

Cullen Group Australia Pty Ltd ACN 131 442 843(Receivers and Managers appointed) (in Liquidation) (“CGA”)

Minutes of a meeting of the Committee of Inspection (“the Committee”) held 27 April 2017

Held at Aaromat Fencing at 20 Gassman Drive, Yatala, Queensland.

Present:

Michael Caspaney - Liquidator
John Goddard (Aaromat Fencing & Balustrade Pty Ltd)
Tom Caelli (SEQ Formwork and Hire)
Melissa Cuniffe (Melcun Constructions Pty Ltd)
David Mobberley (MBrick Pty Ltd)
Diann Elliott (Reo-force Steelfixing Contractors Pty Ltd)

Observer: Matthew Pease from the Liquidator's office

Apologies: Julie Jones (Team Rock Anchor Queensland Pty Ltd)

The meeting opened at 8.10am

The main agenda item is to discuss the preference letters sent to creditors including some members of the committee. The liquidator advised that it was not appropriate to discuss any individual issues of any members of the committee as the committee were acting for the all creditors. The liquidator was also aware that several of the recipients of the letters had engaged the services of solicitors, however, in order to save costs, he would be happy to discuss the matter with any individuals outside of the meeting.

The liquidator then gave a quick explanation on the preference process including the definition of the relation back day period as well as the number of creditors who have received such letters and an estimate on the number who may still receive a claim for preference payments.

The liquidator then opened up the meeting to questions from the committee. Mr Mobberley asked if the claims of preference arose from one specific project. The liquidator advised that a preference payment was one made from the company irrespective of the project being worked on.

Mr Goddard asked if we were aware of an insolvency date as yet. The liquidator advised that his office was currently undertaking solvency investigations and would be preparing a report in due course in order to show when the company was actually insolvent.

Ms Elliott asked if the director was going to be charged with any offences. The liquidator advised that his office will be preparing a report to ASIC pursuant to s533 of the Corporations Act which will contain all information available from the investigations and will then be the decision of ASIC whether to pursue the director any further.

Ms Cuniffe then asked if the director could be charged with any criminal offences. The liquidator advised that this decision would again be left with ASIC who will make that judgement after reviewing the s533 report.

Ms Elliott asked if the director owned any property in his own name. The liquidator advised of at least one property in another development that was registered in the sole name of the director. However, this property had several caveats placed on the title which seemed to relate to personal guarantees given by the director for some of the company's debt. On this basis, it appears that this property would hold no equity for any claims the company might bring against the director. Further, the director had recently submitted a debtor's petition declaring himself bankrupt. This will limit the ability for the company to recover any debts owing to it by the director.

Mr Goddard asked if there will be any dividends to the creditors. The liquidator advised that investigations were continuing and that the question was a little difficult to answer at this point in time. However, preliminary reports indicated that there may be a substantial amount owing from the debtors of the company. The success of recovery will be dependent on whether they intend on defending our claims and if their defence is valid. The liquidator's office is also working on related party claims as well

as other smaller asset recoveries such as an insurance claim which was lodged prior to liquidation. Given the uncertainty of the larger potential asset recoveries, a likelihood of a dividend to creditors is still uncertain.

The liquidator then advised that the other agenda item to be discussed was his remuneration. The liquidator discussed the process he wished to undertake in this matter including the issuance of a report to all the creditors once recoveries had been made. A report will provide an update on the successful recoveries, further work to be conducted and the seeking of remuneration approval from the committee. A timeframe for this report cannot be provided as yet.

No further questions from the committee and the meeting was closed at 9.55am.

Signed as a correct record.

DATED this 3rd day of May 2017.



CHAIRMAN