



**Family Fresh Growers Market Pty Ltd (In Liquidation)**  
**ACN 635 190 591**  
**(Family Fresh)**

**Initial Information for Creditors**

Rob Brauer and I were appointed Liquidators of Family Fresh on 27 April 2021.

We have been appointed to represent the interests of all creditors. We are responsible for locating Family Fresh's assets, investigating its affairs, reporting to the Australian Securities and Investments Commission (**ASIC**) and, if funds become available, paying money owed to creditors.

According to Family Fresh's records, you may be a creditor of Family Fresh.

The purpose of this document is to provide you with information about the liquidation and your rights as a creditor.

**Declaration of Independence, Relevant Relationships and Indemnities (DIRRI)**

We enclose our DIRRI. Our independent status and who appointed us is outlined in our DIRRI.

**What do you need to know?**

| Question   | Answer   |
|--|--|
| <b>What is a creditors' voluntary liquidation?</b> | A creditors' voluntary liquidation, or CVL, is a liquidation initiated by a company where it cannot pay all of its creditors in full. This means that the company is insolvent.  |
| <b>What are your rights as a creditor?</b>         | <p>We enclose a copy of the information sheet "Creditor Rights in Liquidations" issued by the Australian Restructuring Insolvency &amp; Turnaround Association (<b>ARITA</b>). It includes information on your rights to:</p> <ul style="list-style-type: none"><li>▪ make reasonable requests for a meeting;</li><li>▪ make reasonable requests for information;</li><li>▪ give directions to the Liquidators;</li><li>▪ appoint a reviewing liquidator; and</li><li>▪ replace us as Liquidators.</li></ul> <p>In addition, creditors have the right to request a meeting in the first 20 business days of a creditors' voluntary liquidation. If we receive a request for a meeting in writing from at least 5% of known creditors, unrelated to Family Fresh, we are required to hold a meeting, as long as the request is reasonable. Details of the considerations that are relevant to determine whether a request is reasonable are set out in the information sheet "Creditor Rights in Liquidations".</p> |



| Question   | Answer  |
|--|---|
| <p><b>What happens to your debt?</b></p>                   | <p>All creditors of Family Fresh are now creditors in the liquidation and will now be dealt with in the liquidation.</p> <p>The amount of money you receive depends on the amount we recover, including from locating, securing and selling Family Fresh's assets. After paying our fees, creditors share in any remaining money proportionally. If funds are available, the amount paid is called a dividend.</p> <p>A dividend can vary between creditors because the law entitles different types of creditors to be paid before other types of creditors. In addition, a dividend will only be paid where there are sufficient recoveries in the liquidation, which will not always be the case.</p> <p>If you have leased property to Family Fresh, have a retention of title claim or have a registered personal property securities interest in relation to Family Fresh, please contact Nic Hall on (08) 6363 7626 as soon as possible.</p> <p>We are not trading the business of Family Fresh.</p> |
| <p><b>Do you have to do anything?</b></p>                  | <p>You should read this information. You can choose to participate in the liquidation process, but you don't have to.</p> <p>If we need you to take action, we will write and ask you. For example, we may ask you to provide proof of your debt before we can pay you a dividend.</p> <p>If you do not think you are a creditor, please let us know.</p>   |
| <p><b>Summary of affairs</b></p>                           | <p>We have requested a Report on Company Activities and Property (<b>ROCAP</b>) to be submitted by the director by 11 May 2021. To date the ROCAP remains outstanding, though we anticipate receiving it shortly. Information presented in the ROCAP will be included in a report we will provide to you within three months of our appointment.</p>  |
| <p><b>Listing of creditors</b></p>                         | <p>As required by section 497(1) of the <i>Corporations Act</i>, we enclose a list of creditors, including their addresses and the estimated amounts of their claims that are shown in the records of Family Fresh. Any creditors related to Family Fresh are identified. If you do not agree with the estimated amount of your claim, please contact us to obtain a Proof of Debt Form (Form 535) to provide details and evidence of your claim.</p>   |
| <p><b>What has happened in the liquidation so far?</b></p> | <p>We are in the process of securing all books and records of Family Fresh, and any other information to assist us in the discharge of our duties in liquidation.</p> <p>To date we have:</p> <ul style="list-style-type: none"> <li>▪ contacted all statutory and government bodies to notify them of our appointment and to request any information on debts owed by Family Fresh.</li> <li>▪ undertaken initial high-level investigations and searches into potential assets of the company.</li> </ul>  |



| Question  | Answer   |
|---|--|
| <b>What is the cost of the liquidation?</b>         | <p>We get paid out of Family Fresh's money, including realisations from assets or from money paid to us by others, such as Family Fresh's directors. If there is not enough money in the liquidation, we do not get paid in full.</p> <p>We enclose our Initial Remuneration Notice, which provides you with information about how we propose to be paid for undertaking the liquidation.</p> <p>We may write and ask that you approve our remuneration for the work that we do in completing the liquidation. If we do, we will provide you with detailed information about what tasks we have undertaken and the costs of those tasks.</p> |
| <b>What further communication will you receive?</b> | <p>We will write to you within three months of our appointment advising whether a dividend is likely and update you on the progress of our investigations.</p> <p>We may also send you updates on the progress of the liquidation, or proposals to approve certain matters in the liquidation, at any time.</p> <p>If we consider it to be in the interests of creditors, we will hold a meeting to communicate with creditors. Further, if we receive a request for a meeting that complies with the guidelines set out in the creditor rights information sheet, we will also hold a meeting of creditors.</p>                             |
| <b>What happens next?</b>                           | <p>We will proceed with the liquidation, which will include:</p> <ul style="list-style-type: none"><li>▪ recovering and selling any available property;</li><li>▪ investigating Family Fresh's affairs;</li><li>▪ reporting to the corporate regulator, ASIC; and</li><li>▪ distributing any available funds to creditors in accordance with their priority.</li></ul>   |
| <b>Where can you get more information?</b>          | <p>ARITA provides information to assist creditors to understand liquidations and insolvency. This information is available from ARITA's website at <a href="http://www.arita.com.au/creditors">www.arita.com.au/creditors</a>.</p> <p>A copy of the information sheet, "Insolvency information for directors, employees, creditors and shareholders", issued by ASIC is also enclosed for your information.</p>  |

If you have any queries, please contact Nic Hall. For further information about this engagement, please refer to the website [www.mcgrathnicol.com/creditors](http://www.mcgrathnicol.com/creditors).

Dated: 11 May 2021

Rob Kirman  
*Liquidator*



Enclosures:

- 1 ARITA Information Sheet - Creditor Rights in Liquidations
- 2 Declaration of Independence, Relevant Relationships and Indemnities
- 3 Summary of affairs (Form 509)
- 4 List of creditors
- 5 Initial Remuneration Notice
- 6 ASIC Information Sheet - Insolvency information for directors, employees, creditors and shareholders