

19 May 2021

NOTIFICATION TO CREDITORS

AUTCARE SERVICES PTY LTD (ADMINISTRATORS APPOINTED)
ACN 004 497 607
("THE COMPANY")

I refer to the appointment of Ross Blakeley, Christopher Hill, and I as Voluntary Administrators of the Company on 4 February 2021.

I also refer to the following:

- Notification to Creditors dated 22 February 2021 advising creditors that the Administrators would be making an application to Court to extend the convening period to hold the second meeting of creditors for a period of up to 90 days.
- Orders made in the Federal Court of Australia on 26 February 2021 that granted an extension to the convening period up to and including 24 May 2021

The purpose of this Notification to Creditors is to advise creditors the Administrators have made a second application to Court to seek a further extension to the convening period to hold the second meeting of creditors for an additional six weeks to 5 July 2021. I provide further details below.

I note that the Company will continue to trade as usual during this extended period.

Restructuring initiatives to date

Since our appointment, the Company has continued to trade on a business as usual basis while a number of restructuring initiatives were undertaken. I am pleased to advise that the Company has successfully implemented the majority of these restructuring initiatives to improve the Company's financial performance and provide a platform to be sustainable and profitable in the long term.

This has also been done with a view of maximising the likelihood of securing a recapitalisation of the business by way of a Deed of Company Arrangement ('DOCA'). I note that we are in advanced discussions with a potential proponent of a DOCA.

The restructuring initiatives discussed above have included securing new terms with all go-forward customers as well as rationalising the property portfolio and negotiating new terms with key landlords.

I advise that as at the date of this letter, the Administrators are continuing their negotiations with landlords whose positions are not yet finalised. These locations are critical to the Company moving forward.

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While negotiations are advanced, additional time is required to further advance the position.

The potential DOCA proponent has expressly advised that it requires these negotiations to be finalised prior to submitting a board approved DOCA.

Federal Court Application – second extension to the convening period

As a result of the above, the Administrators have made an application to Court to obtain a further extension to the convening period to hold the second meeting of creditors for an additional six weeks to 5 July 2021. The application to the Federal Court is to be heard at 10:30am on Friday, 21 May 2021. We **enclose** a copy of the Interlocutory Process.

If you wish to be heard on the matter, contact the Federal Court on 1300 720 980 and/or email associate.yatesj@fedcourt.gov.au and emily.pendlebury@hamiltonlocke.com.au.

Yours faithfully



Joseph Hansell
Voluntary Administrator

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 18/05/2021 5:32:36 PM AEST and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged: Interlocutory process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 3
File Number: NSD109/2021
File Title: AN APPLICATION BY CHRISTOPHER HILL, JOSEPH HANSELL AND ROSS BLAKELEY IN THEIR CAPACITY AS JOINT AND SEVERAL VOLUNTARY ADMINISTRATORS OF AUTOCARE SERVICES PTY LTD ACN 004 497 607 & ANOR
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: Interlocutory Hearing
Time and date for hearing: 21/05/2021, 10:30 AM
Place: Court Room 19A, Level 17, Law Courts Building 184 Phillip Street Queens Square, Sydney; By Web Conference, Level 17, Law Courts Building 184 Phillip Street Queens Square, Sydney



Sia Lagos

Dated: 19/05/2021 9:31:13 AM AEST

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Form 3 Interlocutory process

(rules 2.2, 15A.4, 15A.8 and 15A.9)

No. NSD 109 of 2021

**IN THE MATTER OF AUTOCARE SERVICES PTY LTD ACN 004 497 607
(ADMINISTRATORS APPOINTED)**

**CHRISTOPHER HILL, JOSEPH HANSELL AND ROSS BLAKELEY IN
THEIR CAPACITY AS JOINT AND SEVERAL VOLUNTARY
ADMINISTRATORS OF AUTOCARE SERVICES PTY LTD ACN 004
497 607 (ADMINISTRATORS APPOINTED)**

First Plaintiff

AUTOCARE SERVICES PTY LTD ACN 004 497 607

Second Plaintiff

A. DETAILS OF APPLICATION

This application is made under section 447A(1) of the *Corporations Act 2001* (Cth) (the Act)..

