



McGrathNicol

16 June 2020

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To the creditor as addressed

Tuchuzy Bondi Pty Ltd (Administrators Appointed)
ACN 081 997 444
(Tuchuzy)
Online Report Notification

We refer to our previous correspondence regarding Tuchuzy.

The second meeting of creditors has now been convened to be held on Thursday, 25 June 2020 at 3:30PM AEST **(the Second Meeting of Creditors)**.

Enclosed with this circular is the formal notice of this meeting.

While the technical meeting location will be at the offices of McGrathNicol Sydney, Level 12, 20 Martin Place, Sydney NSW 2000, the Second Meeting of Creditors will be held via teleconference and creditors will not be able to attend in person, given the current government guidance surrounding COVID-19 and social distancing measures.

We have issued a further report to creditors that will be available for download by close of business on Thursday, 18 June 2020 from www.mcgrathnicol.com/creditors/tuchuzy-bondi-pty-ltd/.

The purpose of the Administrators' Report is to provide creditors with details about the business, property, affairs and financial circumstances of the Company in preparation for the forthcoming Second Meeting of Creditors.

The Administrators' Report also informs creditors about the investigations undertaken by the Administrators and the Administrators' opinion about each of the options available to creditors, together with their opinion as to the course of action the Administrators recommend is in creditors' best interests.

Creditors who intend to vote at the meeting are required to lodge a formal proof of debt. Creditors who have already lodged a proof of debt do not need to complete a new one.

Creditors may exercise their right to vote by voting at the meeting in person or by appointing a proxy. The proxy forms lodged by creditors for the first meeting cannot be used for the second meeting. Accordingly, creditors should ensure that a proxy form, power of attorney or evidence of appointment of a company representative is completed and lodged.

Proof of debt and proxy forms will also be available for download by close of business on Thursday, 18 June 2020 from the above link and must be lodged with our office by 4:00PM on Wednesday, 24 June 2020. If you wish to attend the meeting, please contact Conor Menzies on (02) 9338 2664 via email at cmenzies@mcgrathnicol.com to obtain the dial in details.

In association
with



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under Professional Standards Legislation

**ADVISORY
RESTRUCTURING**



If you do not have access to the internet, you can request that a copy of the report be mailed to you. Please contact Conor Menzies on (02) 9338 2664.

Dated: Tuesday, 16 June 2020

A handwritten signature in dark ink, appearing to read 'Barry Kogan', with a stylized flourish at the end.

Barry Kogan
Joint and Several Administrator

Enclosed: 1. Notice of Second Meeting of Creditors



Notice of Meeting

Tuchuzy Bondi Pty Ltd (Administrators Appointed)
ACN 081 997 444
(the Company)

NOTICE OF MEETING OF CREDITORS OF COMPANY UNDER EXTERNAL ADMINISTRATION

1. Notice is now given that a meeting of the creditors of the Company will be held on **25 June 2020 at 3:30 PM**.
2. While the technical meeting location will be at the offices of McGrathNicol Sydney, Level 12, 20 Martin Place, Sydney NSW 2000, this meeting of creditors will be held via teleconference only and creditors will not be able to attend in person, given the recent government guidance surrounding COVID-19 and social distancing measures.
3. The purpose of the meeting is to determine the following:
 - a. To consider the Administrators' report, in relation to the Company and any other matters raised relating to the Company's future and then to resolve either that:
 - i. Tuchuzy Bondi Pty Ltd (Administrators Appointed) should execute a Deed of Company Arrangement (**DOCA**);
 - ii. the administration should end;
 - iii. the Company be wound up; or
 - iv. the meeting be adjourned.
 - b. To consider and if thought fit approve the Administrators' remuneration.
 - c. If Creditors resolve the Company enter into a DOCA, to consider and, if thought fit, approve the Deed Administrators' remuneration.
 - d. If the Company is wound up, to consider:
 - i. the appointment of a Committee of Inspection;
 - ii. to consider and if thought fit approve the Liquidators' remuneration
 - iii. authorising the Liquidators to compromise debts of the Company beyond the prescribed amount under Section 477(2A) of the Corporations Act; and
 - iv. authorising the Liquidators to enter into agreements that may take longer than three months to complete under Section 477(2B) of the Corporations Act.
 - e. To discuss any other relevant business which may arise.



4. The effect of Insolvency Practice Rules (Corporations) section 75-85 (entitlement to vote as creditor at meetings of creditors) is:
 - a. A person other than a creditor (or the creditor's proxy or attorney) is not entitled to vote at a meeting of creditors.
 - b. Subject to subsections (3), (4) and (5), each creditor is entitled to vote and has one vote.
 - c. A person is not entitled to vote as a creditor at a meeting of creditors unless:
 - i. his or her debt or claim has been admitted wholly or in part by the external administrator; or
 - ii. he or she has lodged, with the person presiding at the meeting, or with the person named in the notice convening the meeting as the person who may receive particulars of the debt or claim:
 - those particulars; or
 - if required—a formal proof of the debt or claim.
 - d. A creditor must not vote in respect of:
 - i. an unliquidated debt; or
 - ii. a contingent debt; or
 - iii. an unliquidated or a contingent claim; or
 - iv. a debt the value of which is not established;unless a just estimate of its value has been made.
5. Proofs of debt and proxies must be submitted by 4:00 PM on Wednesday, 24 June 2020.
6. Should a person, or the proxy or attorney of a person, wish to participate in the meeting, please contact Conor Menzies on (02) 9338 2664 or on cmenzies@mcgrathnicol.com not later than 4:00 PM on 24 June 2020 in order to be provided with the dial in details.

Dated: 16 June 2020

Barry Kogan
Joint and Several Administrator

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