#### **INITIAL INFORMATION FOR CREDITORS**

**BRI** Ferrier

#### MPS VICTORIA PTY LTD (IN LIQUIDATION) ACN 666 107 366 RICHSTONE CONSTRUCTION SERVICES PTY LTD (IN LIQUIDATION) ACN 666 107 973 RICHSTONE HOLDINGS PTY LTD (IN LIQUIDATION) ACN 666 106 243 RSG CORPORATE SERVICES PTY LTD (IN LIQUIDATION) ACN 666 106 930 RICHSTONE VICTORIA PTY LTD (IN LIQUIDATION) ACN 665 967 028 ("THE COMPANIES")

Peter Krejci and I were appointed Joint and Several Liquidators of the Companies by resolutions of their members at duly convened members' meetings held on 19 June 2023.

The Companies are now in liquidation and according to the Companies' records you are a creditor of one of the above Companies.

A detailed report outlining our investigations of the Companies' affairs will be issued within three months from the date of our appointment.

We have included the following initial notices and documents in connection with our appointment for your information.

| ltem<br># | ltem   | Description   | Further<br>Action<br>Required<br>by you |
|-----------|--|---|---|
| 1         | Liquidators' Report  | This document provides a brief summary of the tasks we have performed to date and our findings on the Companies' affairs.   | No                                      |
| 2         | Creditors Electronic Communication<br>Method Approval form                       | As a creditor, you have a right to receive all communications<br>from the Liquidators via electronic medium. It is<br>recommended that creditors opt into this notification<br>method.<br>Complete the form and email to <u>info@brifvic.com.au</u> . This<br>document is marked as Annexure "A". | Yes                                     |
| 3         | A Declaration of Independence, Relevant<br>Relationships and Indemnities (DIRRI) | The DIRRI assists you to understand any relevant relationships that we have, and any indemnities or upfront payments that have been provided to us. None of the relationships mentioned in this document affect our independence. Copies of the DIRRIs are marked as Annexure "B"                 | No                                      |

BRI Ferrier Victoria Pty Ltd ABN 18 638 454 029 Trading as BRI Ferrier

Level 10, 45 William Street Melbourne VIC 3000 PO Box 521 Collins Street West VIC 8007 T 03 9622 1800 info@brifvic.com.au www.briferrier.com.au

#### BRI Ferrier...throughout Australia & New Zealand

BRI Ferrier is an association of independent accounting firms. Each of the member firms is a separate and independent legal entity operating under the name "BRI Ferrier" or related names.

Liability limited by a scheme approved under Professional Standards Legislation

| 4 | Summary of Affairs of the company<br>(Form 509)       | On 23 June 2023, the directors completed and provided a summary of the Report on Company Activities and Property ("ROCAP") in the form 509. Copies of the Form 509 are marked as Annexure "C".  | No  |
|---|---|---|---|
| 5 | List of Creditors                                     | A detailed list of the creditors and an estimate of their claims<br>that were shown in the ROCAP.<br>Any creditors related to the Companies are indicated on this<br>form. Copies of the lists of creditors are marked as Annexure<br>"D".  | No  |
| 6 | Information Sheet – Creditor Rights in<br>Liquidation | As a creditor, you have certain rights, although you no<br>longer have the right to seek payment by the Companies of<br>your outstanding debt.<br>This information sheet provides a detailed list of your rights.<br>This document is marked as Annexure "E".                                   | No  |
| 7 | Proof of Debt ("POD") form                            | You must also provide information about what the companies owe you and evidence to support your claim.<br>Please complete and return POD form via email info@brifvic.com.au with your supporting documents.<br>This document is marked as Annexure "F".   | Yes<br>Include<br>supporting<br>documentation |
| 8 | Initial Remuneration Notice                           | This document indicates the costs associated with<br>undertaking each task to perform the liquidation.<br>We may send further notices from time to time to seek<br>approval of our remuneration for the work that we do in<br>completing the tasks. This document is marked as<br>Annexure "G". | No  |

#### What happens next?

| 1 | <ul> <li>Review all notices and documents and contact this office should you<br/>have any queries.</li> </ul>  |
|---|--|
| 2 | <ul> <li>Review the information sheets regarding the liquidation process and the costs of the liquidation.</li> </ul>  |
| 3 | <ul> <li>Complete the 'Proof of Debt' form and return to this office ASAP.</li> <li>Within 3 months of the appointment you will receive a report advising whether a dividend is likely.</li> </ul> |
|   |  |

Should you have any questions in relation to this matter, please contact Joshua May of this office on (03) 9622 1800.

DATED this 29th day of June 2023

DÁVIÓ CÓYNE JOINT AŇD SEVERAL LIQUIDATOR

#### LIQUIDATORS' REPORT TO CREDITORS

MPS VICTORIA PTY LTD (IN LIQUIDATION) ACN 666 107 366

RICHSTONE HOLDINGS PTY LTD (IN LIQUIDATION) ACN 666 106 243

RICHSTONE VICTORIA PTY LTD (IN LIQUIDATION) ACN 665 967 028 RICHSTONE CONSTRUCTION SERVICES PTY LTD (IN LIQUIDATION) ACN 666 107 973

> RSG CORPRATE SERVICES PTY LTD (IN LIQUIDATION) ACN 666 106 930

("THE COMPANIES")

#### 1 INTRODUCTION

Pursuant to Section 70-30 of the Insolvency Practice Rules (Corporations) 2016 ("IPR"), we are required to notify each creditor of the occurrence of the liquidation within ten business days after our appointment.

Please treat this report as the notice pursuant to this Section.

#### 2 BACKGROUND INFORMATION

The Companies operated a commercial plumbing business. We note that this business was purchased in March 2023 from the Voluntary Administrators of the below entities:

- Modular Prefab Solutions VIC Pty Ltd (In Liquidation)
- Richstone Administration Pty Ltd (In Liquidation)
- Richstone Australia Group Pty Ltd (In Liquidation)
- Richstone Plumbing Pty Ltd (In Liquidation)
- Richstone Plumbing VIC Pty Ltd (In Liquidation)
- RSG Business Services Pty Ltd (In Liquidation)

We confirm that the above entities were placed into liquidation at a meeting of creditors held on 21 June 2023 and that we were appointed as the Liquidators.

We note that the certain employee entitlements of Modular Design Pty Ltd were assumed by RSG Corporate Services Pty Ltd. We confirm that we were not and are not appointed to Modular Design Pty Ltd in any capacity.

We understand that the Companies' businesses ceased to trade on 8 June 2023.

We note that MPS Victoria Pty Ltd, Richstone Victoria Pty Ltd and RSG Corporate Services Pty Ltd employed approximately 150 employees. We advise that the employment of all staff of the Companies was terminated on 19 June 2023 as at the date of our appointment.

We are aware of outstanding employee entitlements relating to unpaid wages, superannuation and other employee entitlements.

We note that employees may wish to consider lodging a claim with Fair Entitlements Guarantee. Employees wishing to lodge a claim may do so by following the below link:

https://extranet.employment.gov.au/feg

#### 3 SUMMARY OF AFFAIRS ("SOA")

Pursuant to Section 497(4) of the Act, the directors of the Companies are required to submit to us a Report on Company Activities and Property ("ROCAP") within five business days after the date of the liquidation or such longer period as we allow.

Further, in accordance with Section 497(1) of the Act, within ten business days after the date of the liquidation, we are required to provide copies of the Form 509 - Summary of Affairs of the Companies and a list of creditors, including their address and the estimated amount of their claims, as shown in the records of the companies.

The Form 509 and a list of creditors are enclosed.

#### 4 REPORT ON COMPANY ACTIVITIES AND PROPERTY ("ROCAP")

The ROCAP contains information that is necessary for us to investigate the affairs of the Companies, to determine the Companies' assets and whether they are recoverable for the benefit of creditors, and to enable us to do all things necessary for winding up the affairs of the Companies and distributing its properties.

We received the ROCAPs on 23 June 2023 and details of the ROCAP will be provided in our next report to creditors which will be issued within three (3) months from the date of our appointment.

#### 5 LIQUIDATOR'S ACTS AND DEALINGS SINCE THE APPOINTMENT

Immediately upon our appointment, we have:

- Notified major banking institutions of our appointment and requested that they conduct a search of any accounts held in the Companies name, and if so, to place a freeze on such accounts and notify us of the same.
- Notified major communication and utility providers and requested to be notified of any services provided to the Companies.
- Notified employees with respect to their employment status and the options available in relation to their outstanding employee entitlements.

- Conducted a search of the VicRoads database to identify whether any motor vehicles are registered in the names of the Companies.
- Notified the Sheriff's Office in Victoria of our appointment and requested a search of any warrants issued against the Companies.

We will provide creditors with an update concerning the outcome of the above searches, enquiries, and our further investigations in the next report to creditors.

#### 6 SUMMARY OF RECEIPTS AND PAYMENTS

There are no receipts or payments to date with respect to the liquidations of the Companies.

#### 7 THE LIKELIHOOD OF A DIVIDEND BEING PAID IN THE LIQUIDATION

We are unable to provide an estimate of the likelihood of a dividend to any class of creditor at this time.

A detailed update in relation to this matter will be provided in our next report to creditors.

#### 8 NEXT REPORT TO CREDITORS

As mentioned earlier in this report, a further report to creditors will be issued within three months of the commencement of the liquidation accordingly to the requirements of Section 70-40 of the IPR. The report will include:

- a further update on our investigations into the Companies' examinable affairs;
- a further update on the recoverability and realisation of the Companies' property; and
- our further advice concerning the likelihood and timing of a dividend being paid in the liquidation.

Should you have any questions in relation to this matter, please contact Joshua May of this office on (03) 9622 1800.

DATED this 29th day of June 2023

DAVID COYNE JOINT AND SEVERAL LIQUIDATOR

#### Annexure "A"

### MPS VICTORIA PTY LTD (IN LIQUIDATION) ACN 666 107 366 RICHSTONE CONSTRUCTION SERVICES PTY LTD (IN LIQUIDATION) ACN 666 107 973 RICHSTONE HOLDINGS PTY LTD (IN LIQUIDATION) ACN 666 106 243 RSG CORPORATE SERVICES PTY LTD (IN LIQUIDATION) ACN 666 106 930 RICHSTONE VICTORIA PTY LTD (IN LIQUIDATION) ACN 665 967 028 ("THE COMPANIES")

Corporations Act 2001 Section 600G Insolvency Practice Rules (Corporations) – 75-10

#### CREDITOR'S APPROVAL TO THE USE OF EMAIL BY THE EXTERNAL ADMINISTRATOR WHEN GIVING OR SENDING CERTAIN NOTICES UNDER SECTION 600G OF THE CORPORATIONS ACT 2001

Should you wish to receive notices and documents relating to the external administration of the Companies by email, please complete this form and return it to Joshua May at the address set out below.



I/We authorise the External Administrator on behalf of the Companies and his or her employees and agents to send and give notices and documents where such notices and documents may be sent by email to us using the email address provided below.

| Signature:        |  |
|-------------------|--|
| Creditor name:    |  |
| Creditor address: |  |
| Contact name:     |  |
| Position:         |  |
| Email Address:    |  |
| Contact number:   |  |

Return to:BRI FERRIERVia Email:info@brifvic.com.auVia Post:PO Box 521 Collins Street West, Melbourne VIC 8007



# Annexures "B" Declaration of Independence, Relevant Relationships and Indemnities

MPS VICTORIA PTY LTD (IN LIQUIDATION) ACN 666 107 366

RICHSTONE CONSTRUCTION SERVICES PTY LTD (IN LIQUIDATION) ACN 666 107 973

RICHSTONE HOLDINGS PTY LTD (IN LIQUIDATION) ACN 666 106 243

RSG CORPORATE SERVICES PTY LTD (IN LIQUIDATION) ACN 666 106 930

RICHSTONE VICTORIA PTY LTD (IN LIQUIDATION) ACN 665 967 028

("The Companies")

## Declaration of Independence, Relevant Relationships and Indemnities

**MPS Victoria Pty Ltd** 

(In Liquidation) ACN 666 107 366

19 June 2023

### David Coyne & Peter Krejci Joint and Several Liquidators

BRI Ferrier Victoria Pty Ltd ABN 18 638 454 029 Level 10, 45 William Street, Melbourne VIC 3000 PO Box 521, Collins Street West VIC 8007 Phone (03) 9622 1800 Email: info@brifvic.com.au Website: www.briferrier.com.au BRI Ferrier



Business Reconstruction & Insolvency



The purpose of this document is to assist creditors with understanding any relevant relationships that we have with parties who are closely connected to MPS Victoria Pty Ltd and any indemnities or upfront payments that have been provided to us. None of the relationships disclosed in this document are such that our independence is affected.

This information is provided so you have trust and confidence in our independence and, if not, you can ask for further explanation or information and can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, BRI Ferrier and affiliated offices.

We are Professional Members of the Australian Restructuring Insolvency and Turnaround Association ("ARITA"). We acknowledge that we are bound by the ARITA Code of Professional Practice.

### A. INDEPENDENCE

We, David Coyne and Peter Krejci of BRI Ferrier, have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Joint and Several Liquidators of MPS Victoria Pty Ltd in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

### B. CIRCUMSTANCES OF APPOINTMENT

#### I. HOW I WAS REFERRED THIS APPOINTMENT

This appointment was referred to me by the solicitors acting for MPS Victoria Pty Ltd, Hall & Wilcox. On the same day, Hall & Wilcox referred four (4) related entities to us being:

- Richstone Construction Services Pty Ltd (In Liquidation);
- Richstone Holdings Pty Ltd (In Liquidation);
- Richstone Victoria Pty Ltd (In Liquidation); and
- RSG Corporate Services Pty Ltd (In Liquidation).

We were appointed to these four (4) entities on the same day as MPS Victoria Pty Ltd. Hall & Wilcox has not referred any other matters to BRI Ferrier Victoria Pty Ltd in the last 24 months. Please see section C of this DIRRI for details.

The reasons we believe that this relationship does not result in us having a conflict of interest or duty are:

• Referrals from solicitors, business advisors and accountants are commonplace and do not impact on our independence in carry out our duties as Joint and Several Liquidators.

There is no expectation, agreement or understanding between ourselves and Hall & Wilcox regarding the conduct of the Liquidation and we are free to act independently and in accordance with the law and applicable professional standards.

