

5 June 2019

TO CREDITOR AS ADDRESSED

Dear Sir/Madam,

44 CUMMINS STREET PTY LTD (IN LIQUIDATION)
A.C.N. 605 229 463 (“the Company”)

I refer to my appointment as Liquidator of the Company on 20 February 2019 and my Statutory Report to Creditors dated 20 May 2019.

I advise that there were insufficient creditors present at the meeting convened on 4 June 2019 to declare a quorum in accordance with Rule 75-105 of the Insolvency Practice Rules (Corporations) 2016 (“IPR”). As such, pursuant to Rule 75-105(4) of the IPR, the meeting was adjourned for seven (7) business days to Friday 14 June 2019 to be held at my office, Level 30, Australia Square, 264 George Street, Sydney NSW 2000. In this regard, please find attached the Notice of Resumption of Meeting of Creditors, Proxy and Formal Proof of Debt form.

Should you have any enquiries, please contact Ms Clair Daher of this office on (02) 8263 2300.

Yours faithfully

44 CUMMINS STREET PTY LTD (IN LIQUIDATION)



PETER KREJCI
Liquidator

Encl.

FORM 529

CORPORATIONS ACT 2001

Insolvency Practice Rules (Corporations)
75-10, 75-15 & 75-20

NOTICE OF RESUMPTION OF MEETING OF CREDITORS
44 CUMMINS STREET PTY LTD (IN LIQUIDATION)
ACN 605 229 463

NOTICE is given that a meeting of the creditors of the Company will be held at the offices of BRI Ferrier Level 30 Australia Square 264 George Street Sydney NSW 2000 on 14 June 2019 at 11:00 a.m.

A G E N D A

1. To receive the Report of the Liquidator;
2. To consider and, if thought fit, approve the remuneration of the Liquidator;
3. To consider and, if thought fit, approve the future remuneration of the Liquidator;
4. To consider and, if thought fit, approve the internal disbursements of the Liquidator; and
5. Any other business that may be lawfully brought forward.

A person, or the proxy or attorney of a person, who participates in the meeting by telephone must pay any costs incurred by the person, proxy or attorney in participating and is not entitled to be reimbursed for those costs from the assets of the company.

Proxies to be used at the meeting should be given to me as Liquidator to the person named a convening the meeting. A creditor can only be represented by proxy or by an attorney pursuant to Insolvency Practice Rules (Corporations) (IPR) 75-150 & 75-155 and if a body corporate by a representative appointed pursuant to Section 250D.

Creditors will not be entitled to vote at this meeting unless they have previously lodged particulars of their claim against the company in accordance with IPR 75-85 and that claim has been admitted for voting purposes wholly or in part by the Liquidator.

Telephone conference facilities will be available at the meeting. Please note under Insolvency Practice Rules (Corporations) (IPR) 75-35 if you wish to participate in the meeting using such facilities you must give to the convener not later than 13 June 2019 a written statement setting out:

- (a) the name of the person and of the proxy or attorney (if any); and
- (b) an address to which notices to the person, proxy or attorney may be sent; and
- (c) a method by which the person, proxy or attorney may be contacted for the purposes of the meeting.

DATED this 5th day of June 2019.

A handwritten signature in black ink, appearing to read 'Peter Krejci', with a stylized flourish at the end.

PETER KREJCI
LIQUIDATOR

BRI FERRIER (NSW) PTY LTD
Level 30
Australia Square
264 George Street
Sydney NSW 2000

Telephone: (02) 8263 2300

FORM 535
CORPORATIONS ACT 2001

Subregulation 5.6.49(2)

FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)
44 CUMMINS STREET PTY LTD (IN LIQUIDATION)
ACN 605 229 463

To the Liquidator of 44 Cummins Street Pty Limited (In Liquidation),

1. This is to state that the Company was, on 20 February 2019 ⁽¹⁾ and still is, justly and truly indebted to⁽²⁾ (full name):

.....
(‘Creditor’)

.....
of (full address)

for \$dollars andcents.

Particulars of the debt are:

Date	Consideration ⁽³⁾ state how the debt arose	Amount \$	GST included \$	Remarks ⁽⁴⁾ include details of voucher substantiating payment

2. To my knowledge or belief the creditor has not, nor has any person by the creditor's order, had or received any manner of satisfaction or security for the sum or any part of it except for the following:

Insert particulars of all securities held. Where the securities are on the property of the company, assess the value of those securities. If any bills or other negotiable securities are held, specify them in a schedule in the following form:

Date	Drawer	Acceptor	Amount \$ c	Due Date

I am **not** a related creditor of the Company ⁽⁵⁾

OR

I am a related creditor of the Company ⁽⁵⁾
relationship: _____

3A.^{(6)*} I am employed by the creditor and authorised in writing by the creditor to make this statement. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

3B.^{(6)*} I am the creditor's agent authorised to make this statement in writing. I know that the debt was incurred and for the consideration stated and that the debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

DATED this day of 2019

Signature of Signatory

NAME IN BLOCK LETTERS

Occupation

Address.....

