



**Triple MMM Holdings Pty Ltd (Administrators Appointed) ACN 629 584 238
in its personal capacity and its capacity as trustee for Triple MMM Unit Trust
ABN 13 537 443 405
(Triple MMM)**

Initial Information for Creditors

Matthew Caddy and I were appointed Administrators of Triple MMM on 21 November 2022 (**Administrators**).

We have been appointed to represent the interests of all creditors. We are responsible for taking control of Triple MMM's assets and business, investigating Triple MMM's affairs, reporting and providing opinions to creditors and holding meetings of creditors to make decisions on the future of Triple MMM.

According to Triple MMM's records, you may be a creditor of Triple MMM.

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

Declaration of Independence, Relevant Relationships and Indemnities (DIRRI)

We enclose our DIRRI. This document records our conclusion that we are independent to act and discloses who appointed us.

Court Orders regarding conduct of the voluntary administration

The Administrators intend to make an application to the Federal Court, seeking orders permitting the Administrators to enter into a funding agreement for the conduct of the Voluntary Administration. The application has been listed for 11.15am on Monday 28 November 2022. The approved purpose of the funding will be to ensure the continued operations of the Company, including construction of the development at 124-134 Russell Street, Melbourne VIC 3000, as well as to meet other costs of the Administration.

In summary, the orders sought are:

1. to limit the Administrators' personal liability in relation to the funding deed under s 443A of the Act; and
2. that the Administrators' were justified in entering into the funding deed.

A copy of the application may be made available to any creditors on request.

A copy of the orders, if so made, will be available to creditors at this link:

<https://www.mcgrathnicol.com/creditors/triple-mmm-holdings-pty-ltd-administrators-appointed-in-its-personal-capacity-and-its-capacity-as-trustee-for-triple-mmm-unit-trust/>

What you should do

You should:

- read the enclosed information;
- decide whether you are going to participate in the first meeting; and if so
- complete and return your proof of debt and proxy form (if required) by **4.00pm (AEST) on Wednesday 30 November 2022**.

Meetings of creditors

As Administrators, we are required to hold two meetings of creditors.



First meetings of creditors

The first meeting of creditors will be held as follows:

Date: 1 December 2022

Time: 10:00am (AEST)

Address: Virtual meeting details will be provided upon request (no in-person meeting will be held)

The notional location for the meeting is the offices of McGrathNicol at Level 6, 171 Collins Street, Melbourne VIC 3000. Please note, this notional address is provided for compliance purposes only, please do not attend in person.

Creditors will be provided with a short progress update on the administration at this meeting. The other purposes of this meeting are to consider:

- our appointment; and
- whether to appoint a Committee of Inspection (**COI**) (as small group of representative creditors to assist the Administrators).

We enclose a notice of meeting. The meeting will only be held virtually using online video conferencing. The online video conference can be joined from a computer (preferred) or telephone. Questions can be typed or asked verbally during the meeting. Voting may be conducted by taking a poll by an electronic survey accessible by computer or mobile device.

Please confirm whether you wish to attend the meeting prior to **4.00pm (AEST) on Wednesday 30 November 2022** by contacting Tess Mitchell by email (tmitchell@mcgrathnicol.com) or telephone (03) 9278 1006. You will then be provided with detailed instructions on how to participate in the virtual meeting.

To participate in this meeting, you must submit a proof of debt to substantiate your claim. If the creditor is a person and will attend the meeting, this is all that is required. However, if the creditor is another type of entity such as a company, they must also appoint a person – a “proxy” or person authorised under a power of attorney – to vote on behalf of the creditor at the meeting. A proxy should also be appointed if the creditor is a person, but is not available to attend the meeting.

You can appoint the chairperson of the meeting as your proxy and direct the chairperson how you wish your vote to be cast. If you choose to do this, the chairperson must cast your vote as directed.

Proof of debt and proxy forms are enclosed, together with guidance notes to assist you when you complete them. Your completed proof of debt and, if applicable, proxy form must be returned to Tess Mitchell by post or by email to tmitchell@mcgrathnicol.com by **4.00pm (AEST) on Wednesday 30 November 2022**. Email communication is preferred. If you are using the post to return your forms, please ensure you use the ‘express post’ option.

We also enclose general information for attending and voting at virtual meetings of creditors.

COI

At the first meeting, creditors will consider whether a COI should be appointed. The role of a COI is to consult with the Administrators and receive reports on the conduct of the administration. A COI can also approve the Administrators’ fees. The Administrators will provide guidance regarding the need for a COI in the circumstances of the administration of Triple MMM during the meeting.

