



McGrathNicol

7 July 2021

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**SKB Australia Pty Ltd (Administrators Appointed) as trustee for KBS Family Trust trading as  
Darch SUPA IGA  
(SKB)**

**Updated Circular to Creditors**

I refer to:

- the appointment of Rob Brauer and I as Voluntary Administrators of SKB on 19 April 2021 (**Administrators**);
- the first meeting of creditors of SKB held on 30 April 2021; and
- the Administrators' previous correspondence to creditors dated 5 May 2021 regarding the Supreme Court of Western Australia (**Court**) approving to extend the period in which to convene the second meeting of creditors of SKB to 13 July 2021 (**Convening Date**).

The Administrators advise that a second application was made to the Court to extend the Convening Date by an additional 3 months to 13 October 2021 (**Extension**). I confirm the Court granted the Extension on 5 July 2021. The Extension was sought by the Administrators to continue negotiations with interested parties in respect of a going concern sale of the SKB business.

The Administrators are required to issue a report prior to the second meeting of creditors, which will detail the affairs of SKB and advise the Administrators' recommendation as to the future of SKB. This report will be issued on or before 13 October 2021.

Notwithstanding the Extension, the Administrators are hopeful that a sale of the SKB business will complete in the short-term, and the convening of the second meeting of creditors will occur well prior to 13 October 2021.

In the interim, the Administrators continue to maintain trading, with operations continuing as usual. If you require any further information, please contact Phoebe Donaldson on (08) 6363 7619.

Yours faithfully

*SKB Australia Pty Ltd (Administrators Appointed)*

Rob Kirman

*Joint and Several Voluntary Administrator*

Enclosure: Copy of Court Orders dated 5 July 2021

2.04-210705-SKBAAUS01-2nd convening period extensionch

In association  
with



Liability limited by a scheme approved  
under Professional Standards Legislation

**ADVISORY  
RESTRUCTURING**



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/70/2021

EX PARTE:

**Robert Michael KIRMAN as joint and several  
administr SKB AUSTRALIA PTY LTD  
(ADMINISTRATORS APPOINTED) (ACN 150  
748 093) and Ors**

Plaintiffs

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**ORDERS OF THE HONOURABLE JUSTICE STRK  
MADE ON 5 JULY 2021**

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**UPON THE APPLICATION of the plaintiffs by letter filed on 2 July 2021, supported by the affidavit of Robert Michael Kirman sworn on 2 July 2021 and the affidavit of Robert Michael Kirman sworn on 28 April 2021, THE APPLICATION BEING determined on the papers, IT IS ORDERED THAT:**

1. The period within which the Plaintiffs are required by section 439A(1) of the Corporations Act 2001 (Cth) (Act) to convene a meeting of the creditors of SKB Australia Pty Ltd (Administrators Appointed) (ACN 150 748 093) (SKB) as extended by the Orders of Master Sanderson made 29 April 2021, be further extended to 13 October 2021.
2. Notwithstanding section 439A(2) of the Act, the Plaintiffs be at liberty to hold the meeting of creditors for SKB more than 5 business days before the conclusion of the convening period as extended by virtue of order 1, provided that the Plaintiffs give at least 2 business days notice of such meeting beforehand, in accordance with section 439A(3) of the Act.
3. The Plaintiffs be at liberty to apply in these proceedings for a further extension of the convening period extended by virtue of order 1.
4. The Plaintiffs give notice of these orders to SKBs known creditors by means of a circular, to be provided to SKBs known creditors by ordinary post or email no later than 7 days after the date of these orders.
5. Pursuant to Order 67B Rule 5 of the Rules of the Supreme Court 1971 (WA), the confidential second affidavit of Robert Michael Kirman filed in these proceedings be sealed on the court file and kept confidential.
6. Any interested person be at liberty to apply within 21 days from the date of these orders to

modify or discharge these orders.

7. The Plaintiffs costs of this application be paid from the assets of SKB fixed in the sum of \$4,400.00 inclusive of GST.

BY THE COURT

JUSTICE L STRK