See Directions overleaf for the completion of this form

OFFICE USE ONLY

POD No:		ADMIT (Voting / Dividend) - Ordinary	\$
Date Received:	/ /	ADMIT (Voting / Dividend) - Preferential	\$
Entered into CORE IPS:		Reject (Voting / Dividend)	\$
Amount per CRA/RATA	\$	Object or H/Over for Consideration	\$
Reason for Admitting / Rejection			
PREP BY/AUTHORISED		TOTAL PROOF	\$
DATE AUTHORISED	/ /		

Proof of Debt Form Directions

- * Strike out whichever is inapplicable.
- (1) Insert date of Court Order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up.
- (2) Insert full name and address (including ABN) of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
- (3) Under "Consideration" state how the debt arose, for example "goods sold and delivered to the company between the dates of", "moneys advanced in respect of the Bill of Exchange".
- (4) Under "Remarks" include details of vouchers substantiating payment.
- (5) Related Party / Entity: Director, relative of Director, related company, beneficiary of a related trust.
- (6) If the Creditor is a natural person and this proof is made by the Creditor personally. In other cases, if, for example, you are the director of a corporate Creditor or the solicitor or accountant of the Creditor, you sign this form as the Creditor's authorised agent (delete item 3A). If you are an authorised employee of the Creditor (credit manager etc), delete item 3B.

Annexures

- A. If space provided for a particular purpose in a form is insufficient to contain all the required information in relation to a particular item, the information must be set out in an annexure.
- B. An annexure to a form must:
 - (a) have an identifying mark;
 - (b) and be endorsed with the words:
 - i) "This is the annexure of *(insert number of pages)* pages marked *(insert an identifying mark)* referred to in the *(insert description of form)* signed by me/us and dated *(insert date of signing)*; and
 - (c) be signed by each person signing the form to which the document is annexed.
- C. The pages in an annexure must be numbered consecutively.
- D. If a form has a document annexed the following particulars of the annexure must be written on the form:
 - (a) the identifying mark; and
 - (b) the number of pages.
- E. A reference to an annexure includes a document that is with a form.

APPOINTMENT OF PROXY
 CREDITORS MEETING

44 CUMMINS STREET PTY LTD (IN LIQUIDATION)
ACN 605 229 463 (“the Company”)

*I/*We ⁽¹⁾	
Of	
being a creditor of the Company, appoint ⁽²⁾ or in his or her absence	
to vote for me/us on my/our behalf at the meeting of creditors to be held on 4 June 2019 at 11:00am, or at any adjournment of that meeting.	

Proxy Type: General Special

Please mark boxes with an “X”	For	Against	Abstain
<p>Resolution 1: <i>“That the remuneration of the Liquidator, his partners and staff for the period 20 February 2019 to 17 May 2019, be fixed in accordance with the hourly rates of charge applicable to that period, as annexed to the Liquidator’s Report to Creditors dated 20 May 2019, and approved to an amount of \$56,743.50 (plus GST) and paid from time to time as determined by the Liquidator.”</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Resolution 2: <i>“That the estimated future remuneration of the Liquidator, his partners and staff for the period 18 May 2019 to the conclusion of the Liquidation, be fixed in accordance with the hourly rates of charge applicable to that period, as annexed to the Liquidator’s Report to Creditors dated 20 May 2019, and approved to an amount of \$43,000.00 (plus GST), and paid from time to time as determined by the Liquidator.”</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Resolution 3: <i>“That the Liquidator be allowed internal disbursements at the rates of charge annexed to the Liquidator’s Remuneration Approval Report dated 20 May 2019, up to an amount of \$1,500.00 (plus GST) and that the Liquidator be authorised to draw that amount as accrued.”</i></p>			

DATED this day of 2019.

Signature

CERTIFICATE OF WITNESS

This certificate is to be completed only if the person giving the proxy is blind or incapable of writing. The signature of the creditor, contributory, debenture holder or member must not be witnessed by the person nominated as proxy.

I, of
certify that the above instrument appointing a proxy was completed by me in the presence of and at the request of the person appointing the proxy and read to him or her before he or she signed or marked the instrument.

Dated:

Signature of Witness:

Description:

Place of Residence: _____

- * Strike out if inapplicable
- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.
- (3) If a special proxy add the words "to vote for" or the words "to vote against" and specify the particular resolution.