



**BDM Asia Pacific Pty Ltd (In Liquidation)**  
**ACN 127 643 529**  
**Formerly known as Go To Super Pty Ltd**  
**Formerly known as CFS Corporation Pty Ltd**  
**(BDM)**

**Final update to creditors**

We refer to our Report to Creditors dated 24 August 2021.

The purpose of this report is to:

- provide creditors of BDM with a final update on the Liquidation; and
- provide creditors with a Form 548 – Notice of Intention to Declare a Final Dividend to Creditors.

**1 Liquidation update**

As noted in our previous reports to creditors, our investigations identified an individual that had received funds to which they may not have been entitled and we instructed our solicitors to conduct searches to locate the individual. Our solicitors conducted two separate skip trace searches and engaged a process server to attend the last known address of the individual. However, these searches have been unable to locate the individual. Accordingly, the Liquidators will not pursue this matter further and no recovery in the Liquidation is expected from this potential action.

The only remaining matter in the Liquidation is the declaration and distribution of a dividend to creditors. Please see section 2 below for further details regarding the dividend.

**2 Dividend**

As noted in our previous reports to creditors, the limited books and records available to the Liquidators indicate you may be a creditor of BDM. We now intend to declare a final dividend to creditors of BDM on or before 4 April 2022. If we are in a position to declare and pay the proposed dividend prior to this date, we will do so.

The following documents are enclosed for your reference:

- Form 548 - Notice of intention to declare a final dividend;
- Form 535 - Formal Proof of Debt; and
- Proof of Debt guidance notes.

As part of the dividend process, creditors of BDM are required to formally submit their claim for adjudication on or before 2 March 2022 by completing the attached 'Form 535 – Formal Proof of Debt' and attaching any supporting documentation (such as invoices, bank statements and contracts) for pre-appointment debts.

Please submit your claim by email, with sufficient supporting evidence, to [mchaudhary@mcgrathnicol.com](mailto:mchaudhary@mcgrathnicol.com).

**If you have already submitted a proof of debt, you are not required to do so again.**

Creditors who do not formally prove their pre-appointment debt by 2 March 2022, will be excluded from the benefits of this first and final dividend.

**3 Bank account details**

To assist with the timeline distribution of the proposed dividend, please email your bank account details to Mahin Chaudhary at [mchaudhary@mcgrathnicol.com](mailto:mchaudhary@mcgrathnicol.com). Please provide the following details:

- Account name;
- BSB number; and
- Account number.



#### **4 Liquidators' remuneration**

In accordance with our previous report to creditors, BDM creditors have approved our remuneration and accordingly, the payment of our fees has been deducted from the net realisations in the Liquidation.

#### **5 Next steps**

We will proceed with the Liquidation, which will include:

- complete the final dividend distribution process; and
- commence with the finalisation of the Liquidation.

#### **6 Queries**

If you have any queries in relation to the above, please contact Mahin Chaudhary on (07) 3333 9832. For further information this engagement, please refer to the McGrathNicol website:

<https://www.mcgrathnicol.com/creditors/bdm-asia-pacific-pty-ltd/>.

Dated: 4 February 2022

A handwritten signature in black ink, appearing to read 'Jamie Harris', with a long horizontal stroke extending to the right.

Jamie Harris  
*Liquidator*

Enclosures:

- 1 Form 548 - Notice of intention to declare a final dividend
- 2 Proof of Debt (Form 535)
- 3 Proof of Debt Guidance Notes

To the Recipient as Addressed

**FORM 548**

Subregulation 5.6.65(1)

*Corporations Act (2001)*

**NOTICE TO CREDITOR OR PERSON CLAIMING TO BE A CREDITOR OF  
INTENTION TO DECLARE A FINAL DIVIDEND**

BDM Asia Pacific Pty Ltd (In Liquidation)  
ACN 127 643 529  
Formerly known as Go To Super Pty Ltd  
Formerly known as CFS Corporation Pty Ltd  
**(BDM)**

A first and final dividend is to be declared on or before 4 April 2022 for BDM.

You are required formally to prove your debt or claim on or before 2 March 2022. If you do not, you will be excluded from the benefit of the dividend.

