



The Business Recovery Specialists

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RECEIVERS' SEVENTH REPORT ON THE STATE OF AFFAIRS OF M & S TRADING LIMITED (IN RECEIVERSHIP)

"The Company"

1. INTRODUCTION

John Trevor Whittfield and Peri Micaela Finnigan, Insolvency Practitioners, of Auckland, were appointed jointly and severally as receivers and managers of all the assets, property and undertakings of the company on 18 October 2006 by Commercial Factors Limited. Pursuant to section 24 of the Receiverships Act 1993, the receivers report herewith on the progress of the receivership. This seventh report should be read in conjunction with the receivers previous reports. A statement of realisations and distributions is attached.

2. TRADING ON / CLOSURE OF BUSINESS

The company has ceased to trade.

3. PROPERTY DISPOSED OF TO DATE

All assets have been sold. The receivers have made claim on the related party assets.

5. AMOUNTS OWING TO SECURED CREDITOR

As at the date of this report, the amounts owing to the secured creditor, Commercial Factors Limited is \$1,128,875 and interest is accruing at a default rate of 19.5%. No repayments have been made to the secured creditor.

6. PREFERENTIAL CREDITORS

As at the commencement of the receivership, the following amounts were owed to the preferential creditor.

Table with 2 columns: Description and Amount (\$). Rows include Inland Revenue Department - PAYE (13,778), - GST (6,437), and TOTAL (\$20,215).

**7. UNSECURED CREDITORS**

The unsecured creditor claims received amount to \$24,213 from two creditors.

Halifax Finance Limited is owed \$470,547 and has an unregistered loan for certain timber stocks.

It is unlikely that any moneys will be available for unsecured creditors.

**8. PARTICULARS OF ASSETS AND LIABILITIES**

The receivers have had to engage in substantial legal proceedings to secure assets and obtain company information. At the date of this report, the receivers and secured lenders were in negotiations to settle all matters.

We can now report that a Settlement Deed has been signed.

Enquiries to: John Whittfield  
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JOHN T WHITTFIELD  
RECEIVER

DATED this 2 day of October 2009

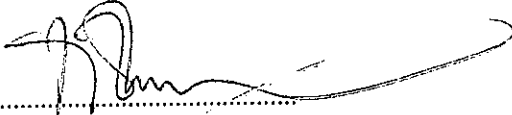
**THE RECEIVERSHIPS ACT 1993**

NUMBER OF COMPANY : AK 1255052  
NAME OF COMPANY : M & S TRADING LIMITED (IN RECEIVERSHIP)  
PRESENTED BY : McDonald Vague  
Insolvency Specialists  
Level 5, 80 Greys Avenue  
P O Box 6092  
Wellesley Street PO, AUCKLAND 1

**STATEMENT PURSUANT TO SECTION 24**

Statement of Receipts and Payments in the Receivership of the company from 18 October 2006 (being commencement of the Receivership) to 18 October 2009 being the sixth six monthly report of the Receivership).

	As Per Statement of Affairs	Cash Received
<b>CASH HAS BEEN RECEIVED AS FOLLOWS:</b>	\$	\$
Halla Excavator	67,547	42,200
Interest	-	789
<b>TOTAL RECEIPTS</b>		<u><b>\$42,989</b></u>
 <b>CASH HAS BEEN PAID AS FOLLOWS:</b>		
<b>Costs Charges &amp; Expenses of Receiver</b>		
Receivers Fees & Disbursements		19,546
Sundry Costs		1,513
Related Company Costs		21,930
<b>TOTAL PAYMENTS</b>		<u><b>\$42,989</b></u>
 <b>TOTAL RECEIPTS</b>		<u><b>42,989</b></u>
<b>LESS TOTAL PAYMENTS</b>		<u><b>42,989</b></u>
<b>BALANCE HELD</b>		<u><u><b>\$Nil</b></u></u>

  
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JOHN T WHITTFIELD  
RECEIVER

Dated this 12 day of October 2009