

# Plymouth Contracting Limited (In Liquidation) Liquidator's First Report to Creditors and Shareholders as 14 January 2019

## 14 January 2020

## 1. Background

Plymouth Contracting Limited (In Liquidation) ("the Company") was placed into liquidation by special resolution of the shareholders on the 7th day of January 2020 at 4:30pm. Thomas Lee Rodewald, Chartered Accountant of Tauranga was appointed as Liquidator of the company.

## 2. Disclaimer

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## 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:	9 May 2002	
Trading Address:	Nelson	
Type of business:	Building Contracting	
Date trading ceased:	Monday 6 January 2020	
Shareholders:	Ian Ross Jurgeleit	Number of Shares: 110
	Heather Dawn Couper	Number of Shares: 10
Director:	Ian Ross Jurgeleit	

## 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 lack of profitability on building contracts.

## 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 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 Tom Rodewald by phone 021 2277408 or by email: tomr@rodewaldconsulting.co.nz.

Please complete and return the enclosed Unsecured Creditors Claim with proof of debt to carolc@rodewaldconsulting.co.nz If you believe that you are a secured creditor please contact Carol by email 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 Tom Rodewald on 021 2277408 or email: tomr@rodewaldconsulting.co.nz.

Thomas Lee Rodewald *Liquidator* 

## Declaration of Independence, Relevant Relationships and Indemnities

#### Name of Insolvent: Plymouth Contracting Limited

I Thomas Lee Rodewald, Chartered Accountant and accredited Insolvency Practitioner declare that:

#### Independence:

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

#### Relationship

I have not had any communication or prior meeting with the insolvent or its director or any associated party prior to accepting appointment other than to provide necessary documentation.

I was referred this appointment by business consultant Rob Merlo.

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

I have had no relationship with the insolvent, associates of the insolvent or security holder in the preceding 2 years.

I have not provided any professional services to the company with the preceding 2 years.

I have had no other relevant relationships, including personal, business and professional relationships, over the previous 24 months with the insolvent, an associate of the insolvent, a former insolvency practitioner appointed to 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**

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

I have received no upfront payment:

Thomas Lee Rodewald

## Plymouth Contracting Limited(In Liquidation) Statement of Affairs as at the 7 January 2020

Accests	Nata	Estimated to Realise	
Assets Plant & Equipment	Note	Est	30,000
Debtors		ESI	Unknown
Motor vehicles		Est	15,000
Cash in Bank		LSt	11,484
			Unknown
			Cincilo
Less Secured Claims			
Collier Sendal Limited – t/a MTF Nelson			36,612
Building Connexion Limited – t/a ITM Nelson			79,198
Sifco			Unknown
A & K Hydraulics Limited			Unknown
Carpet Court			Nil
Carters Building Supplies Limited			Unknown
<b>Less Preferential Claims</b> Employee Claims IRD – GST IRD – PAYE		_	32661 Unknown Unknown Unknown
Deficit before Unsecured Creditors			Unknown
Less Unsecured Creditors			
IRD			Unknown
Prospa Loan			27,976
Related Party Loans			790,950
Shareholder Current Account Trade Creditors			341,074 211,660
		—	211,669 Unknown
			UIIKIIUWII
Deficit (before costs of liquidation)		_	Unknown