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#### II. MEETINGS PRIOR TO APPOINTMENT

We have undertaken the following meetings with the director or his advisors regarding MPS Victoria Pty Ltd prior to the acceptance of this appointment.

| Attendees                        | Purpose of Meeting   | Reasons why no conflict of interest or<br>duty  |
|----------------------------------|--|---|
| Katherine Payne<br>Hall & Wilcox | Telephone call on 8 June 2023<br>regarding the trading status and<br>possible appointment of a Liquidator  | The discussions/advice provided at<br>this meeting were not subject to<br>review during the administration and  |
| David Coyne<br>BRI Ferrier       | to Richstone Victoria Pty Ltd (In<br>Liquidation), Richstone Construction<br>Services Pty Ltd (In Liquidation),<br>Richstone Holdings Pty Ltd (In<br>Liquidation), RSG Corporate Services<br>Pty Ltd (In Liquidation) and MPS<br>Victoria Pty Ltd.             | will not impact on compliance with my<br>statutory and fiduciary duties and for<br>this reason, do not, in my opinion, give<br>rise to a conflict of interest of duty.<br>We received no remuneration in<br>relation to these meetings. |
| Katherine Payne<br>Hall & Wilcox | Telephone calls on 13 June 2023 and<br>14 June 2023 regarding the possible<br>timing of the appointment of   |   |
| David Coyne<br>BRI Ferrier       | Liquidators to Richstone Victoria Pty<br>Ltd (In Liquidation), Richstone<br>Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty<br>Ltd (In Liquidation), RSG Corporate<br>Services Pty Ltd (In Liquidation) and<br>MPS Victoria Pty Ltd. |   |
| Katherine Payne<br>Hall & Wilcox | Email on 19 June 2023 to arrange a meeting to execute the documentation to appoint   |   |
| David Coyne<br>BRI Ferrier       | Liquidators to Richstone Victoria Pty<br>Ltd (In Liquidation), Richstone<br>Construction Services Pty Ltd (In  |   |
| Joshua May<br>BRI Ferrier        | Liquidation), Richstone Holdings Pty<br>Ltd (In Liquidation), RSG Corporate<br>Services Pty Ltd (In Liquidation) and   |   |
| Shannon Egglestone<br>Director   | MPS Victoria Pty Ltd.<br>Meeting on 19 June 2023 to assist<br>with the completion of the   |   |

3



|                |                                       | Business Reconstruction & Insolvency |
|----------------|---------------------------------------|--------------------------------------|
| James Williams | documentation to appoint              |                                      |
| John Rocci     | Liquidators to Richstone Victoria Pty |                                      |
|                | Ltd (In Liquidation), Richstone       |                                      |
|                | Construction Services Pty Ltd (In     |                                      |
|                | Liquidation), Richstone Holdings Pty  |                                      |
|                | Ltd (In Liquidation), RSG Corporate   |                                      |
|                | Services Pty Ltd (In Liquidation) and |                                      |
|                | MPS Victoria Pty Ltd.                 |                                      |
|                |                                       |                                      |

We have provided no other information or advice to MPS Victoria Pty Ltd, it director and its advisors prior to our appointment beyond that outlined in this DIRRI.

### C. DECLARATION OF RELATIONSHIPS

# I. RELEVANT RELATIONSHIPS (EXCLUDING PROFESSIONAL SERVICES TO THE INSOLVENT)

| Within the previous two years, have either we, or our firm, had a relationship with: |   |
|--|---|
| MPS Victoria Pty Ltd (In<br>Liquidation)?  | □ Yes ⊠ No  |
| The director?  | □ Yes ⊠ No  |
| Any associates of MPS<br>Victoria Pty Ltd (In  | ⊠ Yes □ No  |
| Liquidation)?  | We were appointed as Joint and Several Liquidators of Richstone<br>Victoria Pty Ltd (In Liquidation), Richstone Construction Services<br>Pty Ltd (In Liquidation), Richstone Holdings Pty Ltd (In Liquidation)<br>and RSG Corporate Services Pty Ltd (In Liquidation) on the same<br>day as our appointment as Joint and Several Liquidators to MPS<br>Victoria Pty Ltd.<br>We believe that these relationships do not result in a conflict of<br>interest and duty as: |
|  | <ul> <li>Richstone Victoria Pty Ltd (In Liquidation), Richstone<br/>Construction Services Pty Ltd (In Liquidation), Richstone<br/>Holdings Pty Ltd (In Liquidation) and RSG Corporate<br/>Services Pty Ltd (In Liquidation) operated a single business<br/>with MPS Victoria Pty Ltd as a group and the Liquidations<br/>can be conducted more efficiently by the same<br/>practitioners.</li> </ul>  |



|   | Business Reconstruction & Insol  |
|---|--|
|   | <ul> <li>We are not aware of any conflicts of interest between the<br/>five (5) entities that would impact on compliance with our<br/>statutory or fiduciary duties.</li> </ul>  |
|   | On 3 March 2023, we were appointed as Voluntary Administrators<br>to Richstone Plumbing Pty Ltd, RSG Business Services Pty Ltd,<br>Modular Prefab Solutions VIC Pty Ltd, Richstone Administration<br>Pty Ltd, Richstone Australia Group Pty Ltd, Richstone Plumbing VIC<br>Pty Ltd in its own right and ATF Richstone Equipment Hire Trust<br>and Richstone VIC Pty Ltd (formerly Richstone Manufacturing &<br>Equipment Pty Ltd).   |
|   | During the course of the Voluntary Administrations, we completed<br>a sale of business and assets as a going concern to Richstone<br>Victoria Pty Ltd (In Liquidation), Richstone Construction Services<br>Pty Ltd (In Liquidation), Richstone Holdings Pty Ltd (In Liquidation),<br>RSG Corporate Services Pty Ltd (In Liquidation) and MPS Victoria<br>Pty Ltd. We sought directions regarding this sales transaction and<br>the Court made Orders that we were justified and otherwise<br>acting reasonably in entering into the sales transaction. |
|   | We confirm that the consideration owed by Richstone Victoria Pty<br>Ltd (In Liquidation), Richstone Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In Liquidation) and MPS Victoria Pty<br>Ltd was fully paid on 14 April 2023 and there are no obligations<br>outstanding between the companies with respect to the sales<br>transaction.   |
| A former insolvency<br>practitioner appointed to<br>MPS Victoria Pty Ltd (In<br>Liquidation)?   | □ Yes 🔊 No   |
| A secured creditor entitled<br>to enforce a security over<br>the whole or substantially<br>the whole of MPS Victoria<br>Pty Ltd (In Liquidation)'s<br>property? | □ Yes ⊠ No   |

#### II. PRIOR PROFESSIONAL SERVICES TO THE INSOLVENT

Neither we, nor our Firm, have provided any professional services to MPS Victoria Pty Ltd in the previous 24 months, other than those outlined herein.

#### III. 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 MPS Victoria Pty Ltd, an associate of MPS Victoria Pty Ltd, a former insolvency practitioner appointed to MPS Victoria Pty Ltd or any person or entity that has



a charge on the whole or substantially whole of MPS Victoria Pty Ltd's property that should be disclosed.

We note that Principals of BRI Ferrier routinely accept nominations and appointments as insolvency practitioners by the major trading banks and creditors such as the Australian Taxation Office. The nature of these relationships varies over time depending on the nature of the engagements. Such relationships do not impede our independence or give rise to a conflict of duties because we accept such engagements only on the basis that our independence will be maintained and the relationships are maintained on professional and commercial terms. We have not had any dealings with any secured creditors or the Australian Taxation Office in relation to MPS Victoria Pty Ltd.

#### D. INDEMNITIES AND UP-FRONT PAYMENTS

We have not been indemnified in relation to this Liquidation, other than any indemnities that we may be entitled to under statute and we have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 19 June 2023

DAVID COYNE



PETER KREJCI

Notes:

- 1. The assessment of independence has been made based on an evaluation of the significance of any threats to independence and in accordance with the requirements of the relevant legislation and professional Standards.
- 2. If circumstances change, or new information is identified, I am required under the Corporations Act 2001 and ARITA's Code of Professional Practice to update this Declaration and provide a copy to creditors with my next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent's creditors. For creditors' voluntary liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.

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## Declaration of Independence, Relevant Relationships and Indemnities

**Richstone Construction Services Pty Ltd** 

(In Liquidation) ACN 666 107 973

19 June 2023

### David Coyne & Peter Krejci Joint and Several Liquidators

BRI Ferrier Victoria Pty Ltd ABN 18 638 454 029 Level 10, 45 William Street, Melbourne VIC 3000 PO Box 521, Collins Street West VIC 8007 Phone (03) 9622 1800 Email: <u>info@brifvic.com.au</u> Website: <u>www.briferrier.com.au</u> BRIFerrier



Business Reconstruction & Insolvency



The purpose of this document is to assist creditors with understanding any relevant relationships that we have with parties who are closely connected to Richstone Construction Services Pty Ltd and any indemnities or upfront payments that have been provided to us. None of the relationships disclosed in this document are such that our independence is affected.

This information is provided so you have trust and confidence in our independence and, if not, you can ask for further explanation or information and can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, BRI Ferrier and affiliated offices.

We are Professional Members of the Australian Restructuring Insolvency and Turnaround Association ("ARITA"). We acknowledge that we are bound by the ARITA Code of Professional Practice.

#### A. INDEPENDENCE

We, David Coyne and Peter Krejci of BRI Ferrier, have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Joint and Several Liquidators of Richstone Construction Services Pty Ltd in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

#### B. CIRCUMSTANCES OF APPOINTMENT

#### I. HOW I WAS REFERRED THIS APPOINTMENT

This appointment was referred to me by the solicitors acting for Richstone Construction Services Pty Ltd, Hall & Wilcox. On the same day, Hall & Wilcox referred four (4) related entities to us being:

- MPS Victoria Pty Ltd (In Liquidation);
- Richstone Holdings Pty Ltd (In Liquidation);
- Richstone Victoria Pty Ltd (In Liquidation); and
- RSG Corporate Services Pty Ltd (In Liquidation).

We were appointed to these four (4) entities on the same day as Richstone Construction Services Pty Ltd. Hall & Wilcox has not referred any other matters to BRI Ferrier Victoria Pty Ltd in the last 24 months. Please see section C of this DIRRI for details.

The reasons we believe that this relationship does not result in us having a conflict of interest or duty are:

• Referrals from solicitors, business advisors and accountants are commonplace and do not impact on our independence in carry out our duties as Joint and Several Liquidators.

There is no expectation, agreement or understanding between ourselves and Hall & Wilcox regarding the conduct of the Liquidation and we are free to act independently and in accordance with the law and applicable professional standards.

2



#### II. MEETINGS PRIOR TO APPOINTMENT

We have undertaken the following meetings with the director or his advisors regarding Richstone Construction Services Pty Ltd prior to the acceptance of this appointment.

| Attendees                        | Purpose of Meeting   | Reasons why no conflict of interest or duty   |
|----------------------------------|--|---|
| Katherine Payne<br>Hall & Wilcox | Telephone call on 8 June 2023<br>regarding the trading status and<br>possible appointment of a Liquidator  | The discussions/advice provided at<br>this meeting were not subject to<br>review during the administration and  |
| David Coyne<br>BRI Ferrier       | to Richstone Victoria Pty Ltd (In<br>Liquidation), MPS Victoria Pty Ltd (In<br>Liquidation), Richstone Holdings Pty<br>Ltd (In Liquidation), RSG Corporate<br>Services Pty Ltd (In Liquidation) and<br>Richstone Construction Services Pty<br>Ltd.             | will not impact on compliance with my<br>statutory and fiduciary duties and for<br>this reason, do not, in my opinion, give<br>rise to a conflict of interest of duty.<br>We received no remuneration in<br>relation to these meetings. |
| Katherine Payne<br>Hall & Wilcox | Telephone calls on 13 June 2023 and<br>14 June 2023 regarding the possible<br>timing of the appointment of   |   |
| David Coyne<br>BRI Ferrier       | Liquidators to Richstone Victoria Pty<br>Ltd (In Liquidation), MPS Victoria Pty<br>Ltd (In Liquidation), Richstone<br>Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In<br>Liquidation) and Richstone<br>Construction Services Pty Ltd. |   |
| Katherine Payne<br>Hall & Wilcox | Email on 19 June 2023 to arrange a<br>meeting to execute the<br>documentation to appoint   |   |
| David Coyne<br>BRI Ferrier       | Liquidators to Richstone Victoria Pty<br>Ltd (In Liquidation), MPS Victoria Pty<br>Ltd (In Liquidation), Richstone   |   |
| Joshua May<br>BRI Ferrier        | Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In<br>Liquidation) and Richstone   |   |
| Shannon Egglestone<br>Director   | Construction Services Pty Ltd.<br>Meeting on 19 June 2023 to assist<br>with the completion of the  |   |



| James Williams documentation to appoint<br>John Rocci Liquidators to Richstone Victoria Pty<br>Ltd (In Liquidation), MPS Victoria Pty<br>Ltd (In Liquidation), Richstone<br>Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In | olvenc |
|--|--------|
| Ltd (In Liquidation), MPS Victoria Pty<br>Ltd (In Liquidation), Richstone<br>Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In  |        |
| Ltd (In Liquidation), Richstone<br>Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In  |        |
| Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In   |        |
| Corporate Services Pty Ltd (In   |        |
|  |        |
|  |        |
| Liquidation) and Richstone   |        |
| Construction Services Pty Ltd.   |        |
|  |        |

We have provided no other information or advice to Richstone Construction Services Pty Ltd, its director and its advisors prior to our appointment beyond that outlined in this DIRRI.

