



McDonald
Vague

business recovery partners

Rocksay Limited (In Receivership)
Trading as Ochre Art Supplies and Shhh Speakeasy Bar

Receivers' First Report

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1 INTRODUCTION AND APPOINTMENT

Peri Micaela Finnigan and Colin Sanderson, Accredited Insolvency Practitioners of Auckland, were appointed jointly and severally as receivers and managers of all present and after acquired personal property of Rocksay Limited ("the company") on 24 January 2019. The receivers and managers were appointed under the powers contained within in a General Security Agreement dated 1 December 2016 in favour of Margaret Mary Westlake.

2 RESTRICTIONS

This report has been prepared in accordance with Section 23 of the Receiverships Act 1993 ("the Act"). In preparing this report and its appendices we have relied upon information provided to us. We have not independently verified or audited that information. 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 ATTACHMENTS

The following documents are attached to this report:

- Appendix 1: Particulars of Assets and Liabilities
- Appendix 2: Schedule of secured creditors' names and addresses

4 EVENTS LEADING UP TO OUR APPOINTMENT

The appointment arose as a result of the company's default in meeting payments due to the secured lender. Statutory demand was made on the company and, when that expired without settlement the receivers were appointed.

5 TRADING ON AND CLOSURE OF BUSINESS

The company operated two businesses, Ochre Art Supplies and the Shhh Speakeasy Bar, both in Palmerston North.

The directors had already made the decision to cease trading and close the bar prior to the receivers being appointed. The last day of trading was 24 January 2019.

In consultation with the secured creditor and the directors the decision was made to continue to trade the art supply shop whilst attempts were made to find a buyer for the business.

6 PARTICULARS OF ASSETS AND LIABILITIES

Particulars of the Assets and of the Debts and Liabilities of the Company as at the date of our appointment are provided at Appendix 1.

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We reserve the right (but are under no obligation) to review and, if we consider necessary, amend this report to take into account any information existing at the date of this report that becomes known to us after this report is published.

7 ASSETS COMPRISING THE PROPERTY IN RECEIVERSHIP

7.1 *Bar Furniture*

The bar was furnished with some leaner tables, bar stools and various couches and divans. All of the furniture and leaner tables have been sold or given to charity.

7.2 *Art Shop Fittings and Furniture*

The art shop has a number of stands and display cases for holding the various stock items. Some of these are owned by the wholesale suppliers and are not available to the receivers. There are also drawers and racks built into the premises.

7.3 Art Shop Inventory

A stock take was completed on appointment of the receivers. The stock comprises paints, mediums, brushes, pens and pencils, art pads, papers, easels etc with a wholesale value of \$68,896 excluding GST.

Some stock was subject to Purchase Money Security Interests (PMSI's) and the receivers have been liaising with the PMSI holders in relation to their stock.

8 PROPERTY DISPOSED OF TO DATE

8.1 Bar Assets

The bar assets, consisting of some leaner tables, bar stools and arm-chairs and couches, have been sold. Realisations from the sale amounted to \$830.00. Some items were not able to be sold because of their condition. These were given to charity or disposed of.

9 PROPOSALS FOR FURTHER DISPOSAL OF RECEIVERSHIP PROPERTY

We are continuing to trade the art supply shop to reduce the stock held and to retain value in the business whilst endeavours are made to find a buyer for the business as a going concern

10 LIABILITIES AND CREDITOR CLAIMS

10.1 Secured Creditors

The amounts due to our appointer (including accrued interest) are as follows:

	\$
Term loan accounts, accrued interest and overdue principal at 24 January 2019	238,382
Interest	4,229
Receivership and Legal costs	46,782
Total	\$289,393

A schedule of secured creditors and their addresses is provided at Appendix 2, as required by Section 23(1)(c) of the Act.

10.2 Preferential Creditors

The Inland Revenue Department has filed a preferential claim for \$2,512 due in respect of GST.

10.3 Unsecured Creditors

From our review of the company's accounting records and other information we estimate that the amount due to unsecured creditors is approximately \$40,704.

The Receivers are not responsible for the administration of unsecured creditors' claims however, it appears unlikely that there will be surplus funds available for unsecured creditors.

11 INFORMATION PROVIDED BY THE COMPANY

The directors of the company co-operated fully in making available the information required by the receiver to complete this report.

12 FURTHER INFORMATION

If you are aware of any information that would assist the Receivers, please set the details out in writing, attach any supporting evidence and send it to us. Please note that the Receivers are more able to act on written information.

If any creditor wishes to receive the six monthly reports by email as and when they are published, please ensure that an email address is provided on the attached Confirmation of Amount Owning form. This report and all subsequent reports will be available on the Receivers' website at www.mvp.co.nz

13 ESTIMATED DATE OF COMPLETION

It is currently too early to estimate a date of completion for the receivership.

