

CBL Corporation Limited (In Liquidation) ('the Company')

Company No. 3888838

11 December 2023 | 01148

1. Introduction

The liquidation of the Company commenced on 13 May 2019 at 10.12am when the High Court, Auckland appointed Neale Jackson and Brendon Gibson, Licensed Insolvency Practitioners, Joint and Several Liquidators in accordance with Section 241(2)(c) of the Companies Act 1993.

This report covers the period 13 May 2023 to 12 November 2023 ('the relevant period') and should be read in conjunction with all other liquidator reports we have issued.

2. Restrictions

This report has been prepared by us in accordance with and solely for the purposes of Section 255(2) of the Companies Act 1993.

In compiling this report, we have relied on the accuracy of all relevant information provided by the Company. We have not independently audited or verified that information and express no opinion on its accuracy, completeness or reliability.

We do not accept any liability whatsoever from this report.

All information contained in this report is for the confidential use of the parties to which it is provided in accordance with Section 255(2) of the Companies Act 1993 and is not to be disseminated or passed to any other person without prior written authority or in accordance with law.

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

3. Background

The Company was incorporated on 18 June 2012. It is the ultimate parent company of the CBL Group of Companies.

Background information about the company and its insolvency can be found in the liquidators' previous reports.

4. Conduct of the liquidation

- During the relevant period we:
 - Received the settlement payment of \$11.6 million in respect of the claim we (as liquidators) filed against the directors of the Company for breaches of directors' duties in respect of the acquisition of Securities and Financial Solutions Europe SA and IMS Expert Europe SA in January 2017. These proceedings have been discontinued against all parties.
 - Entered into a settlement to resolve the Financial Market Authority's claims against the company in respect of its continuous disclosure obligations during the second half of 2017 and early 2018, on terms acceptable to all parties. A penalty hearing took place before the High Court on 4 December 2023 and the Court's decision is pending. Under the settlement with the FMA, any



pecuniary penalties ordered by the Court will not affect distribution to creditors from funds received under settlement of the liquidators' claim against the directors.

- Adjudicated the creditor claims received and made an interim distribution of four cents in the dollar in respect of the accepted claims. We continue to deal with some claims that are not yet agreed.
- Continued to deal with matters relating to the settlement and the Company's involvement in various legal actions.

5. Creditor claims

We confirm:

- A total distribution of \$8.2 million has been made to unsecured creditors. This represents approximately four cents in the dollar. We have retained funds in respect of claims that are not yet agreed.
- We have also paid an eligible employee preferential claim totalling \$23,960 (gross).
- We cannot confirm at this stage if a further distribution to creditors will be possible.
- During the period \$0.6 million has been re-paid to a creditor in respect of funding provided for the Securities and Financial Solutions Europe SA and IMS Expert Europe SA acquisition claim.

6. Statement of receipts and payments

A statement of receipts and payments for the relevant period is attached to this report.

7. Summary and estimated date of completion of liquidation

The nature of the events surrounding the CBL group and its insolvency mean that the liquidation is likely to be long and complex. It is too early to assess the date by which the liquidation will be finished.

Should you have any queries regarding the liquidation of the Company, please do not hesitate to contact Naina Narula of this office.

Yours faithfully

Neale Jackson
Joint and Several Liquidator



CBL Corporation Limited (In Liquidation)

Statement of Receivers' receipts and payments 13 May 2023 to 12 November 2023

	\$
Opening Balance	528,910
Receipts	
Settlement proceeds	11,600,603
Interest received	101,748
GST refunds	52,683
Sundry receipts	5,883
Total receipts	11,760,916
Payments	
Administration Charges	5,548
Bank fees	248
Legal costs	257,361
Repayment of funding	630,000
Postage	68
Software/IT costs	638
Employee preferential claim	14,616
Distribution to unsecured creditors	8,154,844
Liquidator's remuneration	184,592
Total payments	9,247,914
Net cashflow	2,513,002
Closing balance	3,041,913
Comprises of	
Bank balance	3,038,051
GST receivable	3,862
Closing balance	3,041,913



CBL Corporation Limited (In Liquidation) Time Based Charging Report

For period 13 May 2023 to 12 November 2023
Time costs by position and work type

	Hourly rate (\$)	General admin		Reports		Tax/IRD related		Distribution		Total	
		Hours	Charge (\$)	Hours	Charge (\$)	Hours	Charge (\$)	Hours	Charge (\$)	Hours	Charge (\$)
Partner	640	131.1	83,645	-	-	-	-	23.3	14,912	154.4	98,557
Executive Director	585	40.0	23,400	2.6	1,521	6.6	3,861	46.9	27,437	96.1	56,219
Director	545	3.3	1,817	-	-	-	-	-	-	3.3	1,817
Associate Director	475	-	-	-	-	-	-	0.9	428	0.9	428
Senior Manager	400	0.9	340	-	-	2.2	860	5.1	2,040	8.1	3,240
Senior Analyst	280	17.7	4,970	1.2	336	2.0	546	57.7	16,142	78.5	21,994
Business Analyst	250	2.6	650	-	-	4.0	1,000	-	-	6.6	1,650
Support Staff	90	7.7	689	-	-	-	-	-	-	7.7	689
Total		203.3	115,510	3.8	1,857	14.7	6,267	133.9	60,958	355.6	184,592

Liquidators' disbursements	Cost
Administration Charges	5,548
Total	5,548

Detail of work completed

General liquidation	General case administration including on-site work, strategy meetings, attending to creditor queries, and processing of day to day receipts and payments.
Reports	Compiling statutory reports to creditors and any other reporting requirements.
Tax/IRD related	Tax related matters including liaison with advisors and the IRD.
Distribution	Creditor claims, adjudication, and processing.