### C. DECLARATION OF RELATIONSHIPS

# I. RELEVANT RELATIONSHIPS (EXCLUDING PROFESSIONAL SERVICES TO THE INSOLVENT)

| Within the previous two years, have either we, or our firm, had a relationship with: |  |
|--|--|
| Richstone Construction<br>Services Pty Ltd (In<br>Liquidation)?                      | □ Yes ⊠ No   |
| The director?  | □ Yes ⊠ No   |
| Any associates of Richstone<br>Construction Services Pty Ltd                         | ⊠ Yes □ No   |
| (In Liquidation)?  | We were appointed as Joint and Several Liquidators of Richstone<br>Victoria Pty Ltd (In Liquidation), MPS Victoria Pty Ltd (In<br>Liquidation), Richstone Holdings Pty Ltd (In Liquidation) and RSG<br>Corporate Services Pty Ltd (In Liquidation) on the same day as our<br>appointment as Joint and Several Liquidators to Richstone<br>Construction Services Pty Ltd.<br>We believe that these relationships do not result in a conflict of |
|  | <ul> <li>Richstone Victoria Pty Ltd (In Liquidation), MPS Victoria<br/>Pty Ltd (In Liquidation), Richstone Holdings Pty Ltd (In<br/>Liquidation) and RSG Corporate Services Pty Ltd (In<br/>Liquidation) operated a single business with Richstone<br/>Construction Services Pty Ltd as a group and the<br/>Liquidations can be conducted more efficiently by the<br/>same practitioners.</li> </ul>   |



|  | <ul> <li>We are not aware of any conflicts of interest between the<br/>five (5) entities that would impact on compliance with our</li> </ul>  |
|--|---|
|  | statutory or fiduciary duties.  |
|  | On 3 March 2023, we were appointed as Voluntary Administrators<br>to Richstone Plumbing Pty Ltd, RSG Business Services Pty Ltd,<br>Modular Prefab Solutions VIC Pty Ltd, Richstone Administration<br>Pty Ltd, Richstone Australia Group Pty Ltd, Richstone Plumbing VIC<br>Pty Ltd in its own right and ATF Richstone Equipment Hire Trust<br>and Richstone VIC Pty Ltd (formerly Richstone Manufacturing &<br>Equipment Pty Ltd).  |
|  | During the course of the Voluntary Administrations, we completed<br>a sale of business and assets as a going concern to Richstone<br>Victoria Pty Ltd (In Liquidation), MPS Victoria Pty Ltd (In<br>Liquidation), Richstone Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In Liquidation) and Richstone<br>Construction Services Pty Ltd. We sought directions regarding this<br>sales transaction and the Court made Orders that we were<br>justified and otherwise acting reasonably in entering into the sales<br>transaction. |
|  | We confirm that the consideration owed by Richstone Victoria Pty<br>Ltd (In Liquidation), MPS Victoria Pty Ltd (In Liquidation),<br>Richstone Holdings Pty Ltd (In Liquidation), RSG Corporate<br>Services Pty Ltd (In Liquidation) and Richstone Construction<br>Services Pty Ltd was fully paid on 14 April 2023 and there are no<br>obligations outstanding between the companies with respect to<br>the sales transaction.  |
| A former insolvency<br>practitioner appointed to<br>Richstone Construction<br>Services Pty Ltd (In<br>Liquidation)?  | □ Yes ⊠ No  |
| A secured creditor entitled<br>to enforce a security over<br>the whole or substantially<br>the whole of Richstone<br>Construction Services Pty Ltd<br>(In Liquidation)'s property? | □ Yes ⊠ No  |

#### II. PRIOR PROFESSIONAL SERVICES TO THE INSOLVENT

Neither we, nor our Firm, have provided any professional services to Richstone Construction Services Pty Ltd in the previous 24 months, other than those outlined herein.



#### III. 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 Richstone Construction Services Pty Ltd, an associate of Richstone Construction Services Pty Ltd, a former insolvency practitioner appointed to Richstone Construction Services Pty Ltd or any person or entity that has a charge on the whole or substantially whole of Richstone Construction Services Pty Ltd's property that should be disclosed.

We note that Principals of BRI Ferrier routinely accept nominations and appointments as insolvency practitioners by the major trading banks and creditors such as the Australian Taxation Office. The nature of these relationships varies over time depending on the nature of the engagements. Such relationships do not impede our independence or give rise to a conflict of duties because we accept such engagements only on the basis that our independence will be maintained and the relationships are maintained on professional and commercial terms. We have not had any dealings with any secured creditors or the Australian Taxation Office in relation to Richstone Construction Services Pty Ltd.

#### D. INDEMNITIES AND UP-FRONT PAYMENTS

We have not been indemnified in relation to this Liquidation, other than any indemnities that we may be entitled to under statute and we have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 19 June 2023

DAVID COYNE

.....

PETER KREJCI

Notes:

- 1. The assessment of independence has been made based on an evaluation of the significance of any threats to independence and in accordance with the requirements of the relevant legislation and professional Standards.
- 2. If circumstances change, or new information is identified, I am required under the Corporations Act 2001 and ARITA's Code of Professional Practice to update this Declaration and provide a copy to creditors with my next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent's creditors. For creditors' voluntary liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.

## Declaration of Independence, Relevant Relationships and Indemnities

**Richstone Holdings Pty Ltd** 

(In Liquidation) ACN 666 106 243

19 June 2023

### David Coyne & Peter Krejci Joint and Several Liquidators

BRI Ferrier Victoria Pty Ltd ABN 18 638 454 029 Level 10, 45 William Street, Melbourne VIC 3000 PO Box 521, Collins Street West VIC 8007 Phone (03) 9622 1800 Email: info@brifvic.com.au Website: www.briferrier.com.au BRI Ferrier



Business Reconstruction & Insolvency



Business Reconstruction & Insolvency The purpose of this document is to assist creditors with understanding any relevant relationships that we have with parties who are closely connected to Richstone Holdings Pty Ltd and any indemnities or upfront payments that have been provided to us. None of the relationships disclosed in this document are such that our independence is affected.

This information is provided so you have trust and confidence in our independence and, if not, you can ask for further explanation or information and can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, BRI Ferrier and affiliated offices.

We are Professional Members of the Australian Restructuring Insolvency and Turnaround Association ("ARITA"). We acknowledge that we are bound by the ARITA Code of Professional Practice.

### A. INDEPENDENCE

We, David Coyne and Peter Krejci of BRI Ferrier, have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Joint and Several Liquidators of Richstone Holdings Pty Ltd in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

#### B. CIRCUMSTANCES OF APPOINTMENT

#### I. HOW I WAS REFERRED THIS APPOINTMENT

This appointment was referred to me by the solicitors acting for Richstone Holdings Pty Ltd, Hall & Wilcox. On the same day, Hall & Wilcox referred four (4) related entities to us being:

- Richstone Construction Services Pty Ltd (In Liquidation);
- MPS Victoria Pty Ltd (In Liquidation);
- Richstone Victoria Pty Ltd (In Liquidation); and
- RSG Corporate Services Pty Ltd (In Liquidation).

We were appointed to these four (4) entities on the same day as Richstone Holdings Pty Ltd. Hall & Wilcox has not referred any other matters to BRI Ferrier Victoria Pty Ltd in the last 24 months. Please see section C of this DIRRI for details.

The reasons we believe that this relationship does not result in us having a conflict of interest or duty are:

• Referrals from solicitors, business advisors and accountants are commonplace and do not impact on our independence in carry out our duties as Joint and Several Liquidators.

There is no expectation, agreement or understanding between ourselves and Hall & Wilcox regarding the conduct of the Liquidation and we are free to act independently and in accordance with the law and applicable professional standards.

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#### II. MEETINGS PRIOR TO APPOINTMENT

We have undertaken the following meetings with the director or his advisors regarding Richstone Holdings Pty Ltd prior to the acceptance of this appointment.

| Attendees          | Purpose of Meeting                     | Reasons why no conflict of interest or<br>duty |
|--------------------|--|--|
| Katherine Payne    | Telephone call on 8 June 2023          | The discussions/advice provided at             |
| Hall & Wilcox      | regarding the trading status and       | this meeting were not subject to               |
|                    | possible appointment of a Liquidator   | review during the administration and           |
| David Coyne        | to Richstone Victoria Pty Ltd (In      | will not impact on compliance with my          |
| BRI Ferrier        | Liquidation), Richstone Construction   | statutory and fiduciary duties and for         |
|                    | Services Pty Ltd (In Liquidation), MPS | this reason, do not, in my opinion, give       |
|                    | Victoria Pty Ltd (In Liquidation), RSG | rise to a conflict of interest of duty.        |
|                    | Corporate Services Pty Ltd (In         |  |
|                    | Liquidation) and Richstone Holdings    | We received no remuneration in                 |
|                    | Pty Ltd.                               | relation to these meetings.                    |
|                    |  | relation to these meetings.                    |
| Katherine Payne    | Telephone calls on 13 June 2023 and    |  |
| Hall & Wilcox      | 14 June 2023 regarding the possible    |  |
|                    | timing of the appointment of           |  |
| David Coyne        | Liquidators to Richstone Victoria Pty  |  |
| BRI Ferrier        | Ltd (In Liquidation), Richstone        |  |
|                    | Construction Services Pty Ltd (In      |  |
|                    | Liquidation), MPS Victoria Pty Ltd (In |  |
|                    | Liquidation), RSG Corporate Services   |  |
|                    | Pty Ltd (In Liquidation) and Richstone |  |
|                    | Holdings Pty Ltd.                      |  |
| Katherine Payne    | Email on 19 June 2023 to arrange a     | -  |
| Hall & Wilcox      | meeting to execute the                 |  |
|                    | documentation to appoint               |  |
| David Coyne        | Liquidators to Richstone Victoria Pty  |  |
| BRI Ferrier        | Ltd (In Liquidation), Richstone        |  |
|                    | Construction Services Pty Ltd (In      |  |
| Joshua May         | Liquidation), MPS Victoria Pty Ltd (In |  |
| BRI Ferrier        | Liquidation), RSG Corporate Services   |  |
|                    | Pty Ltd (In Liquidation) and Richstone |  |
| Shannon Egglestone | Holdings Pty Ltd.                      |  |
| Director           |  |  |
|                    | Meeting on 19 June 2023 to assist      |  |
|                    | with the completion of the             |  |



|                |  | Business Reconstruction & insolvency |
|----------------|--|--------------------------------------|
| James Williams | documentation to appoint               |                                      |
| John Rocci     | Liquidators to Richstone Victoria Pty  |                                      |
|                | Ltd (In Liquidation), Richstone        |                                      |
|                | Construction Services Pty Ltd (In      |                                      |
|                | Liquidation), MPS Victoria Pty Ltd (In |                                      |
|                | Liquidation), RSG Corporate Services   |                                      |
|                | Pty Ltd (In Liquidation) and Richstone |                                      |
|                | Holdings Pty Ltd.                      |                                      |
|                |  |                                      |

We have provided no other information or advice to Richstone Holdings Pty Ltd, its director and its advisors prior to our appointment beyond that outlined in this DIRRI.

#### С. **DECLARATION OF RELATIONSHIPS**

#### **RELEVANT RELATIONSHIPS (EXCLUDING PROFESSIONAL SERVICES TO** Ι. THE INSOLVENT)

| Within the previous two years, have either we, or our firm, had a relationship with: |  |  |
|--|--|--|
| Richstone Holdings Pty Ltd<br>(In Liquidation)?                                      | □ Yes ⊠ No   |  |
| The director?  | □ Yes ⊠ No   |  |
| Any associates of Richstone<br>Holdings Pty Ltd (In<br>Liquidation)?                 | <ul> <li>Yes D No</li> <li>We were appointed as Joint and Several Liquidators of Richstone Victoria Pty Ltd (In Liquidation), Richstone Construction Services Pty Ltd (In Liquidation), MPS Victoria Pty Ltd (In Liquidation) and RSG Corporate Services Pty Ltd (In Liquidation) on the same day as our appointment as Joint and Several Liquidators to Richstone Holdings Pty Ltd.</li> <li>We believe that these relationships do not result in a conflict of interest and duty as:</li> <li>Richstone Victoria Pty Ltd (In Liquidation), Richstone Construction Services Pty Ltd (In Liquidation), MPS Victoria Pty Ltd (In Liquidation), MPS Victoria Pty Ltd (In Liquidation) operated a single business with Richstone Holdings Pty Ltd as a group and the Liquidations can be conducted more efficiently by the same practitioners.</li> </ul> |  |



|   | Business Reconstruction & Insol  |
|---|--|
|   | <ul> <li>We are not aware of any conflicts of interest between the<br/>five (5) entities that would impact on compliance with our<br/>statutory or fiduciary duties.</li> </ul>  |
|   | On 3 March 2023, we were appointed as Voluntary Administrators<br>to Richstone Plumbing Pty Ltd, RSG Business Services Pty Ltd,<br>Modular Prefab Solutions VIC Pty Ltd, Richstone Administration<br>Pty Ltd, Richstone Australia Group Pty Ltd, Richstone Plumbing VIC<br>Pty Ltd in its own right and ATF Richstone Equipment Hire Trust<br>and Richstone VIC Pty Ltd (formerly Richstone Manufacturing &<br>Equipment Pty Ltd).   |
|   | During the course of the Voluntary Administrations, we completed<br>a sale of business and assets as a going concern to Richstone<br>Victoria Pty Ltd (In Liquidation), Richstone Construction Services<br>Pty Ltd (In Liquidation), MPS Victoria Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In Liquidation) and Richstone Holdings<br>Pty Ltd. We sought directions regarding this sales transaction and<br>the Court made Orders that we were justified and otherwise<br>acting reasonably in entering into the sales transaction. |
|   | We confirm that the consideration owed by Richstone Victoria Pty<br>Ltd (In Liquidation), Richstone Construction Services Pty Ltd (In<br>Liquidation), MPS Victoria Pty Ltd (In Liquidation), RSG Corporate<br>Services Pty Ltd (In Liquidation) and Richstone Holdings Pty Ltd<br>was fully paid on 14 April 2023 and there are no obligations<br>outstanding between the companies with respect to the sales<br>transaction.   |
| A former insolvency<br>practitioner appointed to<br>Richstone Holdings Pty Ltd<br>(In Liquidation)?   | □ Yes ,⊠ No  |
| A secured creditor entitled<br>to enforce a security over<br>the whole or substantially<br>the whole of Richstone<br>Holdings Pty Ltd (In<br>Liquidation)'s property? | □ Yes ⊠ No   |

#### II. PRIOR PROFESSIONAL SERVICES TO THE INSOLVENT

Neither we, nor our Firm, have provided any professional services to Richstone Holdings Pty Ltd in the previous 24 months, other than those outlined herein.

#### III. 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 Richstone Holdings Pty Ltd, an associate of Richstone Holdings Pty Ltd, a former insolvency practitioner appointed to Richstone Holdings Pty Ltd or any



person or entity that has a charge on the whole or substantially whole of Richstone Holdings Pty Ltd's property that should be disclosed.

We note that Principals of BRI Ferrier routinely accept nominations and appointments as insolvency practitioners by the major trading banks and creditors such as the Australian Taxation Office. The nature of these relationships varies over time depending on the nature of the engagements. Such relationships do not impede our independence or give rise to a conflict of duties because we accept such engagements only on the basis that our independence will be maintained and the relationships are maintained on professional and commercial terms. We have not had any dealings with any secured creditors or the Australian Taxation Office in relation to Richstone Holdings Pty Ltd.

