



McDonald  
Vague

business recovery partners

**Chok D Erawan Limited  
(In Liquidation)  
T/as: Erawan Thai, Authentic Thai Cuisine**

**Liquidators' Seventh Report  
for the period from 29 December 2020  
to 28 June 2021**

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## 1 INTRODUCTION AND APPOINTMENT

Iain McLennan and Peri Micaela Finnigan, Licensed Insolvency Practitioners, of Auckland, were appointed jointly and severally as liquidators of Chok D Erawan Limited ("the company") on 29 June 2018 by the High Court at Auckland.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This report should be read in conjunction with the liquidators' previous reports. This report is being sent to all shareholders and all creditors who have filed a claim in the liquidation.

A Statement of Realisations and Distributions is **attached**.

## 2 RESTRICTIONS

Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party as a result of the circulation, publication, reproduction or use of this report.

We reserve the right (but are under no obligation) to review and, if we consider necessary, revise this report in respect of any information existing at the date of this report which becomes known to us after that date.

## 3 CONDUCT OF THE LIQUIDATION DURING THE PRECEDING SIX MONTHS

### *Asset Realisations*

#### **3.1 Sale of Business**

A business broker profiled and advertised the assets which attracted various interested parties. The business sold for \$70,000.

#### **3.2 Bank Account Closure**

**(Statement of Affairs: \$2,798)**

The liquidators received \$2,799 on closure of the company bank and \$35 from cash to hand. The liquidators also recovered \$2,260 from delayed Eftpos/Credit Card receipts.

### **3.3 Debtors**

Debtor recovery amounted to \$10.

### **3.4 Sale of Motor Vehicle and Inventory**

**(Statement of Affairs: \$Unknown)**

\$4,870 was recovered on sale of a motor vehicle, and \$61 from the sale of stock.

## **4 INVESTIGATIONS**

The liquidators have completed their investigations into the books, records and affairs of the company. The liquidators' established after investigation of the company bank accounts that a considerable amount of money is owed by the director for funds withdrawn from the company from 12 March 2015 to 9 May 2018 that could approximate \$400,000. The director appears to have no means to repay those funds and this matter will not be pursued further.

## **5 CREDITORS' CLAIMS**

### **5.1 Secured Creditors**

A secured claim has been received from Lion Liquor Retail Limited (T/As Liquor King) for \$221 in respect of a General Security Agreement. The secured creditor had stock at the restaurant that was returned valued at \$61.

On sale of the vehicle Motor Trade Finance were paid \$2,929 being the full debt owed.

### **5.2 Preferential Creditors**

A preferential claim has been received in respect of the applicant creditor's costs of \$3,360. The applicant creditor has been paid.

The Inland Revenue Department has submitted a preferential claim for \$13,342. This amount has been paid in full.

On investigation, the company had not filed GST returns since 31 January 2015, or PAYE returns since June 2017. We estimate a significant amount of GST could be owed to the Inland Revenue Department based on bank deposits.

### **5.3 Unsecured Creditors**

As at the date of preparing this report seven unsecured creditors claim forms have been received which total \$203,753. In the interests of minimising liquidators' fees, the liquidators will not attend to the formality of accepting or rejecting creditors' claims until such time as we are in a position to pay a distribution.

## 6 LIQUIDATORS' FEES

Liquidators' fees paid to the date of this report are \$47,816 (excluding GST). The fees are based on 211.25 hours of work undertaken as follows:

| <b>Work Category</b>                     | <b>Hours</b>  | <b>\$</b>       |
|--|---------------|-----------------|
| Appointment functions                    | 23.70         | 4,790           |
| Asset realisations                       | 94.80         | 21,410          |
| Creditors' claims, enquiries and reports | 40.65         | 10,086          |
| Taxation & Management                    | 19.02         | 4,208           |
| Investigations                           | 33.08         | 7,322           |
| <b>Total</b>                             | <b>211.25</b> | <b>\$47,816</b> |

The liquidators are requesting court approval of their fees.

## 7 FUNDS / LIKELY OUTCOME

At this stage the liquidator does not anticipate paying a distribution to unsecured creditors.

## 8 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Completion of the liquidation

## 9 ESTIMATED DATE OF COMPLETION

Based on the information contained in this report the liquidators presently propose to complete all outstanding matters with a view to retiring as liquidators within the next year.

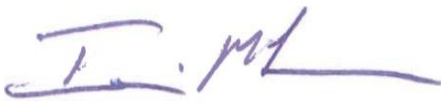
## 10 CONTACT DETAILS

Enquiries should be directed to Colin Sanderson on DDI (07) 838 0908 or by email to CSanderson@mvp.co.nz.

The Liquidators can be contacted at:

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P O Box 6092  
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IAIN McLENNAN  
LIQUIDATOR

DATED this 30th day of June 2021

# Realisations and Distributions

## Chok D Erawan Limited (In Liquidation) 29 June 2018 to 28 June 2021

| Realisations                                      | As Per Statement<br>of Affairs<br>\$ | Cash<br>Received<br>\$ |
|---|--------------------------------------|------------------------|
| Sale of Business                                  | Unknown                              | 70,000                 |
| Bank Account Closure                              | 2,798                                | 2,799                  |
| Cash on Hand                                      | -                                    | 35                     |
| Debtors   | -                                    | 10                     |
| Interest  | -                                    | 23                     |
| Sale of Assets and Inventory                      | Unknown                              | 4,931                  |
| Trading on Sales                                  | -                                    | 2,260                  |
| <b>Total Realisations</b>                         | <b>\$Unknown</b>                     | <b>\$80,058</b>        |
| <b>Payments</b>                                   |                                      |                        |
| <b>Liquidators Fees</b>                           |                                      |                        |
| Liquidators Fees                                  |                                      | 44,957                 |
| Disbursements                                     |                                      | 607                    |
| <b>Total Liquidators Fees</b>                     |                                      | <b>\$45,564</b>        |
| <b>Other Costs of Liquidation</b>                 |                                      |                        |
| Agent's Commission                                |                                      | 10,000                 |
| Commission on Sales                               |                                      | 619                    |
| Rent  |                                      | 3,819                  |
| Security for Premises                             |                                      | 273                    |
| Insurance   |                                      | 355                    |
| Residents Withholding Tax on Interest             |                                      | 5                      |
| <b>Total Costs of Liquidation</b>                 |                                      | <b>\$15,071</b>        |
| <b>Distributions</b>                              |                                      |                        |
| Secured Creditor                                  |                                      | 2,991                  |
| Preferential GST and PAYE                         |                                      | 13,342                 |
| Preferential Applicant Creditors                  |                                      | 3,090                  |
| <b>Total Distributions to Unsecured Creditors</b> |                                      | <b>\$19,423</b>        |
| <b>Total Payments</b>                             |                                      | <b>\$80,058</b>        |
| <b>BALANCE HELD</b>                               |                                      | <b>\$NIL</b>           |

**Note:** the above figures are GST exclusive