



**M B Haulage (2018) Limited(In Liquidation)**  
**Company Number: 6893119**  
**Liquidator's First Report**

13 November 2020

**1. Background**

M B Haulage (2018) Limited (In Liquidation) ("the Company") was placed into liquidation by special resolution of the shareholders on the 9th day of November 2020 at 8:35pm. Thomas Lee Rodewald, Licenced Insolvency Practitioner of Tauranga was appointed Liquidator 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 Liquidators therefore reserve the right to review, and if necessary, amend the report.*

**3. Company Information**

Date of Incorporation: 18 June 2018  
Trading Address: 121 Tauhara Road, Taupo  
Type of business: Road freight transport

Shareholders:	Gordon Donald Brown	Number of Shares: 100
	Matthew Donald Brown	Number of Shares: 1

Directors: Gordon Donald Brown  
Matthew Donald Brown

**4. Events Leading to Appointment of Liquidators**

The Directors of the company have advised the reason for the failure of the Company is due to lack of profitability.

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

## **5. Statement of Affairs**

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

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

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

## **6. 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 Directors have complied with their duties and obligations imposed on them under the Companies Act 1993.

## **7. 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.

## **8. Creditors Meeting**

Pursuant to section 245 of the Companies Act 1993, the liquidator, having regard to the assets and liabilities of the company, the likely result of the liquidation of the company, and other relevant matters, intend to dispense with the meeting of creditors. Should any creditor object to the decision to dispense with the creditors' meeting, they are required to notify the liquidator within 10 working days of the date of publication of this notice.

In accordance with Section 314 of the Companies Act 1993 a creditor or shareholder may request the Liquidator 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 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.

## 9. Creditors Claims

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

Please complete and return the enclosed Unsecured Creditors Claim form by email to: [carolc@rodewaldconsulting.co.nz](mailto:carolc@rodewaldconsulting.co.nz) or post to P.O 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, they are not entitled to share in any distribution to creditors that may be made by the Liquidators.

## 10. Further Information

If you require any further information or if you have any information that will be of assistance to the Liquidator please contact Tom Rodewald on 021 2277408.



Thomas Lee Rodewald (LP49)  
*Liquidator*

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

**M B Haulage (2018) Limited  
Reg No: 6893119 (“COMPANY”)**

This document requires the Practitioner appointed to an insolvent entity to make declarations as to:

- A. their independence generally;
  - B. relationships, including
    1. the circumstances of the appointment;
    2. any relationships with the Company and others within the previous 24 months;
    3. any prior professional services for the Company within the previous 24 months;
    4. that there are no other relationships to declare; and
  - C. any indemnities given, or up-front payments made, to the Practitioner.
- This declaration is made in respect of myself, and Rodewald Consulting Limited.

**A. Independence**

I, Thomas Lee Rodewald, of Rodewald Consulting Tauranga Limited has undertaken a proper assessment of the risks to my independence prior to accepting the appointment as Liquidator of the Company in accordance with the law, RITANZ Code of Conduct and applicable professional standards. This assessment identified no real or potential risks to my independence. I have evaluated the significance of any real or potential risk to Independence and have taken such action as is necessary to preserve the Practitioner’s Independence. In all cases, I am not otherwise aware of any reasons that would prevent me from accepting this appointment.

**B. Declaration of Relationships**

**1. Circumstances of Appointment**

This appointment was referred to Rodewald Consulting by accounting firm GreerCo (MMXV) Limited.

A conflict check was undertaken. Tom Rodewald had one phone call with one of the directors. Documents were prepared and emailed.

I believe that this referral does not result in a conflict of interest or duty because:

- It is recognised there is a need for practitioners to provide advice on an insolvency process and the options available for the Company. It is not considered that such advice results in a conflict or is an impediment to accepting the appointment; and
- The nature of the advice provided during the first telephone conversations is such that it would not be subject to review and challenge during the course of our appointment; and
- The pre-appointment advice will not influence my ability to be able to fully comply with the statutory and fiduciary obligations associated with my appointment in an objective and impartial manner

**2. Relevant Relationships (excluding Professional Services to the Insolvent)**

Other than disclosed herein, neither I, nor my firm, have, or have had within the preceding 24 months, any relationships with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has security over on the whole or substantially whole of the Company's property.

There are no other prior professional or personal relationships that should be disclosed.

