:      Dated:
Note: If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.	

**Please return this form to:**  
**Rodewald Consulting Ltd, PO Box 15543, Tauranga 3144**  
**carolc@rodewaldconsulting.co.nz**