#### D. INDEMNITIES AND UP-FRONT PAYMENTS

We have not been indemnified in relation to this Liquidation, other than any indemnities that we may be entitled to under statute and we have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 19 June 2023

DAVID COYNE

PETER KREJCI

Notes:

- 1. The assessment of independence has been made based on an evaluation of the significance of any threats to independence and in accordance with the requirements of the relevant legislation and professional Standards.
- 2. If circumstances change, or new information is identified, I am required under the Corporations Act 2001 and ARITA's Code of Professional Practice to update this Declaration and provide a copy to creditors with my next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent's creditors. For creditors' voluntary liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.

## Declaration of Independence, Relevant Relationships and Indemnities

**Richstone Victoria Pty Ltd** 

(In Liquidation) ACN 665 967 028

19 June 2023

### David Coyne & Peter Krejci Joint and Several Liquidators

BRI Ferrier Victoria Pty Ltd ABN 18 638 454 029 Level 10, 45 William Street, Melbourne VIC 3000 PO Box 521, Collins Street West VIC 8007 Phone (03) 9622 1800 Email: info@brifvic.com.au Website: www.briferrier.com.au BRI Ferrier



Business Reconstruction & Insolvency



Business Reconstruction & Insolvency The purpose of this document is to assist creditors with understanding any relevant relationships that we have with parties who are closely connected to Richstone Victoria Pty Ltd and any indemnities or upfront payments that have been provided to us. None of the relationships disclosed in this document are such that our independence is affected.

This information is provided so you have trust and confidence in our independence and, if not, you can ask for further explanation or information and can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, BRI Ferrier and affiliated offices.

We are Professional Members of the Australian Restructuring Insolvency and Turnaround Association ("ARITA"). We acknowledge that we are bound by the ARITA Code of Professional Practice.

### A. INDEPENDENCE

We, David Coyne and Peter Krejci of BRI Ferrier, have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Joint and Several Liquidators of Richstone Victoria Pty Ltd in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

#### B. CIRCUMSTANCES OF APPOINTMENT

#### I. HOW I WAS REFERRED THIS APPOINTMENT

This appointment was referred to me by the solicitors acting for Richstone Victoria Pty Ltd, Hall & Wilcox. On the same day, Hall & Wilcox referred four (4) related entities to us being:

- Richstone Construction Services Pty Ltd (In Liquidation);
- Richstone Holdings Pty Ltd (In Liquidation);
- MPS Victoria Pty Ltd (In Liquidation); and
- RSG Corporate Services Pty Ltd (In Liquidation).

We were appointed to these four (4) entities on the same day as Richstone Victoria Pty Ltd. Hall & Wilcox has not referred any other matters to BRI Ferrier Victoria Pty Ltd in the last 24 months. Please see section C of this DIRRI for details.

The reasons we believe that this relationship does not result in us having a conflict of interest or duty are:

• Referrals from solicitors, business advisors and accountants are commonplace and do not impact on our independence in carry out our duties as Joint and Several Liquidators.

There is no expectation, agreement or understanding between ourselves and Hall & Wilcox regarding the conduct of the Liquidation and we are free to act independently and in accordance with the law and applicable professional standards.

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#### II. MEETINGS PRIOR TO APPOINTMENT

We have undertaken the following meetings with the director or his advisors regarding Richstone Victoria Pty Ltd prior to the acceptance of this appointment.

| Attendees                      | Purpose of Meeting   | Reasons why no conflict of interest or<br>duty  |
|--------------------------------|--|---|
| Katherine Payne                | Telephone call on 8 June 2023  | The discussions/advice provided at  |
| Hall & Wilcox                  | regarding the trading status and possible appointment of a Liquidator  | this meeting were not subject to  |
| David Coyne                    | to MPS Victoria Pty Ltd (In  | review during the administration and will not impact on compliance with my  |
| BRI Ferrier                    | Liquidation), Richstone Construction<br>Services Pty Ltd (In Liquidation),<br>Richstone Holdings Pty Ltd (In<br>Liquidation), RSG Corporate Services<br>Pty Ltd (In Liquidation) and Richstone | statutory and fiduciary duties and for<br>this reason, do not, in my opinion, give<br>rise to a conflict of interest of duty. |
|                                | Victoria Pty Ltd.  | We received no remuneration in  |
|                                |  | relation to these meetings.   |
| Katherine Payne                | Telephone calls on 13 June 2023 and  |   |
| Hall & Wilcox                  | 14 June 2023 regarding the possible timing of the appointment of   |   |
| David Coyne                    | Liquidators to MPS Victoria Pty Ltd  |   |
| BRI Ferrier                    | (In Liquidation), Richstone<br>Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty<br>Ltd (In Liquidation), RSG Corporate<br>Services Pty Ltd (In Liquidation) and       |   |
|                                | Richstone Victoria Pty Ltd.  |   |
| Katherine Payne                | Email on 19 June 2023 to arrange a   |   |
| Hall & Wilcox                  | meeting to execute the documentation to appoint  |   |
| David Coyne                    | Liquidators to MPS Victoria Pty Ltd  |   |
| BRI Ferrier                    | (In Liquidation), Richstone  |   |
| Joshua May                     | Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty  |   |
| BRI Ferrier                    | Ltd (In Liquidation), RSG Corporate  |   |
|                                | Services Pty Ltd (In Liquidation) and  |   |
| Shannon Egglestone<br>Director | Richstone Victoria Pty Ltd.  |   |
|                                | Meeting on 19 June 2023 to assist<br>with the completion of the  |   |
| James Williams                 | documentation to appoint   |   |



|                                       | Business Reconstruction a moonteney  |
|---------------------------------------|--|
| Liquidators to MPS Victoria Pty Ltd   |  |
| (In Liquidation), Richstone           |  |
| Construction Services Pty Ltd (In     |  |
| Liquidation), Richstone Holdings Pty  |  |
| Ltd (In Liquidation), RSG Corporate   |  |
| Services Pty Ltd (In Liquidation) and |  |
| Richstone Victoria Pty Ltd.           |  |
|                                       |  |
|                                       | (In Liquidation), Richstone<br>Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty<br>Ltd (In Liquidation), RSG Corporate<br>Services Pty Ltd (In Liquidation) and |

We have provided no other information or advice to Richstone Victoria Pty Ltd, its director and its advisors prior to our appointment beyond that outlined in this DIRRI.

### C. DECLARATION OF RELATIONSHIPS

# I. RELEVANT RELATIONSHIPS (EXCLUDING PROFESSIONAL SERVICES TO THE INSOLVENT)

| Within the previous two years, have either we, or our firm, had a relationship with: |  |  |
|--|--|--|
| Richstone Victoria Pty Ltd (In Liquidation)?   | □ Yes ⊠ No   |  |
| The director?  | □ Yes ⊠ No   |  |
| Any associates of Richstone<br>Victoria Pty Ltd (In<br>Liquidation)?                 | <ul> <li>Yes D No</li> <li>We were appointed as Joint and Several Liquidators of MPS</li> <li>Victoria Pty Ltd (In Liquidation), Richstone Construction Services</li> <li>Pty Ltd (In Liquidation), Richstone Holdings Pty Ltd (In Liquidation) and RSG Corporate Services Pty Ltd (In Liquidation) on the same day as our appointment as Joint and Several Liquidators to Richstone Victoria Pty Ltd.</li> <li>We believe that these relationships do not result in a conflict of interest and duty as:</li> <li>MPS Victoria Pty Ltd (In Liquidation), Richstone Construction Services Pty Ltd (In Liquidation), Richstone Holdings Pty Ltd (In Liquidation) and RSG Corporate</li> </ul> |  |
|  | Services Pty Ltd (In Liquidation) operated a single business<br>with Richstone Victoria Pty Ltd as a group and the<br>Liquidations can be conducted more efficiently by the<br>same practitioners.   |  |



| Business Reconstruction & Insol  |
|--|
| <ul> <li>We are not aware of any conflicts of interest between the<br/>five (5) entities that would impact on compliance with our<br/>statutory or fiduciary duties.</li> </ul>  |
| On 3 March 2023, we were appointed as Voluntary Administrators<br>to Richstone Plumbing Pty Ltd, RSG Business Services Pty Ltd,<br>Modular Prefab Solutions VIC Pty Ltd, Richstone Administration<br>Pty Ltd, Richstone Australia Group Pty Ltd, Richstone Plumbing VIC<br>Pty Ltd in its own right and ATF Richstone Equipment Hire Trust<br>and Richstone VIC Pty Ltd (formerly Richstone Manufacturing &<br>Equipment Pty Ltd).   |
| During the course of the Voluntary Administrations, we completed<br>a sale of business and assets as a going concern to MPS Victoria<br>Pty Ltd (In Liquidation), Richstone Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In Liquidation) and Richstone Victoria<br>Pty Ltd. We sought directions regarding this sales transaction and<br>the Court made Orders that we were justified and otherwise<br>acting reasonably in entering into the sales transaction. |
| We confirm that the consideration owed by MPS Victoria Pty Ltd<br>(In Liquidation), Richstone Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty Ltd (In Liquidation), RSG<br>Corporate Services Pty Ltd (In Liquidation) and Richstone Victoria<br>Pty Ltd was fully paid on 14 April 2023 and there are no<br>obligations outstanding between the companies with respect to<br>the sales transaction.   |
| □ Yes 🖉 No   |
| □ Yes ⊠ No   |
|  |

#### II. PRIOR PROFESSIONAL SERVICES TO THE INSOLVENT

Neither we, nor our Firm, have provided any professional services to Richstone Victoria Pty Ltd in the previous 24 months, other than those outlined herein.

#### III. 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 Richstone Victoria Pty Ltd, an associate of Richstone Victoria Pty Ltd, a former insolvency practitioner appointed to Richstone Victoria Pty Ltd or any person



or entity that has a charge on the whole or substantially whole of Richstone Victoria Pty Ltd's property that should be disclosed.

We note that Principals of BRI Ferrier routinely accept nominations and appointments as insolvency practitioners by the major trading banks and creditors such as the Australian Taxation Office. The nature of these relationships varies over time depending on the nature of the engagements. Such relationships do not impede our independence or give rise to a conflict of duties because we accept such engagements only on the basis that our independence will be maintained and the relationships are maintained on professional and commercial terms. We have not had any dealings with any secured creditors or the Australian Taxation Office in relation to Richstone Victoria Pty Ltd.

#### D. INDEMNITIES AND UP-FRONT PAYMENTS

We have not been indemnified in relation to this Liquidation, other than any indemnities that we may be entitled to under statute and we have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 19 June 2023

DAVID COYNE

PETER KREJCI

Notes:

- 1. The assessment of independence has been made based on an evaluation of the significance of any threats to independence and in accordance with the requirements of the relevant legislation and professional Standards.
- 2. If circumstances change, or new information is identified, I am required under the Corporations Act 2001 and ARITA's Code of Professional Practice to update this Declaration and provide a copy to creditors with my next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent's creditors. For creditors' voluntary liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.

## Declaration of Independence, Relevant Relationships and Indemnities

**RSG Corporate Services Pty Ltd** 

(In Liquidation) ACN 666 106 930

19 June 2023

### David Coyne & Peter Krejci Joint and Several Liquidators

BRI Ferrier Victoria Pty Ltd ABN 18 638 454 029 Level 10, 45 William Street, Melbourne VIC 3000 PO Box 521, Collins Street West VIC 8007 Phone (03) 9622 1800 Email: info@brifvic.com.au Website: www.briferrier.com.au BRI Ferrier



Business Reconstruction & Insolvency



Business Reconstruction & Insolvency The purpose of this document is to assist creditors with understanding any relevant relationships that we have with parties who are closely connected to RSG Corporate Services Pty Ltd and any indemnities or upfront payments that have been provided to us. None of the relationships disclosed in this document are such that our independence is affected.

This information is provided so you have trust and confidence in our independence and, if not, you can ask for further explanation or information and can act to remove and replace us if you wish.

This declaration is made in respect of ourselves, our partners, BRI Ferrier and affiliated offices.

We are Professional Members of the Australian Restructuring Insolvency and Turnaround Association ("ARITA"). We acknowledge that we are bound by the ARITA Code of Professional Practice.

### A. INDEPENDENCE

We, David Coyne and Peter Krejci of BRI Ferrier, have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as Joint and Several Liquidators of RSG Corporate Services Pty Ltd in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

#### B. CIRCUMSTANCES OF APPOINTMENT

#### I. HOW I WAS REFERRED THIS APPOINTMENT

This appointment was referred to me by the solicitors acting for RSG Corporate Services Pty Ltd, Hall & Wilcox. On the same day, Hall & Wilcox referred four (4) related entities to us being:

- Richstone Construction Services Pty Ltd (In Liquidation);
- Richstone Holdings Pty Ltd (In Liquidation);
- Richstone Victoria Pty Ltd (In Liquidation); and
- MPS Victoria Pty Ltd (In Liquidation).

We were appointed to these four (4) entities on the same day as RSG Corporate Services Pty Ltd. Hall & Wilcox has not referred any other matters to BRI Ferrier Victoria Pty Ltd in the last 24 months. Please see section C of this DIRRI for details.

The reasons we believe that this relationship does not result in us having a conflict of interest or duty are:

• Referrals from solicitors, business advisors and accountants are commonplace and do not impact on our independence in carry out our duties as Joint and Several Liquidators.

There is no expectation, agreement or understanding between ourselves and Hall & Wilcox regarding the conduct of the Liquidation and we are free to act independently and in accordance with the law and applicable professional standards.