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

## Plymouth Contracting Limited(In Liquidation) Schedule of Creditors as at 7 January 2020

ANZ Bank	anzrecov@anz.com
Building Connexion Limited (ITM Nelson)	accounts@itmmotueka.co.nz
Carpet Court Retailing Limited	robyn.ramsay@carpetcourt.nz
Carters Building Supplies Limited	ppsrcarters@carters.co.nz
Collier Sendall Limited - Motor Trade Finance Limited	ppsr@mtf.co.nz
A1 Concrete pump	admin@a1concrete.co.nz
Aimex Hydrolics Limited	accounts@aimex.co.nz
Berkett Contracting	office@berkettcontracting.co.nz
Blacks Fasteners	accounts@blacksfasteners.co.nz
Broker Web Risk Services	Keiran, Dench@bwrs.co.nz
Buildaprice	admin@buildaprice.co.nz
Can Plan	char@canplan.co.nz
Cardlink	drivecard@cardlink.co.nz
CBA Insurances Limited	ashleigh@cbainsurances.co.nz
Central Engineering Limited	stuart@centralengineering.co.nz
Cerco Automotive	cercoautomotive@yahoo.co.nz
CGW Consulting Engineers	PO Box 711, Nelson 7040
Contour	lesley.james@Contour.nz
Digital Promotions	steph@dp.co.nz
Expert Plastering	expertplasteringltd@xtra.co.nz
Greg Williams Plumbing	captwilly@gmail.co,
H & H Concrete	admin@h-hconcrete.co.nz
Laser Electrical	nelson@laserelectrical.co.nz
Licensed Brick and Block Laying	mcdonaldmasonary@hotmail.com
Lubricants New Zealand Ltd	accounts@lubenz.co.nz
Matthew Davies - Drainlaying	matthewdavies@xtra.co.nz
Metro Direct	nel@metrodirect.co.nz
Mitre 10	admin@meganelson.co.nz
Motueka Septic Tanks	Courtney Street, Motueka 7120
Nelson City Council	customer.service@ncc.govt.nz
Nelson ITM	richard@itmnelson.co.nz
Nelson Weekly Ltd	accounts@nelsonweekly.co.nz
NJD Building Ltd	njdbuilding@gmail.com
Nulook Tasman Bay	pat@nulooktasmanbay.co.nz
Pinnacle Painters	pinnaclepainters@xtra.co.nz
Plumbing World	servicedesk@plumbingworks.co.nz
Premier Services	info@premierservices.co.nz
Prospa	gerard.bryant@prospa.com
SBA Small Business Accounting	Suze@sbanelson.co.nz
Sifco Distributors Limited	accounts@sifco.co.nz
Tasman Bay Scaffolding Limited	tasmanbayscaffolding@gmail.com
Wholesale Landscapes	accountsreceivable@wholesalelandscapes.co.nz

JR Jurgeleit Trust The Jurgeleit-Couper Trust Tony & Kay Jurgeleit Loan Tamaki HD Jurgeleit Loan 49 Tamaki IR & HD Jurgeleit Roger Douglass Nicolas De Feu Luke Stilwell223@gmail.com Lindsay Brady Fraser Craig Chris Barnett

# **CREDITORS CLAIM FORM**

(Also for use by Preferential Creditors) Section 304 (1) Companies Act 1993

Name and postal address	of creditor in fu	JIL	*Any persona administering Companies Ac	the liquidation	lected is for the purpose of in accordance with the
		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 -		
Telephone number: My reference is: (if applicable)		<ul> <li>(a) Contain full particulars of the claim; and</li> <li>(b) Identify any documents that evidence or substantiate the claim.</li> <li>You may have access to, and request correction of any</li> </ul>			
E-mail address: I consent to receiving future information about the company by email		personal information. (*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)			
	Plymout	th Contracting L	imited (In	Liquidation)	
I relationship to creditor a above named creditor for			y was at the d	f claim is made o late it was put int	n behalf of creditor, specify o liquidation indebted to the
					\$
STATUS OF CLAIM:       TICK         1. I am an unsecured creditor					
Full particulars of the claim are set out, and any supporting documents that substantiate the claim are identified on the reverse of the form. ( <i>Please include copies of all unpaid invoices</i> )					
Signed:			Date:		
WARNING:-	Make, or autl knowing it to	be false or misleading	a claim that ; or	is false or mislea	ding in a material particular g that the omission makes the
	claim false or	misleading in a mater	ial particular.		
Received (Date Stamp)	Re	eserved for Office Use			
( , , , , , , , , , , , , , , , , ,	CL	aim admitted for voti	ng purposes:	Signed:	Date:
	cı	aim rejected for votin	g purposes:	Signed:	Date:
	CI	aim rejected for paym	nent:	Signed:	Date:
	Pr \$	eferential claim for:	Ordina \$	ry Claim for:	Deferred Claim for: \$
		gned quidator:		I	Dated:
	Co				ed, regulation 8 of the es that it be recorded in

PARTICULARS OF CLAIM			
Date	Details of claim and Identification of Documents that Evidence or	Amount	
	Substantiate the Claim (i.e., unpaid invoices)	\$	
	RETENTION OF TITLE CLAIMANTS ONLY Please provide details of the basis of your retention of title claim and furnish a copy of the documentation showing that such reservation of title clause is a condition of contract.	>	
	<ul> <li>PREFERENTIAL CLAIMANTS ONLY</li> <li>1. Are you claiming the full amount of your claim as preferential?</li> <li>2. If no, what part of the claim is preferential?</li> <li>3. Why do you believe you are a preferential creditor?</li> <li>(E.g. employee, GST etc)</li> </ul>		
	4. Details of your claim	No. (1)	
		Yes/No	
		\$	

If applicable, please record your GST registration number:

Total GST included in your claim

\$.....

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