Dated 4 February 2022



Jamie Harris  
*Liquidator*

McGrathNicol  
Level 15, 175 Eagle Street  
Brisbane QLD 4000  
Australia  
Tel: (07) 3333 9832  
Email: [mchaudhary@mcgrathnicol.com](mailto:mchaudhary@mcgrathnicol.com)

**FORM 535**  
**FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)**

ACN  
 "the Company"

To the Liquidator/Administrator of the Company

1. This is to state that the Company was on \_\_\_\_\_, and still is, justly and truly indebted to:  
 \_\_\_\_\_ (name of creditor)  
 of \_\_\_\_\_ (address of creditor)  
 for \$ \_\_\_\_\_ and \_\_\_\_\_ cents (GST inclusive) GST amount \_\_\_\_\_

Date	Consideration (state how the Debt arose)	Amount \$ c	Remarks (include details of voucher substantiating payment)

2. To my knowledge or belief the creditor has not, nor has any person by the creditor's order, had or received any satisfaction or security for the sum or any part of it except for the following: *(insert particulars of all securities held. If the securities are on the property of the company, assess the value of those securities. If any bills or other negotiable securities are held, show them in a schedule in the following form).*

Date	Drawer	Acceptor	Amount \$c	Due Date

3. Select which of the below applies (choose one):

- |                                                                                                                                              |                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> The creditor is a company and I am signing as a director of the company                                             | <input type="checkbox"/> The creditor is a partnership and I am signing as a partner of the partnership  |
| <input type="checkbox"/> The creditor is a company and I am signing as an authorised representative/duly constituted attorney of the company | <input type="checkbox"/> I am signing in my personal capacity as a member or contributory of the Company |
| <input type="checkbox"/> I am an individual and I am signing in my personal capacity (which includes employees)                              | <input type="checkbox"/> Other: _____                                                                    |
| <input type="checkbox"/> The creditor is a sole trader and I am signing as the proprietor                                                    |                                                                                                          |

4. If you are a related party, state your relationship \_\_\_\_\_

I nominate to receive electronic notifications of documents in accordance with Section 600G of the Corporations Act at the following email address

Email: \_\_\_\_\_

5. Is this debt claimed on the basis of an assignment? Yes  No

If so, what consideration was paid for the debt? \_\_\_\_\_

This debt was incurred for the consideration stated and the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

Signature ..... Dated .....

Name: \_\_\_\_\_

Address: \_\_\_\_\_



## **Proof of Debt Guidance Notes**

(Please read carefully before filling in Form 535 or Form 536)

It is a creditor's responsibility to prove their claim to our satisfaction.

When lodging claims, creditors must ensure:

- the proof of debt form is properly completed in every particular; and
- evidence, as set out under "Information to support your claim", is attached to the Form 535 or Form 536.

### **Directions for completion of a Proof of Debt**

1. Insert the full name and address of the creditor.
2. Under "Consideration" state how the debt arose, for example "goods sold to the company on \_\_\_\_\_".
3. Under "Remarks" include details of any documents that substantiate the debt (refer to the section "Information to support your claim" below for further information).
4. Where the space provided for a particular purpose is insufficient to contain all the information required for a particular item, please attach additional information.

### **Information to support your claim**

Please note that unless you provide evidence to support the existence of the debt, your debt is not likely to be accepted. Detailed below are some examples of debts creditors may claim and a suggested list of documents that should accompany a proof of debt to substantiate the debt.

#### **Trade Creditors**

- Invoice(s) and statement(s) showing the amount of the debt; and
- Advice(s) to pay outstanding invoice(s) (optional).

#### **Guarantees/Indemnities**

- Executed guarantee/indemnity;
- Notice of Demand served on the guarantor; and
- Calculation of the amount outstanding under the guarantee.

#### **Judgment Debt**

- Copy of the judgment; and
- Documents/details to support the underlying debt as per other categories.

#### **Deficiencies on Secured Debt**

- Security Documents (eg. mortgage);
- Independent valuation of the secured portion of the debt (if not yet realised) or the basis of the creditor's estimated value of the security;
- Calculation of the deficiency on the security; and
- Details of income earned and expenses incurred by the secured creditor in respect of the secured asset since the date of appointment.

#### **Loans (Bank and Personal)**

- Executed loan agreement; and



- Loan statements showing payments made, interest accruing and the amount outstanding as at the date of appointment.

#### **Tax Debts**

- Documentation that shows the assessment of debts, whether it is an actual debt or an estimate, and separate amounts for the primary debt and any penalties.

#### **Employee Debts**

- Basis of calculation of the debt;
- Type of Claim (eg. wages, holiday pay, etc);
- Correspondence relating to the debt being claimed; and
- Contract of Employment (if any).

#### **Leases**

- Copy of the lease; and
- Statement showing amounts outstanding under the lease, differentiating between amounts outstanding at the date of the appointment and any future monies.