



James Tyler (NZ) Limited (In Liquidation) ("the Company")

Liquidators' Final Report to Creditors and Shareholders

Company Number: 7931796

NZBN: 9429048108362

31 May 2023

Disclaimer

This report is prepared in accordance with section 257 of the Companies Act 1993 and is intended only for the Company's creditors and shareholders for the purposes of reporting on the Company's statement of affairs and the conduct of the liquidation. This report is based upon information available to the Liquidator as at the date of the report. We take no responsibility for any misinformation contained in the report that has been obtained from the Company, its officers or any other persons. This report is not to be reproduced, circulated or used for any other purpose without the Liquidators prior consent and the Liquidators, their firm and its employees accept no responsibility or liability to any party for loss or damaged caused from any use of or reliance on this report.

Appointment

Thomas Lee Rodewald, a Licensed Insolvency Practitioner, was appointed as Liquidator of the above-named Company by Order of the High Court in Auckland on 24 February 2023 at 10:05am pursuant to 241(2)(c) of the Companies Act 1993 ("the Act").

Statutory Reporting

This report is prepared in accordance with section 257 of the Act and should be read in conjunction with the Liquidator's previous reports.

Commentary

The Company was set up as a vehicle for products to be exported. It had no employees, all work preparing documentation was completed in China. The petitioning creditor worked with the James Tyler China team and sent various trial shipments. Eventually two shipments were sent to China, but the product did not sell. Payment was never received for the product so Fonterra Brands (New Zealand) Limited petitioned the Court to place the Company into liquidation.

Conduct of the Liquidation

The Liquidator has taken the following action since the previous reports:

- Investigated whereabouts of Director
- Reviewed bank account
- Completed statutory duties

The Director is located in Australia. Discussions were held via telephone. No progress was made. From prior assignments dealing with Australian based directors can be a costly exercise. In view of the size of the claims lodged it was decided there was no alternative but to finalise the liquidation.

Assets

The Company did not have any assets to realise or distribute.

Creditors

Preferential Creditor Claims

The Liquidator has not received any preferential claims other than the petitioning creditor costs of \$4,512.72.

Secured Creditor Claims

The Liquidator has not received a response from the one secured creditor.

Unsecured Creditor Claims

To date, the Liquidator has received unsecured claims totaling 44,511.87.

Liquidator's Remuneration

No remuneration has been received.

Removal of Company from Register

The Liquidator has given public notice pursuant to section 320(4) of the Act of their intention to remove the Company from the Register. A copy of this notice is provided in Appendix One.

The attention of all creditors and shareholders is drawn to section 321 of the Act which provides that any person may send to the Registrar of Companies, not later than the date specified in the notice, an objection to the removal on any one or more the following grounds:

- a. That the company is still carrying on business or there is other reason for it to continue in existence;
- b. The company is a party to a legal proceeding;
- c. That the company is in receivership, liquidation or both;
- d. That the person is a creditor, or a shareholder, or a person who has an undischarged claim against the Company;
- e. That the person believes that there exists, and intends to pursue, a right of action on behalf of the Company under part IX of the Act; or
- f. That, for any reason, it would not be just an equitable to remove the company from the New Zealand Register.

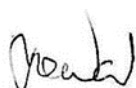
Note: section 312(2) of the Act provides that a claim by a creditor or a shareholder or any other person against a Company is not an "undischarged claim" if a Receiver or Liquidator has notified that person that the Company has no surplus assets.

Any objections must be lodged with the Registrar of Companies by.

Contact Information

If you require any further information or have information that can assist the liquidator, please contact the Liquidators.

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| Contact | Tom Rodewald |
| Email | tomr@rodewaldconsulting.co.nz |
| Phone Number | 021 2277408 |
| Postal Address | PO Box 54413, Tauranga 3144 |



Thomas Lee Rodewald (LP49)
Liquidator

Dated 31 May 2023

Appendix One

Notice to Remove the Company from the Register

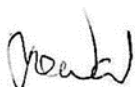
Company: James Tyler (NZ) Limited (In Liquidation) ("the Company")

**Notice of Intention to Remove Company from Register
Pursuant to section 320 of the Companies Act 1993 ("the Act")**

I, Thomas Lee Rodewald, Liquidator of the Company, hereby give notice that pursuant to section 318(1)(e) of the Act and having filed with the Registrar my final report on the liquidation, it is intended to remove the Company from the New Zealand Register.

Any objection to the removal pursuant to section 321 of the Act, must be delivered to the Registrar no later than 30 June 2023.

Dated 31 May 2023



Thomas Lee Rodewald (LP49)
Liquidator