



16 April 2024

CIRCULAR TO CREDITORS

Dear Sir/Madam

**CASUAL DINING CONCEPTS (HOLDINGS) PTY LIMITED
ACN 142 135 206 - TRADING AS 'FRANCO'S \$20 PASTA', 'DETROIT DEEP DISH', 'SOURDOUGH PIZZA CO',
'BONDI PIZZA & GRILL'**
**CASUAL DINING CONCEPTS (LEASING) PTY LIMITED
ACN 142 135 331**
**CASUAL DINING CONCEPTS (STORES) PTY LIMITED
ACN 142 135 448**
**CASUAL DINING CONCEPTS (TRADING) PTY LIMITED
ACN 142 416 304 - TRADING AS 'BONDI PIZZA MACQUARIE', 'BONDI PIZZA BAR & GRILL'**
**BONDI PIZZA BAR & GRILL (MACQUARIE) PTY LIMITED
ACN 605 442 064**
**BONDI PIZZA BAR & GRILL (PARRAMATTA) PTY LIMITED
ACN 153 336 424 - TRADING AS 'BONDI PIZZA BAR & GRILL'**
**BONDI PIZZA BAR & GRILL (EASTGARDENS) PTY LIMITED
ACN 162 767 320**
**(ALL SUBJECT TO DEED OF COMPANY ARRANGEMENT
("THE COMPANIES"))**

We refer to our prior appointment as Joint and Several Administrators of the Companies on 28 February 2024.

Deed of Company Arrangement

We note that at the second creditors meeting held 12 April 2024, the creditors overwhelmingly resolved that the Companies should execute a Deed of Company Arrangement ("DOCA"). We advise that, on 15 April 2024, the Companies executed the DOCA, and we were appointed Joint and Several Deed Administrators that day.

We consider that this is a good outcome for all stakeholders, whereby the DOCA provides an opportunity for the business to survive, including employment of staff and maintenance of leases, and also provides an improved outcome for the participating creditors.

Attached as **Annexure "1"** is a Form 509E notice for creditors' reference. A copy of the DOCA has been lodged with ASIC and can also be downloaded from our website: <https://briferrier.com.au/about-us/current-matters/bondi-pizza-group>

Novabrif Pty Ltd Trading as BRI Ferrier ABN 61 643 013 610
Chartered Accountants
Level 26, 25 Bligh Street NSW 2000 GPO Box 7079, Sydney NSW 2001
T 02 8263 2333 E info@brifnsw.com.au W www.briferrier.com.au

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

Control of the Companies

Upon execution of the DOCA, the control of the Companies reverted to the Director, Gary Linz. Accordingly, from 15 April 2024 all queries regarding the continued trading and operations of the business should be directed to the Director or the general manager, Karan Kapoor.

We note that the "eligible employees" resolved for their claims to remain with the Companies, in particular Casual Dining Concepts (Trading) Pty Limited. As such, the entitlements owed to Continuing Employees will remain with the Companies, to be paid as and when they fall due. We confirm that any remaining wages and superannuation accrued during the Administration period, will be paid from funds held in the DOCA.

Any parties (including suppliers, creditors, employees or other) with claims for unpaid costs relating to the Administration trading period up to 14 April 2024, should provide statements of accounts to our office by no later than **30 April 2024**. The Deed Administrators will not accept or approve any purchase orders made from 15 April 2024 onwards.

Payment of DOCA Contribution

The DOCA required that the Deed Proponent contribute a total of \$750,000 to the Deed Fund. We confirm that all funds have now been received.

Other Matters

We also note that, as a condition for the DOCA, a Deed of Forgiveness will be entered into in respect of loans owed by the Companies to related party creditors. We anticipate that the Deeds will be provided in the near term, during the DOCA period.

The Director is also required to dispose of his personal property, and pay those proceeds to the secured creditor, the Commonwealth Bank of Australia. We are advised that the Director has already taken steps towards selling the property.

Outstanding Matters

The following matters will be attended to during the course the Deed Administration:

- ▲ Discharging the Administrators' trading liabilities;
- ▲ Attend to accounting and statutory lodgements (if necessary) in relation to trading during the Administration period; and
- ▲ With the assistance of the Director and the external accountant, arrange for the completion of the outstanding pre-appointment tax lodgements, and seek a "tax clearance" from the Australian Taxation Office.

Dividend to Creditors

After the above outstanding matters have been attended to, the Deed Administrators will proceed with the declaration of dividend to the creditors. Based on current estimates, we anticipate that terminated employee claims (including superannuation) will be paid in full and the participating unsecured creditors may receive a small return.

Our previous report contained estimates of the returns. However, the actual dividend rate will be subject to the funds available after discharge of the trading liabilities and costs of the process, the final adjudication of participating creditor claims and any tax liabilities that may arise (if any) on completion of the tax lodgements.

To expedite the dividend process, we encourage creditors who have not already done so, to promptly submit a Formal Proof of Debt in respect of claims, attached as **Annexure "2"**. Please note that you do not need to file another proof of debt if you have already done so, unless you wish to submit a revised claim.

Creditors will be further notified when the Deed Administrators are in a position to declare a dividend in the Deed Administration.

Should you have any queries, please contact Mr Frane Babic of this office on (02) 8263 2333 or via email at fbabic@brifnsw.com.au.