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#### II. MEETINGS PRIOR TO APPOINTMENT

We have undertaken the following meetings with the director or his advisors regarding RSG Corporate Services Pty Ltd prior to the acceptance of this appointment.

| Attendees                        | Purpose of Meeting   | Reasons why no conflict of interest or  |
|----------------------------------|--|---|
|                                  |  | duty  |
| Katherine Payne<br>Hall & Wilcox | Telephone call on 8 June 2023<br>regarding the trading status and<br>possible appointment of a Liquidator  | The discussions/advice provided at<br>this meeting were not subject to<br>review during the administration and  |
| David Coyne<br>BRI Ferrier       | to Richstone Victoria Pty Ltd (In<br>Liquidation), Richstone Construction<br>Services Pty Ltd (In Liquidation),<br>Richstone Holdings Pty Ltd (In<br>Liquidation), MPS Victoria Pty Ltd (In<br>Liquidation) and RSG Corporate<br>Services Pty Ltd. | will not impact on compliance with my<br>statutory and fiduciary duties and for<br>this reason, do not, in my opinion, give<br>rise to a conflict of interest of duty.<br>We received no remuneration in<br>relation to these meetings. |
| Katherine Payne                  | Telephone calls on 13 June 2023 and  |   |
| Hall & Wilcox                    | 14 June 2023 regarding the possible timing of the appointment of   |   |
| David Coyne                      | Liquidators to Richstone Victoria Pty  |   |
| BRI Ferrier                      | Ltd (In Liquidation), Richstone<br>Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty<br>Ltd (In Liquidation), MPS Victoria Pty<br>Ltd (In Liquidation) and RSG<br>Corporate Services Pty Ltd.                              |   |
| Katherine Payne                  | Email on 19 June 2023 to arrange a   |   |
| Hall & Wilcox                    | meeting to execute the documentation to appoint  |   |
| David Coyne                      | Liquidators to Richstone Victoria Pty  |   |
| BRI Ferrier                      | Ltd (In Liquidation), Richstone<br>Construction Services Pty Ltd (In   |   |
| Joshua May                       | Liquidation), Richstone Holdings Pty   |   |
| BRI Ferrier                      | Ltd (In Liquidation), MPS Victoria Pty<br>Ltd (In Liquidation) and RSG   |   |
| Shannon Egglestone<br>Director   | Corporate Services Pty Ltd.<br>Meeting on 19 June 2023 to assist   |   |
|                                  | with the completion of the   |   |
| James Williams                   | documentation to appoint   |   |



| John Rocci | Liquidators to Richstone Victoria Pty  |
|------------|--|
|            | Ltd (In Liquidation), Richstone        |
|            | Construction Services Pty Ltd (In      |
|            | Liquidation), Richstone Holdings Pty   |
|            | Ltd (In Liquidation), MPS Victoria Pty |
|            | Ltd (In Liquidation) and RSG           |
|            | Corporate Services Pty Ltd.            |
|            |  |

We have provided no other information or advice to RSG Corporate Services Pty Ltd, its director and its advisors prior to our appointment beyond that outlined in this DIRRI.

### C. DECLARATION OF RELATIONSHIPS

# I. RELEVANT RELATIONSHIPS (EXCLUDING PROFESSIONAL SERVICES TO THE INSOLVENT)

| Within the previous two years, have either we, or our firm, had a relationship with: |   |
|--|---|
| RSG Corporate Services Pty<br>Ltd (In Liquidation)?                                  | □ Yes ⊠ No  |
| The director?  | □ Yes ⊠ No  |
| Any associates of RSG<br>Corporate Services Pty Ltd<br>(In Liquidation)?             | <ul> <li>Yes □ No</li> <li>We were appointed as Joint and Several Liquidators of Richstone<br/>Victoria Pty Ltd (In Liquidation), Richstone Construction Services<br/>Pty Ltd (In Liquidation), Richstone Holdings Pty Ltd (In Liquidation)<br/>and MPS Victoria Pty Ltd (In Liquidation) on the same day as our<br/>appointment as Joint and Several Liquidators to RSG Corporate<br/>Services Pty Ltd.</li> <li>We believe that these relationships do not result in a conflict of<br/>interest and duty as:</li> <li>Richstone Victoria Pty Ltd (In Liquidation), Richstone<br/>Construction Services Pty Ltd (In Liquidation), Richstone<br/>Holdings Pty Ltd (In Liquidation) and MPS Victoria Pty Ltd<br/>(In Liquidation) operated a single business with RSG<br/>Corporate Services Pty Ltd as a group and the Liquidations<br/>can be conducted more efficiently by the same<br/>practitioners.</li> </ul> |



|   | Business Reconstruction & Insol  |
|---|--|
|   | <ul> <li>We are not aware of any conflicts of interest between the<br/>five (5) entities that would impact on compliance with our<br/>statutory or fiduciary duties.</li> </ul>  |
|   | On 3 March 2023, we were appointed as Voluntary Administrators<br>to Richstone Plumbing Pty Ltd, RSG Business Services Pty Ltd,<br>Modular Prefab Solutions VIC Pty Ltd, Richstone Administration<br>Pty Ltd, Richstone Australia Group Pty Ltd, Richstone Plumbing VIC<br>Pty Ltd in its own right and ATF Richstone Equipment Hire Trust<br>and Richstone VIC Pty Ltd (formerly Richstone Manufacturing &<br>Equipment Pty Ltd).   |
|   | During the course of the Voluntary Administrations, we completed<br>a sale of business and assets as a going concern to Richstone<br>Victoria Pty Ltd (In Liquidation), Richstone Construction Services<br>Pty Ltd (In Liquidation), Richstone Holdings Pty Ltd (In Liquidation),<br>MPS Victoria Pty Ltd (In Liquidation) and RSG Corporate Services<br>Pty Ltd. We sought directions regarding this sales transaction and<br>the Court made Orders that we were justified and otherwise<br>acting reasonably in entering into the sales transaction. |
|   | We confirm that the consideration owed by Richstone Victoria Pty<br>Ltd (In Liquidation), Richstone Construction Services Pty Ltd (In<br>Liquidation), Richstone Holdings Pty Ltd (In Liquidation), MPS<br>Victoria Pty Ltd (In Liquidation) and RSG Corporate Services Pty Ltd<br>was fully paid on 14 April 2023 and there are no obligations<br>outstanding between the companies with respect to the sales<br>transaction.   |
| A former insolvency<br>practitioner appointed to<br>RSG Corporate Services Pty<br>Ltd (In Liquidation)?   | □ Yes ⊠ No   |
| A secured creditor entitled<br>to enforce a security over<br>the whole or substantially<br>the whole of RSG Corporate<br>Services Pty Ltd (In<br>Liquidation)'s property? | □ Yes ⊠ No   |

#### II. PRIOR PROFESSIONAL SERVICES TO THE INSOLVENT

Neither we, nor our Firm, have provided any professional services to RSG Corporate Services Pty Ltd in the previous 24 months, other than those outlined herein.

#### III. 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 RSG Corporate Services Pty Ltd, an associate of RSG Corporate Services Pty Ltd, a former insolvency practitioner appointed to RSG Corporate Services Pty



Business Reconstruction & Insolvency

Ltd or any person or entity that has a charge on the whole or substantially whole of RSG Corporate Services Pty Ltd's property that should be disclosed.

We note that Principals of BRI Ferrier routinely accept nominations and appointments as insolvency practitioners by the major trading banks and creditors such as the Australian Taxation Office. The nature of these relationships varies over time depending on the nature of the engagements. Such relationships do not impede our independence or give rise to a conflict of duties because we accept such engagements only on the basis that our independence will be maintained and the relationships are maintained on professional and commercial terms. We have not had any dealings with any secured creditors or the Australian Taxation Office in relation to RSG Corporate Services Pty Ltd.

# D. INDEMNITIES AND UP-FRONT PAYMENTS

We have not been indemnified in relation to this Liquidation, other than any indemnities that we may be entitled to under statute and we have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 19 June 2023

PETER KREJCI

Notes:

- 1. The assessment of independence has been made based on an evaluation of the significance of any threats to independence and in accordance with the requirements of the relevant legislation and professional Standards.
- 2. If circumstances change, or new information is identified, I am required under the Corporations Act 2001 and ARITA's Code of Professional Practice to update this Declaration and provide a copy to creditors with my next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent's creditors. For creditors' voluntary liquidations and voluntary administrations, this document and any updated versions of this document are required to be lodged with ASIC.



# Annexures "C" Summary of Affairs (Form 509)

MPS VICTORIA PTY LTD (IN LIQUIDATION) ACN 666 107 366

RICHSTONE CONSTRUCTION SERVICES PTY LTD (IN LIQUIDATION) ACN 666 107 973

RICHSTONE HOLDINGS PTY LTD (IN LIQUIDATION) ACN 666 106 243

RSG CORPORATE SERVICES PTY LTD (IN LIQUIDATION) ACN 666 106 930

RICHSTONE VICTORIA PTY LTD (IN LIQUIDATION) ACN 665 967 028

("The Companies")

# Presentation of summary of affairs of a company

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement\ Related forms:

5604 Information about the company's affairs sent to creditors

#### **Company details**

Company Name MPS Victoria Pty Ltd ACN 666 107 366

#### Lodgement details

Who should ASIC contact if there is a query about this form?

Name

Joshua May

ASIC registered agent number (if applicable)

Company / entity name

**BRI FERRIER** 

ACN/ABN/ARBN/ARSN

Telephone number

(03) 9622 1800

Postal address

PO Box 521

Collins Street West VIC 8007

Email address (optional)

#### Summary of assets and liabilities

Date to which summary is made up

Date 23/06/23

[D D ] [M M ] [Y Y Y ]

# Continued... Summary of assets and liabilities

|   |  | valuation<br>whether<br>cost or ne<br>amount) | (show<br>t book | estimated<br>realisable values   |
|---|--|---|-----------------|--|
| 1 | assets not specifically charged<br>(a) interest in land<br>(b) sundry debtors<br>(c) cash on hand<br>(d) cash at bank<br>(e) stock as detailed in inventory<br>(f) work in progress as detailed in inventory<br>(g) plant and machinery as detailed in inventory<br>(h) other assets |   |                 | A)NA<br>B) N/A<br>C)N/A<br>D) N/A<br>E) \$15-25 Liquidation value<br>F)KCrema Prefab has<br>no realised value<br>G) \$25-45K<br>H) N/A |
| 2 | Assets subject to specific charges<br>less amounts owing   |   |                 | N/A  |
|   | TOTAL assets   |   |                 | \$40-70K estimated   |
|   | TOTAL estimated realisable values  |   |                 | \$40-70K estimate  |
| 3 | less preferential creditors entitled to priority over<br>the holders of debentures under any floating charge   |   |                 |  |
| 4 | less amounts owing and secured by debenture or floating charge over company's assets to:   |   |                 | N/A  |
| 5 | less preferential creditors<br>estimated amount available for unsecured creditors  |   |                 | N/A  |
| 6 | creditors (unsecured)<br>amount claimed  |   |                 | Creditors \$65,400.19  |
| 7 | balances owing to partly secured creditors<br>total claims<br>security held  |   |                 | N/A  |
| 8 | contingent assets<br>estimated to produce  |   |                 |  |
| 9 | contingent liabilities estimated to rank for<br>estimated deficiency/surplus<br>(subject to costs of administration/liquidation)<br>share capital issued<br>paid up  |   |                 |  |

### Signature

| Jighature  |   |  |  |  |
|--|---|--|--|--|
| This form must be signed by the external administrator/ director | Name of person signings                             |  |  |  |
|  | Shannon Egglestone                                  |  |  |  |
|  | Capacity  |  |  |  |
|  | Director  |  |  |  |
|  | Signature   |  |  |  |
|  | S.C.  |  |  |  |
|  | Date signed   |  |  |  |
|  | 23/06/23  |  |  |  |
|  |   |  |  |  |
| Lodgement  | Send completed and signed forms to:                 | For more information                       |  |  |
|  | Australian Securities and Investments<br>Commission | Web <u>www.asic.gov.au</u>                 |  |  |
|  | PO Box 4000, Gippsland Mail Centre VIC 3841         | Need help? <u>www.asic.gov.au/question</u> |  |  |

Or lodge the form online by visiting the ASIC

website www.asic.gov.au Telephone

1300 300 630

# Presentation of summary of affairs of a company

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement\ Related forms:

5604 Information about the company's affairs sent to creditors

# Company details

Form 509 Corporations Act 2001 497(1)(a)(i)

| Company Name                            |
|---|
| Richstone Construction Services Pty Ltd |
| ACN                                     |
| 666 107 973                             |

#### Lodgement details

# Who should ASIC contact if there is a query about this form?

Name

Joshua May

ASIC registered agent number (if applicable)

Company / entity name

**BRI FERRIER** 

ACN/ABN/ARBN/ARSN

Telephone number

(03) 9622 1800

Postal address

PO Box 521

Collins Street West VIC 8007

Email address (optional)

#### Summary of assets and liabilities

Date to which summary is made up

Date 23/06/23

[D D ] [M M ] [Y Y Y ]

# Continued... Summary of assets and liabilities

|   |  | valuation<br>whether<br>cost or net<br>amount) | (show<br>book | estimated<br>realisable values   |
|---|--|--|---------------|--|
| 1 | assets not specifically charged<br>(a) interest in land<br>(b) sundry debtors<br>(c) cash on hand<br>(d) cash at bank<br>(e) stock as detailed in inventory<br>(f) work in progress as detailed in inventory<br>(g) plant and machinery as detailed in inventory<br>(h) other assets |  |               | A) N/A<br>B) N/A<br>C) N/A<br>D) N/A<br>E) N/A<br>F) N/A<br>G) N/A<br>H) N/A |
| 2 | Assets subject to specific charges<br>less amounts owing   |  |               | N/A  |
|   | TOTAL assets   |  |               | \$0  |
|   | TOTAL estimated realisable values  |  |               | \$0  |
| 3 | less preferential creditors entitled to priority over the holders of debentures under any floating charge  |  |               | N/A  |
| 4 | less amounts owing and secured by debenture or<br>floating charge over company's assets to:  |  |               | N/A  |
| 5 | less preferential creditors<br>estimated amount available for unsecured creditors  |  |               | N/A  |
| 6 | creditors (unsecured)<br>amount claimed  |  |               | N/A  |
| 7 | balances owing to partly secured creditors<br>total claims<br>security held  |  |               | N/A  |
| 8 | contingent assets<br>estimated to produce  |  |               | N/A  |
| 9 | contingent liabilities estimated to rank for<br>estimated deficiency/surplus<br>(subject to costs of administration/liquidation)<br>share capital issued<br>paid up  |  |               | N/A  |

### Signature

| Jighatare  |   |  |  |  |
|--|---|--|--|--|
| This form must be signed by the external administrator/ director | Name of person signings                               |  |  |  |
|  | Shannon Egglestone                                    |  |  |  |
|  | Capacity  |  |  |  |
|  | Director  |  |  |  |
|  | Signature   |  |  |  |
|  | S.Cyt-  |  |  |  |
|  | Date signed   |  |  |  |
|  | 23/06/23  |  |  |  |
|  |   |  |  |  |
| Lodgement  | Send completed and signed forms to:                   | For more information                       |  |  |
|  | Australian Securities and Investments<br>Commission   | Web <u>www.asic.gov.au</u>                 |  |  |
|  | PO Box 4000, Gippsland Mail Centre VIC 3841           | Need help? <u>www.asic.gov.au/question</u> |  |  |
|  | Or lodge the form online by visiting the ASIC website | Telephone 1300 300 630                     |  |  |
|  | www.asic.gov.au                                       |  |  |  |

# Presentation of summary of affairs of a company

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement\ Related forms:

5604 Information about the company's affairs sent to creditors

#### **Company details**

Company Name Richstone Holdings Pty Ltd ACN 666 106 243

#### Lodgement details

Who should ASIC contact if there is a query about this form?

