



**BRI Ferrier**

10 October 2024

**ADDENDUM TO THE REPORT TO CREDITORS**

Dear Sir or Madam,

**FREEMAN FREIGHTERS PTY LTD (IN LIQUIDATION)**  
**ACN 006 512 518 ("the Company")**

We refer to our appointment as Joint and Several Liquidators of the Company on 14 August 2023 and our Report to Creditors dated 30 September 2024. We have convened a meeting of the Company's creditors to be held on Wednesday, 16 October 2024 at 11.00AM (AEDT).

We reported that we intend to hold Public Examinations to investigate the Company's affairs and various potential claims, and had intended to work with lawyers, Bartier Perry, in that application. A concern has been raised alleging that a conflict may arise with Bartier Perry acting for us as Liquidators in the Public Examination application or subsequent proceedings (if commenced). Whilst Bartier Perry maintains its position that there is no conflict of interest in acting for us as Liquidators in this matter, and based on the present information we accept the same, it appears to us that it would be best to deal with this issue at this juncture by engaging new lawyers. In this regard, we propose to engage ERA Legal to act for us in the Public Examination process and provide us legal advice in the Liquidation, as needed.

We have engaged ERA Legal on similar liquidation matters and confirm that they have the relevant experience and resources to act in this matter. The costs of this engagement will be charged on a time cost basis, at comparable market rates, plus disbursements at cost. The estimated costs for the legal work involved in the Public Examination process has not changed - remaining at between approximately \$65K to \$75K (plus GST and disbursements). We believe that the engagement is necessary in the Liquidation process, for the benefit of creditors and the estimated costs remain reasonable. As such, we will amend the resolution sought at the forthcoming creditors' meeting, and we recommend that creditors approve the engagement of ERA Legal. The amended resolution to be considered by creditors is as follows:

*"That the Liquidators be authorised to enter into an agreement with **ERA Legal** as disclosed in the Addendum to the Report to Creditors dated 10 October 2024, pursuant to Section 477(2B) of the Corporations Act."*

Enclosed is an updated proxy form, including the amended resolution wording.

Should you have any queries, please contact Ms Nicole Feng from our office on (02) 8263 2333 or via email to [nfeng@brifnsw.com.au](mailto:nfeng@brifnsw.com.au).

Yours faithfully

**FREEMAN FREIGHTERS PTY LTD (IN LIQUIDATION)**

**JONATHON KEENAN**  
Joint & Several Liquidator

Encl.

Novabrif Pty Ltd Trading as BRI Ferrier ABN 61 643 013 610  
Chartered Accountants  
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APPOINTMENT OF PROXY  
CREDITORS MEETING

**FREEMAN FREIGHTERS PTY LTD (IN LIQUIDATION)**  
**ABN 87 006 512 518 ("the Company")**

*I/*We <sup>(1)</sup>	
Of	
being a creditor of the Company, appoint <sup>(2)</sup> or in his or her absence	
to vote for me/us on my/our behalf at the meeting of creditors to be held on 16 October 2024 at 11:00AM (AEDT), or at any adjournment of that meeting.	

Please mark any boxes with an ☒

Proxy Type: ☐ General ☐ Special

Please mark boxes with an "X"	For	Against	Abstain
<b>Resolution 1:</b>  <i>"That the Liquidators be authorised to enter into an agreement with ERA Legal as disclosed in the Addendum to the Report to Creditors dated 10 October 2024 pursuant to Section 477(2B) of the Corporations Act."</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Resolution 2:</b>  <i>"That the additional remuneration of the Liquidators, their partners and staff for the period 25 August 2023 to 27 September 2024, be calculated on a time basis in accordance with the rates of charge annexed to the Liquidators' Report to Creditors dated 30 September 2024, be fixed and approved at \$289,031.00 (plus GST), and that the Liquidators be authorised to draw that amount as required."</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please mark boxes with an "X"	For	Against	Abstain
<b>Resolution 3:</b>  <i>"That the remuneration of the Liquidators, their partners and staff for the period 28 September 2024 to the conclusion of the Liquidation, be calculated on a time basis in accordance with the rates of charge annexed to the Liquidators' Report to Creditors dated 30 September 2024 and approved to an interim cap of \$90,000.00 (plus GST) and that the Liquidators be authorised to draw that amount as and when incurred."</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED this                      day of                      2024

\_\_\_\_\_  
Signature

**Proxies should be returned to the offices of BRI Ferrier by 4.00 PM AEST one (1) business day prior to the meeting by email: [nfeng@brifnsw.com.au](mailto:nfeng@brifnsw.com.au)**

**CERTIFICATE OF WITNESS – (This certificate is to be completed only if the person giving the proxy is blind or incapable of writing)**

I, .....of.....certify that the above instrument appointing a proxy was completed by me in the presence of and at the request of the person appointing the proxy and read to him before he attached his signature or mark to the instrument.

DATED this .....day of ..... 2024

Signature of Witness: .....

Description: .....

Place of Residence: .....