Yours faithfully

**CASUAL DINING CONCEPTS (HOLDINGS) PTY LIMITED
CASUAL DINING CONCEPTS (LEASING) PTY LIMITED
CASUAL DINING CONCEPTS (STORES) PTY LIMITED
CASUAL DINING CONCEPTS (TRADING) PTY LIMITED
BONDI PIZZA BAR & GRILL (MACQUARIE) PTY LIMITED
BONDI PIZZA BAR & GRILL (PARRAMATTA) PTY LIMITED
BONDI PIZZA BAR & GRILL (EASTGARDENS) PTY LIMITED
(ALL SUBJECT TO DEED OF COMPANY ARRANGEMENT)**



JONATHON KEENAN

Joint and Several Deed Administrator

Encl.



**CASUAL DINING CONCEPTS (HOLDINGS) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 135 206 / ABN 78 142 135 206**

**CASUAL DINING CONCEPTS (LEASING) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 135 331 / ABN 18 142 135 331**

**CASUAL DINING CONCEPTS (STORES) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 135 448 / ABN 31 142 135 448**

**CASUAL DINING CONCEPTS (TRADING) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 416 304 / ABN 83 142 416 304**

**BONDI PIZZA BAR & GRILL (MACQUARIE) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 605 442 064 / ABN 29 605 442 064**

**BONDI PIZZA BAR & GRILL (PARRAMATTA) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 153 336 424 / ABN 98 153 336 424**

**BONDI PIZZA BAR & GRILL (EASTGARDENS) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 162 767 320 / ABN 20 162 767 320**

**Annexure "1"
Form 509E Notice to Creditors
of Execution of
A Deed of Company Arrangement**

CORPORATIONS ACT 2001

NOTICE TO CREDITORS OF EXECUTION OF A DEED OF
COMPANY ARRANGEMENT

CASUAL DINING CONCEPTS (HOLDINGS) PTY LIMITED
ACN 142 135 206
CASUAL DINING CONCEPTS (LEASING) PTY LIMITED
ACN 142 135 331
CASUAL DINING CONCEPTS (STORES) PTY LIMITED
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ACN 153 336 424
BONDI PIZZA BAR & GRILL (EASTGARDENS) PTY LIMITED
ACN 162 767 320
(ALL SUBJECT TO A DEED OF COMPANY ARRANGEMENT)
(Collectively "the Companies")

TO CREDITORS OF THE COMPANIES

- ▲ Notice is given under Section 450B that the Companies executed a Deed of Company Arrangement on 15 April 2024.
- ▲ A copy of the Deed may be inspected at the offices of BRI Ferrier, Level 26, 25 Bligh Street, Sydney NSW 2000.

DATED this 16th day of April 2024.



JONATHON KEENAN
JOINT AND SEVERAL DEED ADMINISTRATOR



**CASUAL DINING CONCEPTS (HOLDINGS) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 135 206 / ABN 78 142 135 206**

**CASUAL DINING CONCEPTS (LEASING) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 135 331 / ABN 18 142 135 331**

**CASUAL DINING CONCEPTS (STORES) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 135 448 / ABN 31 142 135 448**

**CASUAL DINING CONCEPTS (TRADING) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 142 416 304 / ABN 83 142 416 304**

**BONDI PIZZA BAR & GRILL (MACQUARIE) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 605 442 064 / ABN 29 605 442 064**

**BONDI PIZZA BAR & GRILL (PARRAMATTA) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 153 336 424 / ABN 98 153 336 424**

**BONDI PIZZA BAR & GRILL (EASTGARDENS) PTY LIMITED
(SUBJECT TO DEED OF COMPANY ARRANGEMENT)
ACN 162 767 320 / ABN 20 162 767 320**

**Annexure "2"
Formal Proof of Debt Form**

FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

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

- CASUAL DINING CONCEPTS (HOLDINGS) PTY LIMITED (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 142 135 206
- CASUAL DINING CONCEPTS (LEASING) PTY LIMITED (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 142 135 331
- CASUAL DINING CONCEPTS (STORES) PTY LIMITED (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 142 135 448
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- BONDI PIZZA BAR & GRILL (PARRAMATTA) PTY LIMITED (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 153 336 424
- BONDI PIZZA BAR & GRILL (EASTGARDENS) PTY LIMITED (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 162 767 320

1. This is to state that the company was, on 28 February 2024⁽¹⁾ and still is, justly and truly indebted to⁽²⁾ (full name):

.....
(‘Creditor’)

.....
of (full address)

for \$.....dollars andcents.

Particulars of the debt are:

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

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

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

Date	Drawer	Acceptor	Amount \$ c	Due Date

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

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

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

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

<input type="checkbox"/>	<p>The External Administrators’ (whether as Voluntary Administrators/Deed Administrators/Liquidators) will send and give electronic notification of documents. Please provide your email address below:</p> <p>Contact Name:</p> <p>Email Address:</p>
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DATED thisday of2024

Signature of Signatory

NAME IN BLOCK LETTERS.....

Telephone.....

Email.....

Occupation.....

Address.....

See Directions overleaf for the completion of this form

OFFICE USE ONLY

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

Proof of Debt Form Directions

* Strike out whichever is inapplicable.

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

Annexures

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