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20 June 2019

### **NOTICE TO CREDITORS**

Dear Sir/Madam

Cadwell Construction & Interiors Pty Ltd (In Liquidation) ACN 140 887 636 (the Company)

I refer to the appointment of Kathryn Evans and I as Joint and Several Administrators of the Company on 7 May 2019 and our subsequent appointment as Joint and Several Liquidators (**Liquidators**) on 12 June 2019.

### 1. Second meeting of creditors

At the second meeting of creditors held on 12 June 2019, creditors resolved that the Company be wound up pursuant to Section 439C(c) of the Corporations Act 2001 and that Kathryn Evans and I be appointed Liquidators of the Company.

Creditors are referred to 'ASIC Information Sheet 45 – Liquidation: a guide for creditors' which provides details regarding the winding up of a company. This document can be accessed via the following website: <a href="https://asic.gov.au/regulatory-resources/insolvency/insolvency-for-creditors/liquidation-a-guide-for-creditors/">https://asic.gov.au/regulatory-resources/insolvency/insolvency-for-creditors/</a>liquidation-a-guide-for-creditors/

### 2. Committee of Inspection

I confirm that a Committee of Inspection (**the Committee**) was formed at the second meeting of creditors for the Company.

The Committee enables the Liquidators to seek prompt consultation with the Committee members, the creditors' representatives, on matters relating to the winding up. A list of the nominated members on the Committee are detailed below:

| Representative | Creditor                       |
|----------------|--------------------------------|
| Matthew Wild   | Allans Concreting Pty Ltd      |
| Mo Dower       | Nick Ceiling Pty Ltd           |
| Orada Abhay    | Former Employee of the Company |

Committee members are required to act in the interests of all creditors and assist the Liquidators.

However, the Committee is not empowered to give directions to the Liquidators other than require the Liquidators to report on the Company's affairs, although the Liquidators will always have regard to the views of the Committee.

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## 3. Claim by employees for pre-appointment entitlements

As the Company is now in liquidation, employees are now able to lodge a claim for assistance on certain classes of their entitlements to the Australian Government's Fair Entitlements Guarantee (**FEG**) scheme. Employees have previously received separate advice from my office regarding the FEG scheme.

#### 4. Dividend to unsecured creditors

As outlined in our report to creditors dated 4 June 2019, the asset realisations of the Company do not provide a dividend for ordinary unsecured creditors. However, as Liquidators, we will finalise our investigations into possible insolvent transaction recoveries and will report to creditors in due course whether any recoveries will be available as a dividend to unsecured creditors.

Should you have any questions in relation to this matter, please contact Samantha Edney of this office on (02) 8260 6434 or by email <a href="mailto:sedney@deloitte.com.au">sedney@deloitte.com.au</a>.

Yours faithfully

**Jason Tracy** 

Joint and Several Liquidator