14 CONTACT DETAILS

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

The Receivers can be contacted at:

McDonald Vague
Level 10, 52 Swanson Street
PO Box 6092
Wellesley Street
Auckland 1141



PERI M FINNIGAN
RECEIVER

DATED this 8th day of March 2019

Rocksay Limited (In Receivership)
Particulars of the Assets and of the Debts and Liabilities
as at the Date of Appointment of Receivers
Being 24 January 2019

SECURED CREDITORS**ASSETS SPECIFICALLY PLEDGED**

None known (See notes 3 & 6 below)

PREFERENTIAL CREDITORS**Assets available for preferential creditors**

	<i>Book Value</i>	<i>Estimated to Realise</i>
Cash on hand	-	204
Inventory (See note 7 below)	68,896	Withheld
Total	\$68,896	\$204
Less preferential creditors		
Inland Revenue Department		2,512
Total		\$2,512
Estimated (deficiency) as regards preferential creditors		\$ (2,308)

**SECURED CREDITORS
ASSETS NOT SPECIFICALLY PLEDGED**

	<i>Book Value</i>	<i>Estimated to Realise</i>
Estimated surplus as regards preferential creditors	-	-
Bar furniture & fittings	-	830
Art shop furniture & fittings (See note 7 below)	-	Withheld
Total	\$ -	\$830
Less secured creditors		
Margaret Westlake - first ranking General Security Agreement holder		289,393
Total		\$289,393
Estimated (deficiency) as regards secured creditors		\$ (288,563)

UNSECURED CREDITORS

First available for preferential creditors deficit (ranking as unsecured)	2,308
Estimated deficit as regards secured creditor - assets not specifically pledged	288,563
Trade creditors	40,704
Estimated (deficiency) as regards unsecured creditors	\$ (331,575)

Notes:

1. There is no unpaid capital liable to be called up.
2. The above estimates are subject to the costs of the receivership.
3. Assets held may be subject to Purchase Money Security Interest ("PMSI") or Reservation of Title claims.
4. The General Security Agreement holder's claim will continue to accrue interest until fully paid.
5. There is a contingent liability in respect of the lease of the premises.
6. Securities are registered over leased Point of sale equipment. These have been uplifted or are continuing to be used by Receivers
7. We have withheld the estimated realisable value of the stock and assets so as not to prejudice any potential sale process

Disclaimer of Liability:

The information contained in the Particulars of Assets and Liabilities has been supplied by the company. We have not verified the information supplied. The Particulars of Assets and Liabilities has been prepared for the purpose of the receivership and we do not accept any responsibility on any grounds whatsoever, including liability in negligence, to any party.



Rocksay Limited (In Receivership) Schedule of Secured Creditors' Names and Addresses

Pursuant to Section 23(1)(c) of the Receiverships Act 1993

Creditor name	Address 1	Address 2	Address 3
Advanced Accounting & Business Advisory	1063 Camerons Line	R D 5	FEILDING 4775
ANZ Bank New Zealand Limited	P O Box 788	AUCKLAND	
B & M Electrical	P O Box 1964	PALMERSTON NORTH 4440	
BOC Limited	P O Box 11 161	Sockburn	CHRISTCHURCH
Coa-Cola Amatil (NZ) Limited	Private Bag 14 916	Panmure	AUCKLAND
Couchmans Electrical	P O Box 5190	Terrace End	PALMERSTON NORTH 4441
Draw Art Supplies Limited	P O Box 24 022	Royal oak	AUCKLAND 1345
Eftpos Central	P O Box 4659	PALMERSTON NORTH 4442	
Envirowaste Services Limited	Private Bag 92 810	Penrose	AUCKLAND
Finance Now Limited	P O Box 41 335	St Lukes	AUCKLAND
Independent Liquor (NZ) Limited	P O Box 72 148	AUCKLAND	
Inland Revenue Department	P O Box 39 010	Wellington Mail Centre	LOWER HUTT 5045
Inspire Net Limited	325 Main Street	PALMERSTON NORTH	
Integrated Energy Limited	P O Box 91 123	AUCKLAND	
Jasco Pty (New Zealand) Limited	P O Box 107 010	Auckland Airport	AUCKLAND 2150
Margaret Mary Westlake	19 Wairere Road	Wainui Beach	GISBORNE 4010
Nova Energy Limited	P O Box 404	WHAKATANE 3158	
Paintbox	P O Box 26 211	AUCKLAND 1344	
Palmerston North City Council	Accounts receivable	Private Bag 11034	PALMERSTON NORTH
Regional News	1st Floor Prestige Print Building	72 Abel Smith Street	WELLINGTON
Square Edge Community Arts	P O Box 1478	PALMERSTON NORTH	
Staedtler (NZ) Limited	P O Box 100 640	North Shore	AUCKLAND 0745
The New Zealand Artist Magazine	2363 Whangarei Heads Road	R D 4	WHANGAREI 0174

IN THE MATTER of the Receivership of ROCKSAY LIMITED (IN RECEIVERSHIP)
Under the Receiverships Act 1993

CONFIRMATION OF AMOUNT OWING

NAME OF CREDITOR (in full)

POSTAL & EMAIL ADDRESS OF CREDITOR (in full)

TYPE OF GOODS OR SERVICES SUPPLIED

I,

State:

- (1) That the Company was at the date of the commencement of the Receivership namely the 24th day of January 2019, indebted to the abovenamed creditor for the sum of \$
(..... words and figures).
- (2) That this debt is not a preferential claim under the Receiverships Act 1993,

or (delete as applicable)

That the whole of or part of the above amount is a preferential claim under the Receiverships Act 1993 for:

Amount Preferred : \$

- (3) That security for the payment of the whole or any part of the above amount is not held.

or (delete as applicable)

That the following security is held for the payment of the whole or part of the above amount.

Type of security :
Date Security given :
Property Secured :

- (4) (Personal Property Securities Register (PPSR)) (Retention of Title (ROT)) (Romalpa Clause)
- (5) That particulars of the accounts are **attached** hereto or set out on the reverse side of this form.

Signed

Date 2019

RESERVED FOR USE OF RECEIVER

Received
(Date Stamp)

Accepted for \$.....
To rank as ordinary/preferential/secured claim.

Date

PARTICULARS OF ACCOUNT

DATE	GOODS OR SERVICES SUPPLIED	AMOUNT	VOUCHERS
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