Name

Joshua May

ASIC registered agent number (if applicable)

Company / entity name

**BRI FERRIER** 

ACN/ABN/ARBN/ARSN

Telephone number

(03) 9622 1800

Postal address

PO Box 521

Collins Street West VIC 8007

Email address (optional)

#### Summary of assets and liabilities

Date to which summary is made up Date 23/06/23

[D D ] [M M ] [Y Y Y Y]

Form 509 Corporations Act 2001 497(1)(a)(i)

#### Continued... Summary of assets and liabilities

|   |  | valuation (show<br>whether<br>cost or net book<br>amount) | estimated<br>realisable values |
|---|--|---|--------------------------------|
| 1 | assets not specifically charged<br>(a) interest in land<br>(b) sundry debtors<br>(c) cash on hand<br>(d) cash at bank<br>(e) stock as detailed in inventory<br>(f) work in progress as detailed in inventory<br>(g) plant and machinery as detailed in inventory<br>(h) other assets | Not trading   | Not Trading                    |
| 2 | Assets subject to specific charges<br>less amounts owing   |   | N/A                            |
|   | TOTAL assets   |   |                                |
|   | TOTAL estimated realisable values  |   | N/A                            |
| 3 | less preferential creditors entitled to priority over the holders of debentures under any floating charge  |   | N/A                            |
| 4 | less amounts owing and secured by debenture or<br>floating charge over company's assets to:  |   | N/A                            |
| 5 | less preferential creditors<br>estimated amount available for unsecured creditors  |   | N/A                            |
| 6 | creditors (unsecured)<br>amount claimed  |   | N/A                            |
| 7 | balances owing to partly secured creditors<br>total claims<br>security held  |   | N/A                            |
| 8 | contingent assets<br>estimated to produce  |   | N/A                            |
| 9 | contingent liabilities estimated to rank for<br>estimated deficiency/surplus<br>(subject to costs of administration/liquidation)<br>share capital issued<br>paid up  |   | N/A                            |

#### Signature

| Jighatare  |   |                            |  |
|--|---|----------------------------|--|
| This form must be signed by the external administrator/ director | Name of person signings Shannon Egglestone Capacity |                            |  |
|  |   |                            |  |
|  |   |                            |  |
|  | Director  |                            |  |
|  | Signature   |                            |  |
|  | S. Ent-   |                            |  |
|  | Date signed   |                            |  |
|  | 23/06/23  |                            |  |
|  |   |                            |  |
| Lodgement  | Send completed and signed forms to:                 | For more information       |  |
|  | Australian Securities and Investments               | Web <u>www.asic.gov.au</u> |  |

Australian Securities and Investments Commission PO Box 4000, Gippsland Mail Centre VIC 3841 Or lodge the form online by visiting the ASIC website

www.asic.gov.au

Need help? Telephone www.asic.gov.au/question 1300 300 630

# Presentation of summary of affairs of a company

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement\ Related forms:

5604 Information about the company's affairs sent to creditors

#### **Company details**

Form 509 Corporations Act 2001 497(1)(a)(i)

| Company Name                   |
|--------------------------------|
| RSG Corporate Services Pty Ltd |
| ACN                            |
| 666 106 930                    |

#### **Lodgement details**

Who should ASIC contact if there is a query about this form?

Name

Joshua May

ASIC registered agent number (if applicable)

Company / entity name

**BRI FERRIER** 

ACN/ABN/ARBN/ARSN

Telephone number

(03) 9622 1800

Postal address

PO Box 521

Collins Street West VIC 8007

Email address (optional)

#### Summary of assets and liabilities

Date to which summary is made up Date 23/06/23

[D D ] [M M ] [Y Y Y Y]

# Continued... Summary of assets and liabilities

|   |   | valuation<br>whether<br>cost or<br>amount) | net | (show<br>book | estimated<br>realisable values |
|---|---|--|-----|---------------|--------------------------------|
| 1 | assets not specifically charged<br>(a) interest in land<br>(b) sundry debtors<br>(c) cash on hand   |  |     |               | N/A                            |
|   | <ul> <li>(d) cash at bank</li> <li>(e) stock as detailed in inventory</li> <li>(f) work in progress as detailed in inventory</li> <li>(g) plant and machinery as detailed in inventory</li> <li>(h) other assets</li> </ul> |  |     |               |                                |
| 2 | Assets subject to specific charges<br>less amounts owing  |  |     |               |                                |
|   | TOTAL assets  |  |     |               | N/A                            |
|   | TOTAL estimated realisable values   |  |     |               | \$0                            |
| 3 | less preferential creditors entitled to priority over the holders of debentures under any floating charge   |  |     |               |                                |
| 4 | less amounts owing and secured by debenture or floating charge over company's assets to:  |  |     |               |                                |
| 5 | less preferential creditors<br>estimated amount available for unsecured creditors   |  |     |               |                                |
| 6 | creditors (unsecured)<br>amount claimed   |  |     |               | ATO \$150K approx              |
| 7 | balances owing to partly secured creditors<br>total claims<br>security held   |  |     |               |                                |
| 8 | contingent assets<br>estimated to produce   |  |     |               |                                |
| 9 | contingent liabilities estimated to rank for<br>estimated deficiency/surplus<br>(subject to costs of administration/liquidation)<br>share capital issued<br>paid up   |  |     |               |                                |

# Signature

| Jighature  |   |                                     |  |  |
|--|---|-------------------------------------|--|--|
| This form must be signed by the external administrator/ director | Name of person signings                             |                                     |  |  |
|  | Shannon Egglestone                                  |                                     |  |  |
|  | Capacity  |                                     |  |  |
|  | Director  |                                     |  |  |
|  | Signature   |                                     |  |  |
|  | S. Cyl-   |                                     |  |  |
|  | Date signed   |                                     |  |  |
|  |   |                                     |  |  |
|  | 23/06/23  |                                     |  |  |
|  |   |                                     |  |  |
| Lodgement  | Send completed and signed forms to:                 | For more information                |  |  |
|  | Australian Securities and Investments<br>Commission | Web <u>www.asic.gov.au</u>          |  |  |
|  | PO Box 4000, Gippsland Mail Centre VIC 3841         | Need help? www.asic.gov.au/question |  |  |

Or lodge the form online by visiting the ASIC

website www.asic.gov.au 1300 300 630

Telephone

# Presentation of summary of affairs of a company

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement\ Related forms:

5604 Information about the company's affairs sent to creditors

#### **Company details**

Company Name Richstone Victoria Pty Ltd ACN 665 967 028

#### **Lodgement details**

Who should ASIC contact if there is a query about this form?

#### Name

Joshua May

ASIC registered agent number (if applicable)

Company / entity name

**BRI FERRIER** 

ACN/ABN/ARBN/ARSN

Telephone number

(03) 9622 1800

Postal address

PO Box 521

Collins Street West VIC 8007

Email address (optional)

#### Summary of assets and liabilities

Date to which summary is made up Date 23/06/23

[D D ] [M M ] [Y Y Y Y]

#### Continued... Summary of assets and liabilities

|   |  | valuation<br>whether<br>cost or ne<br>amount) | (show<br>t book | estimated<br>realisable values<br>A) N/A<br>B)\$13K Debtors   |
|---|--|---|-----------------|---|
| 1 | assets not specifically charged<br>(a) interest in land<br>(b) sundry debtors<br>(c) cash on hand<br>(d) cash at bank<br>(e) stock as detailed in inventory<br>(f) work in progress as detailed in inventory<br>(g) plant and machinery as detailed in inventory<br>(h) other assets |   |                 | Crema Approved PS &<br>Withheld Retention \$100k but will be<br>difficult to recover from builders.<br>C)N/A<br>D)\$50K<br>E)20k onsite but recovery is<br>questionable as projects were awarde<br>to new contractors next day<br>F) Variation claims TBA however<br>business received negative EOM May<br>Claims<br>G)\$75-150k<br>H) Work Vehicles \$25-50K |
| 2 | Assets subject to specific charges<br>less amounts owing   |   |                 | \$50K   |
|   | TOTAL assets   |   |                 | \$200-275K  |
|   | TOTAL estimated realisable values  |   |                 | 150-225K  |
| 3 | less preferential creditors entitled to priority over<br>the holders of debentures under any floating charge   |   |                 |   |
| 4 | less amounts owing and secured by debenture or<br>floating charge over company's assets to:  |   |                 | Timelio -\$310K<br>St George Excavator \$50K  |
| 5 | less preferential creditors<br>estimated amount available for unsecured creditors  |   |                 | ТВА   |
| 6 | creditors (unsecured)<br>amount claimed  |   |                 | \$2mil Approx SRO, Gallagher Basset<br>ATO PAYG, BAS<br>Approx \$1.3 etc.   |
| 7 | balances owing to partly secured creditors<br>total claims<br>security held  |   |                 | Timelio -\$310K<br>St George Excavator \$50K  |
| 8 | contingent assets<br>estimated to produce  |   |                 | N/A   |
| 9 | contingent liabilities estimated to rank for<br>estimated deficiency/surplus<br>(subject to costs of administration/liquidation)<br>share capital issued<br>paid up  |   |                 | Type text here  |

### Signature

| Jighature  |   |                            |
|--|---|----------------------------|
| This form must be signed by the external administrator/ director | Name of person signings                             |                            |
|  | Shannon Egglestone                                  |                            |
|  | Capacity  |                            |
|  | Director  |                            |
|  | Signature   |                            |
|  | S.C.  |                            |
|  | Date signed   |                            |
|  | 23/06/23  |                            |
|  |   |                            |
|  | Sand completed and signed forms to:                 | For more information       |
| Lodgement  | Send completed and signed forms to:                 |                            |
|  | Australian Securities and Investments<br>Commission | Web <u>www.asic.gov.au</u> |

Australian Securities and Investments Commission PO Box 4000, Gippsland Mail Centre VIC 3841 Or lodge the form online by visiting the ASIC

website www.asic.gov.au Need help? Telephone www.asic.gov.au/question 1300 300 630



# Annexures "D" List of Creditors

MPS VICTORIA PTY LTD (IN LIQUIDATION) ACN 666 107 366

RICHSTONE CONSTRUCTION SERVICES PTY LTD (IN LIQUIDATION) ACN 666 107 973

RICHSTONE HOLDINGS PTY LTD (IN LIQUIDATION) ACN 666 106 243

RSG CORPORATE SERVICES PTY LTD (IN LIQUIDATION) ACN 666 106 930

RICHSTONE VICTORIA PTY LTD (IN LIQUIDATION) ACN 665 967 028

("The Companies")

# BRI FERRIER MPS Victoria Pty Ltd (In Liquidation) Company Creditors

| Name   | Related? | Address                         | Amount Owed |
|--|----------|---------------------------------|-------------|
| A & K Forklift Maintenance Pty Ltd               |          | akforks@bigpond.com             | 397.65      |
| Ali Saleh  |          | Withheld                        | Uncertain   |
| Australian Taxation Office                       |          | By Portal Only                  | 42,455.00   |
| Calum Kelly                                      |          | Withheld                        | Uncertain   |
| CBus   |          | <u>cbusenq@cbussuper.com.au</u> | 14,087.63   |
| Chris Griffiths                                  |          | Withheld                        | Uncertain   |
| Christos Vergados                                |          | Withheld                        | Uncertain   |
| David Dewhurst                                   |          | Withheld                        | Uncertain   |
| Dylan Liam Smith                                 |          | Withheld                        | Uncertain   |
| Department of Employment and Workplace Relations |          | By Portal Only                  | Uncertain   |
| Gallagher Basset Services Workers Compensation   |          | wcv@gbtpa.com.au                | 8,459.91    |
| German Crescentino                               |          | Withheld                        | Uncertain   |
| Hale Parks                                       |          | Withheld                        | Uncertain   |
| Immanuel Gionta                                  |          | Withheld                        | Uncertain   |
| James Smith                                      |          | Withheld                        | Uncertain   |
| Kevin Akers                                      |          | Withheld                        | Uncertain   |
| Le Tran  |          | Withheld                        | Uncertain   |
| Michael Broadhurst                               |          | Withheld                        | Uncertain   |
| Orlando Pozzebon                                 |          | Withheld                        | Uncertain   |
| Paul Lockley                                     |          | Withheld                        | Uncertain   |
| Paul Tsoraklidis                                 |          | Withheld                        | Uncertain   |
| Shannon Leigh Egglestone                         | Related  | Withheld                        | Uncertain   |
| Swiss Re International Se                        |          | SuretyPPS@assetinsure.com.au    | Uncertain   |

23 Entries Totalling

# BRI FERRIER Richstone Constructions Services Pty Ltd (In Liquidation) Company Creditors

| Name  | Related? | Address   | Amount Owed                         |
|---|----------|---|-------------------------------------|
| Swiss Re International Se<br>Australian Taxation Office<br>Shannon Leigh Egglestone | Related  | SuretyPPS@assetinsure.com.au<br>By Portal Only<br><i>Withheld</i> | Uncertain<br>Uncertain<br>Uncertain |
|   |          |   |                                     |

3 Entries Totalling

Uncertain

# BRI FERRIER Richstone Holdings Pty Ltd (In Liquidation) Company Creditors

| Name  | Related? | Address                           | Amount Owed                         |
|---|----------|-----------------------------------|-------------------------------------|
| Swiss Re International Se<br>Australian Taxation Office<br>Shannon Leigh Egglestone | Related  | By Portal Only<br><i>Withheld</i> | Uncertain<br>Uncertain<br>Uncertain |
| 3 Entries Totalling   |          |                                   | Uncertain                           |

