



McGrathNicol

McGrathNicol Limited

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Liquidators' third report
(pursuant to s255 of the Companies Act 1993)
Kumfs Brand Limited (In Liquidation) (Company)
Company number: 2166895

1. Appointment

Conor McElhinney and Andrew Grenfell (**Liquidators**) were appointed jointly and severally as liquidators of the Company on 7 February 2020 by a resolution of the Company's creditors at the Watershed Meeting.

As Accredited Insolvency Practitioners, the Liquidators are bound by the Restructuring Insolvency and Turnaround Association of New Zealand Inc's (**RITANZ**) Code of Professional Conduct, a copy of which can be located on RITANZ's website (www.ritanz.org.nz).

The Liquidators are Licensed Insolvency Practitioners pursuant to the Insolvency Practitioners Regulation Act 2019. Liquidators of insolvent companies are required to be licensed insolvency practitioners. You may obtain more information regarding the regulation of insolvency practitioners from the Registrar of Companies.

2. Disclaimer

The purpose of this report is to report to the creditors and shareholders in accordance with Section 255 of the Companies Act 1993 (Companies Act).

This report has been prepared based on the information known to the Liquidators as at the date of this report. We reserve the right (but will be under no obligation) to review this report and, if we consider it necessary, to revise the report in the light of any information existing at the date of this report that becomes known to us after that date. We have not independently verified the accuracy of information provided to us, nor have we conducted an audit in respect of the Company. We express no opinion on the reliability, accuracy, or completeness of information provided to us and upon which we have relied.

The Liquidators do not accept responsibility or liability for any losses occasioned to any party as a result of the circulation, publication, reproduction, or use of this report.

3. Company information

Date of incorporation: 26 August 2008
Trading address: 59 Mahunga Drive, Mangere Bridge, Auckland
Type of business: Women's Footwear
Shareholders: Kumfs Group Limited (in Liquidation)
Directors: Robert Paul Edwards, Andrew John Robertson, John David Robertson

In association
with



**ADVISORY
RESTRUCTURING**



4. Report on conduct of the liquidation

Since the previous report, the Liquidators have attended to the following matters during the course of the liquidation:

- a) Transfer of intellectual property assets (brands) to the purchaser.
- b) Realisations from the sale of the intellectual property is held by a related entity, Ziera Shoes NZ Limited (In Liquidation). Prior to the Voluntary Administration, this company had advanced monies to Kumfs Brand Limited (In Liquidation) via an intercompany advance. Distributions have been paid to group entities and to ultimate unrelated unsecured creditors via intercompany distributions.
- c) There have been no receipts and payments to report for the period 7 August 2020 to 6 February 2021, as the amounts are accounted for within Ziera Shoes.

5. Proposals for completing the liquidation

The Company operated as part of a wider group with the related party trading entities Ziera Shoes NZ Limited (In Liquidation), Ziera Retail NZ Limited (In Liquidation) and Ziera Retail Pty Limited (In Liquidation), funded via intercompany advances. The Liquidators will remain in office pending the receipt and subsequent distribution to creditors of final dividends received from these related companies.

6. Liquidators' Declaration of Independence, Relevant Relationships and Indemnities (**Declaration**)

The Liquidators provided a Declaration in the Watershed Report dated 29 January 2020 previously provided to creditors. There have been no changes since that report.

7. Liquidators' remuneration

The Liquidators' remuneration is charged on an hourly basis at their standard hourly rates. These rates, the qualifications and experience generally of staff at each level, and how we charge disbursements, was set out in our first report dated 14 February 2020. Updated rates effective 1 April 2020 were provided in our previous report.

There has been no Liquidators' remuneration received for the period 7 August 2020 to 6 February 2021 in this entity within the Group.

8. Estimated date of completion of liquidation

The Liquidators estimate that the liquidation will be completed by 30 June 2021. However, finalising the liquidation is dependent on third parties that are outside the Liquidators' control, specifically the Australian and New Zealand tax authorities.

9. Further information

Should you have any information that you believe would lead to realisations for the benefit of creditors, please set it out in writing, attaching copies of all documentary evidence, and send it to the Liquidators. Please note that the Liquidators can only act on written information as telephone, or other, conversations will be regarded as hearsay by the Court.

10. Prospect of a dividend

The only creditor of the Company is a related entity Ziera Shoes NZ Limited (In Liquidation), which has received inter-company distributions.



11. Contact details

The Liquidators can be contacted at McGrathNicol, Level 17, AIG Building, 41 Shortland Street, Auckland (PO Box 106-733, Auckland 1143). Telephone enquiries should be directed to Priscilla Cooper direct dial (09) 926 5107.

Dated: 3 March 2021

Conor McElhinney
Liquidator