It is our opinion that a COI is not required for this administration for the following reasons:

- there are a limited number of creditors; and
- there is a lack of complexity in the voluntary administration.

However, it is for creditors to decide if they would like to form a COI in this voluntary administration.



Second meeting of creditors

We will also, in due course, call a second meeting of creditors.

The purpose of that meeting is for creditors to consider our report and make a decision on the future of Triple MMM.

Before that meeting you will be sent the notice of meeting and a detailed report which will set out the options for Triple MMM’s future. We will also provide our opinion as to what option we think is in the best interests of creditors.

You are encouraged to attend these meetings and participate in the voluntary administration process.

What do you need to know?

Question	Answer
<p>What is a voluntary administration?</p>	<p>A voluntary administration, or VA, is a process initiated by the director(s) of a company or a secured creditor of a company when they form the view the company is, or is likely to become, insolvent. ‘Insolvent’ means that the company is, or is likely to become, unable to pay its debts when they fall due. Less commonly, a VA is commenced by a liquidator of the company. In this case, the VA appointment was made by the secured creditor of the company.</p> <p>The objective of a voluntary administration is to preserve as much as possible of the business of the company or, if that is not feasible, seek a better outcome for creditors than an immediate liquidation of the company. The process involves the appointment of a voluntary administrator to the company to administer and investigate the business, property, affairs and financial circumstances of the company. A voluntary administrator must complete investigations, form an opinion about the company’s financial position and its future and issue a detailed report to creditors of the company. Creditors are then given the opportunity to vote on the future of the company.</p>
<p>What are your rights as a creditor?</p>	<p>We enclose a copy of the information sheet “Creditor Rights in Voluntary Administrations” issued by the Australian Restructuring Insolvency & Turnaround Association (ARITA). It includes information on your rights to:</p> <ul style="list-style-type: none"> ▪ make reasonable requests for information; ▪ give directions to the Administrators; ▪ appoint a reviewing liquidator; and ▪ replace us as Administrators.
<p>What happens to your debt?</p>	<p>All creditors of Triple MMM are now creditors in the voluntary administration and your debt will be dealt with in the voluntary administration.</p> <p>It is important to note that a voluntary administration creates restrictions on creditors being able to enforce their rights. You generally cannot enforce your claim, recover your property, enforce your security, commence an action to place the company into liquidation or act on a personal guarantee. If you have leased property to Triple MMM, have a retention of title claim or have a registered personal property security interest in relation to Triple MMM, please contact Tess Mitchell on (03) 9278 1006 as soon as possible.</p>



Question	Answer
What is the cost of the voluntary administration?	<p>We get paid out of Triple MMM's money, including realisations from assets or from money paid to us by others, such as Triple MMM's secured creditor. If there is not enough money in the voluntary administration, 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 voluntary administration.</p> <p>We will likely seek your approval of our remuneration at the second meeting of creditors, unless that remuneration is approved earlier by a COI (if one is appointed). We will provide you with detailed information about what tasks we have undertaken and the costs of those tasks.</p>
What happens next with the voluntary administration?	<p>We will proceed with the voluntary administration, which will include:</p> <ul style="list-style-type: none">▪ trading the business and continuing operations;▪ potentially realising some or all of the assets of the company if that is the most appropriate course of action;▪ preparing for and holding the meetings of creditors;▪ investigating Triple MMM's affairs;▪ analysing any offer for a Deed of Company Arrangement that is proposed; and▪ preparing our report to creditors. <p>As discussed above, you will receive further correspondence from us before the second meeting of creditors.</p>
Where can you get more information?	<p>ARITA provides information to assist creditors to understand voluntary administrations and insolvency. This information is available from ARITA's website at www.arita.com.au/creditors.</p> <p>A copy of the information sheet, "Insolvency information for directors, employees, creditors and shareholders", issued by the Australian Securities and Investments Commission (ASIC) is also enclosed for your information.</p>

If you have any queries, please contact Tess Mitchell by email (tmitchell@mcgrathnicol.com) or telephone (03) 9278 1006.

Dated: 24 November 2022

Matthew Hutton
Administrator



Enclosures:

- 1 ARITA Information Sheet - Creditor Rights in Voluntary Administrations
- 2 Declaration of Independence, Relevant Relationships and Indemnities
- 3 Notice of Meeting
- 4 Proof of Debt (Form 535)
- 5 Proof of Debt Guidance Notes
- 6 Proxy Form
- 7 Proxy Form Guidance Notes
- 8 General information for attending and voting at meetings of creditors
- 9 ARITA Information Sheet – Committees of Inspection
- 10 Initial Remuneration Notice
- 11 ASIC Information Sheet - Insolvency information for directors, employees, creditors and shareholders