



McGrathNicol

**Nut Butter Wine Pty Ltd (formerly Onebuild Projects) (In Liquidation)**  
**ACN 104 825 667**  
**(NBW)**

**Circular to Creditors**

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I refer to the appointment of Jamie Harris and I as Liquidators of NBW on 13 September 2019.

This Circular provides creditors with an update regarding progress of the liquidation.

**Meeting of creditors**

On 28 February 2020, a meeting of NBW's creditors was held where creditors approved the following resolutions:

- the Liquidators' actual remuneration of \$61,309 (excluding GST) for the period 13 September 2019 to 3 December 2019;
- the Liquidators' future remuneration of \$60,000 (excluding GST) for the period 4 December 2019 to the finalisation of the Liquidation; and
- the Liquidators entering into an agreement that may involve a term or obligations that extends for more than three months.

**Rhys Auliff's Part X arrangement**

On 24 January 2020, Moira Carter of BRI Ferrier was appointed Controlling Trustee of Mr Auliff pursuant to section 188(1) of the *Bankruptcy Act 1996* (Part X No. QLD 313/2020/1).

On 5 March 2020, Mr Auliff's creditors resolved to approve Mr Auliff's personal insolvency arrangement. The Liquidators had submitted a claim for insolvent trading damages and voted against the resolution approving Mr Auliff's personal insolvency arrangement.

I am currently finalising the Liquidators' claim against Rhys Auliff in respect of insolvent trading damages. Should NBW's claim be accepted in Mr Auliff's personal insolvency arrangement, NBW may receive a dividend from Mr Auliff's estate.

If you have any queries regarding Mr Auliff's Part X, please contact Elliot Currie of BRI Ferrier on (07) 3220 0994 or [ecurrie@brifsq.com.au](mailto:ecurrie@brifsq.com.au).

**Investigations**

On 20 February 2020, I lodged the Liquidators' section 533 report with the Australian Securities and Investments Commission, which reports the outcome of our statutory investigations into NBW's affairs.

On 28 January 2020, I issued a letter to the Deputy Commissioner of Taxation (**Commissioner**) in respect of payments made by NBW to the Commissioner totalling \$52,000. I consider these payments to be unfair preference payments. The claim is still being reviewed by the Commissioner, which may be further delayed by the current COVID-19 crisis.

I am continuing to investigate whether any other transactions may be recovered for the benefit of creditors, including:

- further preference payments; and
- a former loan between NBW and RA Investments (Qld) Pty Ltd ATF Auliff Family Trust.

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I will advise creditors further as those matters progress, or when they are finalised, depending on the time within which those matters are finalised.

**Queries**

If you have any queries, please contact Patrick Cashman on (07) 3333 9828.

Dated: 8 April 2020

A handwritten signature in black ink, appearing to read 'Anthony Connelly', written in a cursive style.

Anthony Connelly  
*Liquidator*