

IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY

I TE KŌTI MATUA O AOTEAROA
TAMAKI MAKAUROA ROHE

COPY

CIV-2020-404-001187

UNDER Part 19 of the High Court Rules and Part 15A of the
Companies Act 1993

IN THE MATTER of WIRECARD NZ LIMITED (Administrators Appointed) a
duly incorporated company having its registered office at
Level 17, AIG Building, 41 Shortland Street, Auckland,
1010, New Zealand

AND

IN THE MATTER of an application of by CONOR JOHN MCELHINNEY and
ANDREW JOHN GRENFELL of Auckland, insolvency
practitioners

Applicants

COURT ORDER

Date ~~7~~ 4th September 2020



TOMPKINS | WAKE

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COURT ORDER

1. The without notice originating application made by **CONOR JOHN MCELHINNEY** and **ANDREW JOHN GRENFELL** ('Administrators') on the 3rd of September 2020 was determined by Associate Judge Bell on the 4th of September 2020.
2. The determination was made without a hearing.
3. The following orders were made:
 - (a) That service of this application be dispensed with.
 - (b) That the convening period in the administration of Wirecard NZ Ltd ('company') as defined in s 239AT(2) of the Companies Act 1993 ('Act') which was extended to 5 October 2020 pursuant to the judgment of Andrew AJ dated 24 July 2020 and adopted by Bell AJ (the 'Judgment') be further extended to 30 October 2020 (a further extension of 18 working days) under s 239AT(3) of the Act or alternatively under s 239ADO of the Act.
 - (c) That the end of the termination period under s 239Y(3) of the Act which was extended in the Judgment to 12 October 2020 be further extended until 6 November 2020 (a further extension of 18 working days) under s 239Y(4) of the Act.



(d) On the basis that the extensions are granted:

- (i) The Administrators may convene a watershed meeting in respect of the company at any time within the period for which the extension has been granted.
- (ii) Leave be granted to any person who can demonstrate a sufficient interest to apply to modify or discharge the

above orders, upon appropriate notice being given to the Administrators.

(iii) Within seven days of the Court's orders the Administrators must:

- (1) Advertise the orders once in *The New Zealand Herald*;
- (2) Make available a copy of the Administrators' application dated 3 September 2020 and the orders on McGrathNicol's website; and
- (3) Provide a copy of the orders to the employees (including a translation of the orders in the applicable language) of the company through ordinary communication channels.

(e) The watershed meeting of creditors in respect of the voluntary administration of the company required to be held under s 239AT of the Act 'Watershed Meeting' may be conducted by video conference in accordance with clause 1 of Schedule 5 of the Act under s 239ADO or s 239ADR of the Act, and:



(i) Any creditor attending the Watershed Meeting by way of video conference is permitted to vote at the meeting;

(ii) Any documents required to be tabled at the Watershed Meeting may be tabled by emailing a copy to the email address by which the company normally communicates with the creditor or such other email address that the creditor may designate to the Administrators; and

- (iii) The Administrators must ensure that all creditors taking part can simultaneously hear each other throughout the meeting.

- (f) The costs of this application on a solicitor-client basis be paid out of the assets of the company.


JOSH LESA
DEPUTY REGISTRAR

(Registrar/Deputy Registrar)

Sealed this

4th day of SEPTEMBER 2020