**3. Prior Professional Services to the Insolvent**

Neither I, nor my Firm, have provided any professional services to the Company in the previous 24 months, other than those outlined herein.

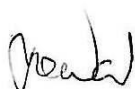
**4. No Other Relevant Relationships to Disclose**

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to M B Haulage (2018) Limited or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

**C. Indemnities and up-front payments**

I have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 11 November 2020



Thomas Lee Rodewald (LP49)  
*Liquidator*

**M B Haulage (2018) Limited(In Liquidation)**  
**Statement of Affairs as at the Date of the Appointment of the**  
**Liquidators 9 November 2020**

	<b>Note</b>	<b>Estimated to Realise</b>
<b>Assets</b>		
Plant & Equipment	1	Unknown
Debtors		7,667
Cash in Bank		0
		326,863
 <b>Less Secured Claims</b>		
Leasing & Finance Limited Partnership		196,279
TR Group Limited		0
Royal Wolf Trading New Zealand Limited		Unknown
Mills-Tui Limited		Discharged
		Unknown
 <b>Less Preferential Claims</b>		
Employee Claims		0
IRD – GST		10,067
		Unknown
 <b>Deficit before Unsecured Creditors</b>		10,067
 <b>Less Unsecured Creditors</b>		
IRD – Income Tax		Unknown
IRD – GST (penalties & interest)		Unknown
Prospa Finance Limited		Unknown
ASB Bank Current Account		24,434
Shareholder Current Account		220,274
Trade Creditors		77,649
		Unknown
 <b>Deficit (before costs of liquidation)</b>		<b>Unknown</b>

*Note 1 – Leasing and Finance Limited Partnership have advised they expect a deficit on realization of the company assets.*

*Disclaimer*

*This statement should be read in conjunction with the disclaimer on page one of the above Liquidators 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*

**M B Haulage (2018) Limited (In Liquidation)  
Schedule of Creditors as at 9 November 2020**

<b>Name</b>	<b>Address 1</b>	<b>Address 2</b>	<b>Address 3</b>
Leasing & Finance Limited Partnership	PO Box 1061		Shortland Street
TR Group Limited	PO Box 12541	Penose	Auckland
Royal Wolf Trading New Zealand Ltd	PO Box 22662	Otahuhu	Auckland 1140
Agtec Machinery	315 Ngaumutawa Rd	Solway	Masterton 5810
Damon Collins Engineering Ltd	PO Box 1348	Taupo 3351	
Equipment & Transport Leasing Ltd	PO Box 10055	Te Rapa	Hamilton 3241
Interislander Account	PO Box 2001	Wellington 6140	
Leasing & Finan	Speirs Finance		
Parts & Services (2019) Ltd	PO Box 151	Taupo 3351	
Prospa	c/ BizDojo Takapuna	33-45 Hurstmere Rd	Takapuna
StraitNZ Bluebridge Ltd	PO Box 1144	Wellington 6140	
Swain Independent Repairs Ltd	26 Vaucluse Drive	Nukuhau	Taupo 3330
V C Tyres Ltd	87-91 Claret Ash Drive	Tauhara	Taupo 3330
ASB Bank	PO Box 35	Shortland Street	Auckland 1140
Gordon Donald Brown			
Matthew Donald Brown			

## 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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### M B Haulage (2018) 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]:

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

**STATUS OF CLAIM:**

1. I am an unsecured creditor
2. I am surrendering the security I hold and I am claiming as an unsecured creditor
3. I am making a preferential claim (refer details of reverse)
4. I am claiming reservation of title rights pursuant to rights held by me  
(Refer details on reverse)

TICK


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:

**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**



**PARTICULARS OF CLAIM**

Date	Details of claim and Identification of Documents that Evidence or Substantiate the Claim (i.e., unpaid invoices)	Amount \$
	<p><b>RETENTION OF TITLE CLAIMANTS ONLY</b> 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.</p> <p><b>PREFERENTIAL CLAIMANTS ONLY</b>                      1. Are you claiming the full amount of your claim as preferential?                      2. If no, what part of the claim is preferential?                      3. Why do you believe you are a preferential creditor?                      (E.g. employee, GST etc) .....                      .....                      4. Details of your claim .....                      .....                      .....</p>	<p align="center">Yes/No</p> <p>\$.....</p>

If applicable, please record your GST registration number:      ..... - ..... - .....

Total GST included in your claim      \$.....