# BRI FERRIER RSG Corporate Services Pty Ltd (In Liquidation) Company Creditors

| Name   | Related? | Address                      | Amount Owed |
|--|----------|------------------------------|-------------|
| Swiss Re International                           |          | SuretyPPS@assetinsure.com.au | Uncertain   |
| Australian Taxation Office                       |          | By Portal Only               | 108,017.00  |
| CBUS   |          | cbusenq@cbussuper.com.au     | 36,986.22   |
| Department of Employment and Workplace Relations |          | By Portal Only               | Uncertain   |
| Liam Collins                                     |          | Withheld                     | Uncertain   |
| Christopher Higgins                              |          | Withheld                     | Uncertain   |
| Darren Luo                                       |          | Withheld                     | Uncertain   |
| Des Miller                                       |          | Withheld                     | Uncertain   |
| Tracy Gsodam                                     |          | Withheld                     | Uncertain   |
| James Williams                                   |          | Withheld                     | Uncertain   |
| John Rocci                                       |          | Withheld                     | Uncertain   |
| Jonathan Handojo                                 |          | Withheld                     | Uncertain   |
| Joseph Steele                                    |          | Withheld                     | Uncertain   |
| Nathanael Gionta                                 |          | Withheld                     | Uncertain   |
| Rhett Newell                                     |          | Withheld                     | Uncertain   |
| Ronald De Vos                                    |          | Withheld                     | Uncertain   |
| Shannon Egglestone                               |          | Withheld                     | Uncertain   |
| Thomas Kelsall                                   |          | Withheld                     | Uncertain   |
| Veasna Sok                                       |          | Withheld                     | Uncertain   |
| Shannon Leigh Egglestone                         | Related  | Withheld                     | Uncertain   |

### 20 Entries Totalling

145,003.22

#### **BRI FERRIER**

# Richstone Victoria Pty Ltd (In Liquidation) Company Creditors

| Name   | Related? | Address   | Amount Owed  |
|--|----------|---|--------------|
| Timelio Pty Ltd                                  |          | ppsr@timelio.com.au   | Uncertain    |
| Site Safe (VIC) Pty Ltd                          |          | heidi@sitesafe.com.au   | Uncertain    |
| Oak Capital Wholesale Fund Pty Ltd               |          | ppsr@firstmortgagecapital.com.au                                | Uncertain    |
| Swiss Re International Se                        |          | SuretyPPS@assetinsure.com.au                                    | Uncertain    |
| BOC Limited                                      |          | ppsr@boc.com  | Uncertain    |
| Drillcut Pty Ltd                                 |          | drillcut@pps-autodocs.com.au                                    | Uncertain    |
| Hilti (Aust.) Pty. Ltd.                          |          | aucreditapplications@hilti.com                                  | Uncertain    |
| Fleet Partners Pty Limited                       |          | ppsr@fleetpartners.com.au                                       | Uncertain    |
| Australian Taxation Office                       |          | By Portal Only  | 1,187,472.70 |
| Access Utility Engineering                       |          | info@accessue.com.au  | 1,320.00     |
| Belmores Chartered Accountants Yarra             |          | Oliver.Rae@belmores.com.au                                      | 32,835.00    |
| BP Australia Pty Ltd                             |          | GPO Box 1621, Melbourne VIC 3001                                | 6,359.37     |
| CBus   |          | cbuseng@cbussuper.com.au  | 180,540.98   |
| Coinvest   |          | info@coinvest.com.au  | 73,518.06    |
| Conqa Pty Ltd                                    |          | accounts@conqahq.com  | 14,025.00    |
| Diamond Sawing and Scanning Pty Ltd              |          | Uncertain   | 1,266.10     |
| Enan Al-Jazvawi                                  |          | 1 Shortridge Cct, Roxburgh Park, VIC 3064                       | Uncertain    |
| Egglestone Electrical Services Pty Ltd           | Related  | james@egglec.com.au   | 10,311.00    |
| Energy Australia                                 |          | iba@energyaustralia.com.au                                      | 994.59       |
| EZPrinting Pty Ltd                               |          | Factory 8 / 18 Bormar Drive, Pakenham, Victoria 3810            | 649.00       |
| Fox Computer Management Australia Pty Ltd        |          | 15 Patrick St, Campbellfield VIC 3061                           | 12,127.44    |
| Department of Employment and Workplace Relations |          | By Portal Only  | Uncertain    |
| GEA Security Pty Ltd                             |          | admin@geagroup.com.au   | 155.00       |
| Incolink   |          | support@incolink.org.au   | 95,835.05    |
| Linkt  |          | Linkt Melbourne, Locked Bag 28, South Melbourne, VIC 3205       | 9,307.20     |
| Nu Group Lagging                                 |          | info@nugroupinsulationlagging.com.au                            | Uncertain    |
| North Coburg Medical Centre                      |          | Level 1/11-17 Orvieto Street, Coburg North,, Melbourne VIC 3058 | 123.90       |
| Prava Plumbing & Roofing                         |          | Riddell Rd, Riddells Creek, VIC 3431                            | 2,380.00     |
| State Revenue Office                             |          | By Portal Only  | 91,951.84    |
| Sunbury Mower and Chainsaw Centre                |          | enquiries@sunburymowercc.com.au                                 | 1,190.25     |
| Tax Assure                                       |          | hello@taxassure.com.au  | 38,833.37    |
| Telstra  |          | ice@online.telstra.com.au                                       | 3,910.43     |
| Aaron Brockhouse                                 |          | Withheld  | Uncertain    |
| Aaron Stone                                      |          | Withheld  | Uncertain    |
| Adam Watts                                       |          | Withheld  | Uncertain    |
| Adam Wynne                                       |          | Withheld  | Uncertain    |
| Akexander Rostankovski                           |          | Withheld  | Uncertain    |
| Andy D'Arma                                      |          | Withheld  | Uncertain    |
| Anthony Beadel                                   |          | Withheld  | Uncertain    |
|  |          |   |              |

| Anthony Cappadona    | Withheld | Uncertain |
|----------------------|----------|-----------|
| Anthony Casauria     | Withheld | Uncertain |
| Anthony Pascoe       | Withheld | Uncertain |
| Anthony Prendergast  | Withheld | Uncertain |
| Ayden Dyson-Holland  | Withheld | Uncertain |
| Barry Newton         | Withheld | Uncertain |
| Ben Ferris           | Withheld | Uncertain |
| Benjamin Morris      | Withheld | Uncertain |
| Ben Woods            | Withheld | Uncertain |
| Blake Warren         | Withheld | Uncertain |
| Brady Egan           | Withheld | Uncertain |
| Brendon Moloney      | Withheld | Uncertain |
| Brent Hicks          | Withheld | Uncertain |
| Cameron Coleman      | Withheld | Uncertain |
| Charlie Dixon        | Withheld | Uncertain |
| Christopher Wickens  | Withheld | Uncertain |
| Christopher Zapantis | Withheld | Uncertain |
| Christopher Kelly    | Withheld | Uncertain |
| Craig Clarke         | Withheld | Uncertain |
| Dane Coulson         | Withheld | Uncertain |
| Daniel Cammilleri    | Withheld | Uncertain |
| Daniel Cavero        | Withheld | Uncertain |
| Daniel Cartisano     | Withheld | Uncertain |
| Daniel Hare          | Withheld | Uncertain |
| Dean Nikolopoulos    | Withheld | Uncertain |
| Dean Petras          | Withheld | Uncertain |
| Justin Durrant       | Withheld | Uncertain |
| Finlay De Lacy       | Withheld | Uncertain |
| Gabriel Rocci        | Withheld | Uncertain |
| George Perry         | Withheld | Uncertain |
| Grant Ellis          | Withheld | Uncertain |
| Greg Ristovichis     | Withheld | Uncertain |
| John Ganon           | Withheld | Uncertain |
| Hannah Gutterson     | Withheld | Uncertain |
| Harley Anderson      | Withheld | Uncertain |
| Harrison Patton      | Withheld | Uncertain |
| Heath Lenne          | Withheld | Uncertain |
| Ian Seamons          | Withheld | Uncertain |
| Ryan Johnson         | Withheld | Uncertain |
| Jack Bianchin        | Withheld | Uncertain |
| Jacob Jaros-Attard   | Withheld | Uncertain |
| James Rocci          | Withheld | Uncertain |
| Jared Pretty         | Withheld | Uncertain |
| ca.cu rouy           |          | Choontain |

| Jason Da Costa Cunha       | Withheld | Uncertain |
|----------------------------|----------|-----------|
| Jason D'Orzia              | Withheld | Uncertain |
| Jesse Wallin               | Withheld | Uncertain |
| Joe Beyer                  | Withheld | Uncertain |
| -                          |          |           |
| John Moro                  | Withheld | Uncertain |
| Jonathon Zapantis          | Withheld | Uncertain |
| Jordan Cerne               | Withheld | Uncertain |
| Jordan Iudica              | Withheld | Uncertain |
| Jordan Hingston            | Withheld | Uncertain |
| Joseph Agresta             | Withheld | Uncertain |
| Joseph Costa               | Withheld | Uncertain |
| Joseph Tropea              | Withheld | Uncertain |
| Justin Marasco             | Withheld | Uncertain |
| Karim Mehani               | Withheld | Uncertain |
| Kayle Morris               | Withheld | Uncertain |
| Ken Treyvaud               | Withheld | Uncertain |
| Kostandinos Christofakakis | Withheld | Uncertain |
| Kyle Marsh                 | Withheld | Uncertain |
| Leon Johnson               | Withheld | Uncertain |
| Leon Wickens               | Withheld | Uncertain |
| Liam Collins               | Withheld | Uncertain |
| Liam Rocca                 | Withheld | Uncertain |
| Logan Buck                 | Withheld | Uncertain |
| Lucas Perri                | Withheld | Uncertain |
| Lucas Rocci                | Withheld | Uncertain |
| Luka Glogovac              | Withheld | Uncertain |
| Luke Davis                 | Withheld | Uncertain |
| Luke Hughes                | Withheld | Uncertain |
| Luke Mildren               | Withheld | Uncertain |
| Luke Rotunno               | Withheld | Uncertain |
| Malcolm Robertson          | Withheld | Uncertain |
| Marco Brigo                | Withheld | Uncertain |
| Mark James                 | Withheld | Uncertain |
| Marko Glogovac             | Withheld | Uncertain |
| Matthew Scannell           | Withheld | Uncertain |
| Matthew Marrone            | Withheld | Uncertain |
| Matthew Bartlett           | Withheld | Uncertain |
| Matthew Neasey             | Withheld | Uncertain |
| Matthew Rhodes             | Withheld | Uncertain |
| Matthew Wenta              | Withheld | Uncertain |
| Matt Walters               | Withheld | Uncertain |
| Michael Agius              | Withheld | Uncertain |
| Michael Jones              | Withheld | Uncertain |
|                            |          | Choolain  |

| Michael Murrihy          |         | Withheld | Uncertain         |
|--------------------------|---------|----------|-------------------|
| Michael Owoo             |         | Withheld | Uncertain         |
| Michael Sams             |         | Withheld | Uncertain         |
| Nicholas Grant           |         | Withheld | Uncertain         |
| Nicholas Edge            |         | Withheld | Uncertain         |
| Nicholas Robortella      |         | Withheld | Uncertain         |
| Nick Leslie              |         | Withheld | Uncertain         |
| Osman Sulovic            |         | Withheld | Uncertain         |
| Paige Spiekman           |         | Withheld | Uncertain         |
| Patrick Camilleri        |         | Withheld | Uncertain         |
| Paul Mc Connell          |         | Withheld | Uncertain         |
| Peter Faulks             |         | Withheld | Uncertain         |
| Philip Vizovitis         |         | Withheld | Uncertain         |
| Reyne Milligan           |         | Withheld | Uncertain         |
| Ricky Myers              |         | Withheld | Uncertain         |
| Ryan Martin              |         | Withheld | Uncertain         |
| Ryder Hobbs              |         | Withheld | Uncertain         |
| Pravin Selvaraj          |         | Withheld | Uncertain         |
| Sam Maurici              |         | Withheld | Uncertain         |
| Samuel Jones             |         | Withheld | Uncertain         |
| Scott Wesley             |         | Withheld | Uncertain         |
| Sean Ristic              |         | Withheld | Uncertain         |
| Sean Pennington          |         | Withheld | Uncertain         |
| Shaye Duggan             |         | Withheld | Uncertain         |
| Simon Walter             |         | Withheld | Uncertain         |
| Stephen Pascoe           |         | Withheld | Uncertain         |
| Thomas Fenwick           |         | Withheld | Uncertain         |
| Timothy Paul Smales      |         | Withheld | Uncertain         |
| Trae Cook                |         | Withheld | Uncertain         |
| Travis Girovski          |         | Withheld | Uncertain         |
| Trintiy Yin              |         | Withheld | Uncertain         |
| Troy Rhodes              |         | Withheld | Uncertain         |
| Tye Browning             |         | Withheld | Uncertain         |
| Tyler Banas              |         | Withheld | Uncertain         |
| Xavier Fiske-Kealy       |         | Withheld | Uncertain         |
| Zach Alford              |         | Withheld | Uncertain         |
| Shannon Leigh Egglestone | Related | Withheld | Uncertain         |
| 162 Entries Totalling    |         |          | 1,765,106.28      |
| 5                        |         |          | ,, <del>-</del> - |

# **Creditor Rights in Liquidations**

As a creditor, you have rights to request meetings and information or take certain actions:



# Right to request a meeting

In liquidations, no meetings of creditors are held automatically. However, creditors with claims of a certain value can request in writing that the liquidator hold a meeting of creditors.

A meeting may be requested in the first 20 business days in a creditors' voluntary liquidation by  $\geq$  5% of the value of the debts held by known creditors who are not a related entity of the company.

Otherwise, meetings can be requested at any other time or in a court liquidation by:

- > 10% but < 25% of the known value of creditors on the condition that those creditors provide security for the cost of holding the meeting
- ≥ 25% of the known value of creditors
- creditors by resolution, or
- a Committee of Inspection (this is a smaller group of creditors elected by, and to represent, all the creditors).

If a request complies with these requirements and is 'reasonable', the liquidator must hold a meeting of creditors as soon as reasonably practicable.

## Right to request information

Liquidators will communicate important information with creditors as required in a liquidation. In addition to the initial notice, you should receive, at a minimum, a report within the first three months on the likelihood of a dividend being paid.

Additionally, creditors have the right to request information at any time. A liquidator must provide a creditor with the requested information if their request is 'reasonable', the information is relevant to the liquidation, and the provision of the information would not cause the liquidator to breach their duties.

A liquidator must provide this information to a creditor within 5 business days of receiving the request, unless a longer period is agreed. If, due to the nature of the information requested, the liquidator requires more time to comply with the request, they can extend the period by notifying the creditor in writing.

#### Requests must be reasonable.

#### They are not reasonable if:

Both meetings and information:

- (a) complying with the request would prejudice the interests of one or more creditors or a third party
- (b) there is not sufficient available property to comply with the request
- (c) the request is vexatious

Meeting requests only:

 (d) a meeting of creditors dealing with the same matters has been held, or will be held within 15 business days

Information requests only:

- the information requested would be privileged from production in legal proceedings
- (f) disclosure would found an action for breach of confidence
- (g) the information has already been provided
- (h) the information is required to be provided under law within 20 business days of the request

If a request is not reasonable due to (b), (d), (g) or (h) above, the liquidator must comply with the request if the creditor meets the cost of complying with the request.

Otherwise, a liquidator must inform a creditor if their meeting or information request is not reasonable and the reason why.

Specific queries about the liquidation should be directed to the liquidator's office.





### Right to give directions to liquidator

Creditors, by resolution, may give a liquidator directions in relation to a liquidation. A liquidator must have regard to these directions, but is not required to comply with the directions.

If a liquidator chooses not to comply with a direction given by a resolution of the creditors, they must document their reasons.

An individual creditor cannot provide a direction to a liquidator.

### Right to appoint a reviewing liquidator

Creditors, by resolution, may appoint a reviewing liquidator to review a liquidator's remuneration or a cost or expense incurred in a liquidation. The review is limited to:

- remuneration approved within the six months prior to the appointment of the reviewing liquidator, and
- expenses incurred in the 12 months prior to the appointment of the reviewing liquidator.

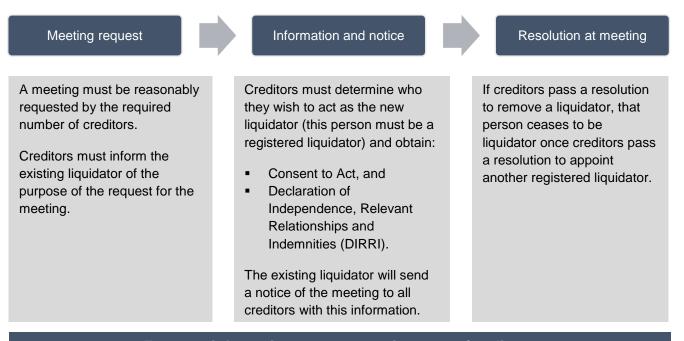
The cost of the reviewing liquidator is paid from the assets of the liquidation, in priority to creditor claims.

An individual creditor can appoint a reviewing liquidator with the liquidator's consent, however the cost of this reviewing liquidator must be met personally by the creditor making the appointment.

#### Right to replace liquidator

Creditors, by resolution, have the right to remove a liquidator and appoint another registered liquidator.

For this to happen, there are certain requirements that must be complied with:



### For more information, go to <u>www.arita.com.au/creditors</u>. Specific queries about the liquidation should be directed to the liquidator's office.

Version: July 2017

12112 (LIQ) - INFO - CREDITOR RIGHTS INFORMATION SHEET V2\_0.DOCX

#### Annexure "F" FORM 535 CORPORATIONS ACT 2001

Subregulation 5.6.49(2)

#### FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Joint and Several Liquidators of : (please tick one)

| <ul> <li>MPS Victoria Pty Ltd</li> <li>Richstone Construction Services Pty Ltd</li> <li>Richstone Holdings Pty Ltd</li> <li>RSG Corporate Services Pty Ltd</li> <li>Richstone Victoria Pty Ltd</li> </ul> |  |  |                    |  |  |
|---|--|--|--------------------|--|--|
| 1.  | This is to state that the company was, on 19 Ju  | ne 2023 <sup>(1)</sup> and still is, jus | tly and truly inc  | lebted to <sup>(2)</sup> (full name):  |  |
|   | ('Creditor')   |  |                    |  |  |
|   | of (full address)  |  |                    |  |  |
| Dortioula   | for \$   | dollars a                                | nd                 | cents.   |  |
| Date  | ars of the debt are:<br>Consideration <sup>(3)</sup><br>state how the debt arose                               | Amount \$                                | GST<br>included \$ | Remarks <sup>(4)</sup><br>include details of voucher substantiating<br>payment |  |
|   |  |  |                    |  |  |
| 2.  | To my knowledge or belief the creditor has not, of satisfaction or security for the sum or any par             |  |                    |  |  |
|   | Insert particulars of all securities held. Where those securities. If any bills or other negotiable            |  |                    |  |  |
| Date  | Drawer   | Acceptor                                 | Amount \$ c        | Due Date   |  |
|   |  |  |                    |  |  |
|   | I am <b>not</b> a related creditor of the<br>I am a related creditor of the Con<br>relationship:               |  |                    |  |  |
|   | form is being used for the purpose of voting a he debt you are claiming assigned to you?                       | t a meeting:                             |                    | No Yes   |  |
| lf y  | es, attach written evidence of the debt, the assig   | nment and consideration                  | given.             | Attached   |  |
|   | res, what value of consideration did you give for t he debt?)  | he assignment (eg, what am               | nount did you pay  | \$   |  |
| 3A. <sup>(6)*</sup>   | I am employed by the creditor and authorised in incurred for the consideration stated and that th unsatisfied. | e debt, to the best of my                | knowledge and      | d belief, still remains unpaid and   |  |
| 3B. <sup>(6)</sup> *  | I am the creditor's agent authorised to make the consideration stated and that the debt, to the be             |  |                    |  |  |
| DATED   | this day of  | 2023                                     |                    |  |  |
| Signatur  | e of Signatory   |  |                    |  |  |
| NAME II   | N BLOCK LETTERS  |  |                    |  |  |
| Occupat   | lion   |  |                    |  |  |
| Address   |  |  |                    |  |  |

#### See Directions overleaf for the completion of this form

| FICE USE ONLY                    |     |   |  |    |
|----------------------------------|-----|---|--|----|
| POD No:                          |     |   | ADMIT (Voting / Dividend) - Ordinary     | \$ |
| Date Received:                   | / / |   | ADMIT (Voting / Dividend) – Preferential | \$ |
| Entered into CORE IPS:           |     |   | Reject (Voting / Dividend)               | \$ |
| Amount per ROCAP                 | \$  |   | 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.



Annexure "G"

# **INITIAL REMUNERATION NOTICE**

Insolvency Practice Schedule (Corporations) 70-50

Insolvency Practice Rules (Corporations) 70-35

MPS VICTORIA PTY LTD (IN LIQUIDATION) ACN 666 107 366 RICHSTONE CONSTRUCTION SERVICES PTY LTD (IN LIQUIDATION) ACN 666 107 973

RICHSTONE HOLDINGS PTY LTD (IN LIQUIDATION) ACN 666 106 243

RICHSTONE VICTORIA PTY LTD (IN LIQUIDATION) ACN 1665 967 028 RSG CORPRATE SERVICES PTY LTD (IN LIQUIDATION) ACN 666 106 930

## ("THE COMPANIES")

The purpose of the Initial Remuneration Notice is to provide you with information about how our remuneration for undertaking the Liquidation will be set.

### **A REMUNERATION METHOD**

There are four methods for calculation of remuneration that can be used to calculate the remuneration of an Insolvency Practitioner. They are:

Time based / hourly rates or "Time Cost"

This is the most common method. It provides for remuneration to be charged at an hourly rate for each person working on the matter. The hourly rate charged will reflect the level of experience each person has.

Fixed Fee

The total remuneration for the administration is quoted at commencement of the appointment and is the total charge for the administration. Sometimes a practitioner will finalise an administration for a fixed fee.

Percentage

The remuneration for the appointment is based on a percentage of a particular variable, such as the gross proceeds of asset realisations.

Contingency

The total remuneration for the matter is structured to be contingent on a particular outcome being achieved.

## **B** METHOD CHOSEN

BRI Ferrier normally charges to use a Time Cost basis, because:

- It is often difficult to estimate accurately the likely cost of undertaking an appointment, as appointments differ in unforeseeable ways as to their factual or legal complexity;
- The Time Cost method reflects the opportunity cost to BRI Ferrier of the use of staff on a particular engagement
- The Time Cost method reflects the extent of work undertaken, reflecting in turn the nature of the appointment
- The Time Cost method can be applied equally to all aspects of an appointment, while percentage or contingent remuneration normally only reflect parts of an appointment, such as the recovery of assets. Our duties include activities, such as reporting to creditors and ASIC, that do not directly yield asset recovery, while contributing to the overall return to creditors.

BRI Ferrier reviews its hourly rates every twelve months. The hourly rates quoted above remain current until 30 June 2023. At this time BRI Ferrier may increase the hourly rates charged for work performed past that date. If hourly rates are increased, we will seek their approval.

# C EXPLANATION OF HOURLY RATES

The rates applicable are set out in the table on the following page together with a general guide to the qualifications and experience of staff engaged in administration and the role they undertake in the administration. The hourly rates charged encompass the total cost of providing professional services and are not comparable to an hourly wage rate.

| HOURLY                   | RATES   |                    |
|--------------------------|---|--------------------|
| Title                    | Description   | Rate<br>(excl GST) |
| Principal /<br>Appointee | A Registered Liquidator. A senior accountant with over 10 years' experience.<br>Leads the team carrying out and controls all aspects of an appointment.   | \$650              |
| Director                 | An accountant with more than 10 years' experience. May be a Registered<br>Liquidator. Fully qualified and able to control all aspects of an appointment.<br>May have specialist industry knowledge or skills. Assists with all facets of<br>appointment.  | \$570              |
| Senior<br>Manager        | An accountant with more than 7 years' experience. Qualified and answerable to the Team Leader. Self-sufficient in completing and planning all aspects of large appointments.  | \$530              |
| Manager                  | An accountant with at least 6 years' experience. Typically qualified with well-<br>developed technical and commercial skills, and studying or has completed<br>specialised study in Insolvency and Reconstruction. Controls and plans all<br>aspects of medium to larger appointments, reporting to the Team Leader.                    | \$500              |
| Supervisor               | An accountant with more than 4 years' experience. Typically qualified with<br>sound knowledge of insolvency principles and developing commercial skill.<br>Assists to plan and control specific tasks on medium to larger appointments.<br>Often undertaking post qualification study specialising in Insolvency and<br>Reconstruction. | \$400              |

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| Senior 1                 | An accountant with more than 2 years' experience. Typically a graduate<br>undertaking study leading to professional qualification as a Chartered<br>Accountant or CPA. Able to complete work on appointments with limited<br>supervision. | \$350 |
|--------------------------|---|-------|
| Senior 2                 | An accountant with less than 2 years' experience. Typically a graduate who has commenced study leading to professional qualifications. Able to complete many tasks on medium to large appointments under supervision.                     | \$300 |
| Intermediate 1           | An accountant with less than 2 years' experience. Typically a graduate and commencing study for qualifications. Able to complete multiple tasks on smaller to medium appointments under supervision.                                      | \$250 |
| Intermediate 2           | An accountant with less than 1 years' experience. A trainee undertaking degree with an accountancy major. Assists in the appointment under supervision.   | \$220 |
| Senior<br>Administration | Appropriately skilled and undertakes support activities including but not limited to treasury, word processing and other administrative, clerical and secretarial tasks.  | \$200 |
| Junior<br>Administration | Appropriately skilled and undertakes support activities including but not limited to treasury, word processing and other administrative, clerical and secretarial tasks.  | \$150 |

# D ESTIMATED REMUNERATION

We estimate that the cost of the Liquidation process for each of these Companies will be as follows:

- MPS Victoria Pty Ltd Approximately \$40,000 to \$60,000
- Richstone Construction Services Pty Ltd Approximately \$20,000 to \$40,000
- Richstone Holdings Pty Ltd Approximately \$20,000 to \$40,000
- RSG Corporate Services Pty Ltd Approximately \$40,000 to \$60,000
- Richstone Victoria Pty Ltd Approximately \$75,000 to \$125,000

The above estimates are subject to the following variables which may have a significant effect on the estimate and that we are unable to determine until we have commenced the liquidation:

- Complexity of investigations into the affairs of each of the Companies; and
- Realisation of each of the Companies' assets and potential Liquidator recoveries.

We advise that we did not provide an estimate of cost to the director prior to our appointment.

## **E DISBURSEMENTS**

Disbursements are divided into three types:

- Externally provided professional services these are recovered at cost. An example of an externally provided service disbursement is legal fees.
- Externally provided non-professional costs such as travel, accommodation and search fees.
   These are recovered at cost.

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Internal disbursements such as photocopying, printing and postage. These disbursements, if charged to the Administration, would generally charged at cost; though some expenses such as telephone calls, photocopying and printing may be charged at a rate which recoups both variable and fixed costs. The recovery of these costs must be on a reasonable commercial basis.

The ASIC Industry Funding Model levy commenced on 1 July 2017. The levy is calculated per metric events including certain lodgements with ASIC and certain advertisements on the ASIC Public Notice Website ("PNW"). These include the following:

- Notice of meetings advertised on the PNW;
- Notice of intention to declare dividend on the PNW; and
- Notice of the outcome of a proposal to pass resolution without meeting lodged with ASIC.

In this Liquidation, we consider that we will incur the ASIC levy for the following metric events:

- New appointment for financial year ending 30 June 2023;
- Ongoing appointment for financial year ending 30 June 2024; and
- Notice of the outcome of a proposal to pass resolution without meeting lodged with ASIC.

We will not be provided with an invoice for the exact amount of the fee for the year to 30 June 2023 until 2024.

Our current best estimate based on indications from ASIC is the fee will be calculated on a basis of \$125 per event and we are seeking creditor approval to recover these costs as internal disbursements with a potential profit element in accordance with the recommendations from our professional body, the Australia Restructuring Insolvency and Turnaround Association.

We are not required to seek creditor approval for all disbursements paid to third parties, however, we are required to account to creditors for such expenses and we must be satisfied that those disbursements are appropriate, justified and reasonable.

In respect of Internal disbursements, to the extent that these may be recovered at more than their cost, they may be considered as deriving a profit or advantage and must therefore be approved by creditors, a committee of inspection (if one is appointed), or by the Court prior to them being drawn.

Future disbursements with a potential profit element derived by our firm will be charged to the administration on the following basis, subject to creditor approval:

| Disbursements with a potential profit element | Rate (excl GST)<br>(\$) |
|---|-------------------------|
| ASIC Industry Funding Levy                    | \$125 per event         |
| Printing and Photocopying                     | \$0.25 per page         |