On the facts stated in the supporting affidavits of Christopher Clarke Hill to be sworn and filed in support of this application, the Plaintiffs apply for the following orders:

Confidentiality

1. Pursuant to s 37AF(1)(b) of the *Federal Court of Australia Act 1976* (Cth) and on the ground that the order is necessary to prevent prejudice to the proper administration of justice the following documents, shall be marked “confidential” on the electronic court file and are not to be published or accessed, except pursuant to an order of the Court or the written agreement of the Plaintiffs until 12 July 2021.
 - (a) Exhibit CCH-2 to the affidavit of Christopher Clarke Hill sworn 24 February 2021;
 - (b) Exhibit CCH-3 to the affidavit of Christopher Clarke Hill sworn 25 February 2021;



- (c) Second affidavit of Christopher Clarke Hill to be sworn on or about 19 May 2021;
- (d) the submissions filed by the plaintiffs in support of the application to the extent that they disclose the content of the documents in (a)-(c) above;
- (e) the transcript of the hearing of the application to the extent that the transcript discloses the content of the documents in (a)-(c) above.

Extension of the convening period

2. Pursuant to s 447A(1) of the *Corporations Act 2001* (Cth) (the **Act**), Pt 5.3A of the Act is to operate in relation to the Second Plaintiff such that:
 - (a) s 439A(1) also provided that the meeting of creditors required by that section may be convened and held within the convening period (including within the convening period as extended pursuant to s 447A(1)); and
 - (b) the convening period for the meeting of creditors required to be held pursuant to s 439A(1) be extended up to and including 5 July 2021.
3. Pursuant to section 447A(1) of the Act, that Part 5.3A of the Act is to operate in relation to the Second Plaintiff such that the meeting of creditors of the Second Plaintiff, required by section 439A(1) of that Act, be held during the period as extended by Order 2 above, and the period of five (5) business days thereafter, notwithstanding the provisions of section 439A(2) of the Act.

Notice of these orders and other matters

4. Pursuant to section 447A(1) of the Act, Part 5.3A of the Act is to operate in relation to the Second Plaintiff such that notice of the second meeting of the creditors of the Second Plaintiff will be validly given to creditors of the Second Plaintiff by:
 - (a) causing notice to be published on the ASIC published notices website at <https://insolvencynotices.asic.gov.au>;
 - (b) sending a hyperlink to the notices published on the ASIC published notices website by email to the email address of each creditor at such



- email address as is recorded in the books and records of the Second Plaintiff;
- (c) where an email address is not recorded in the books and records of the Second Plaintiff but a postal address is recorded, sending the notice by posting it to the postal address of each creditor as is recorded in the books and records of the Second Plaintiff; and
 - (d) where the First Plaintiffs do not have an email or postal address by publishing the notice on the website maintained by the First Plaintiff.
5. The First Plaintiffs take all reasonable steps to cause notice of these orders to be given, within two (2) business days' of making these orders to:
- (a) the creditors (including persons claiming to be creditors) of the Second Plaintiff in the following manner:
 - (i) where the First Plaintiffs have an email address for a creditor, by notifying each such creditor, via email, of the making of the orders;
 - (ii) where the First Plaintiffs do not have an email address for a creditor, but have a postal address for that creditor by notifying each such creditor, by post, of the making of the orders; and
 - (iii) where the First Plaintiffs do not have an email or postal address by publishing the notice on the website maintained by the First Plaintiff.
 - (b) ASIC, by its street address or email address.
6. Liberty to apply be granted to any person, including any creditor of the Second Plaintiff or ASIC, who can demonstrate sufficient interest to vary orders 1, 2 or 3 on the giving of two (2) business days' notice to the Plaintiffs, and to the Court.
7. The First Plaintiff's costs and expenses of and incidental to the originating process are to be treated as costs in the administrations of the Second Plaintiff.
8. An order that these orders to be entered forthwith.



9. Such further or other orders or directions as the Court considers appropriate.

Date: 18 May 2021

A handwritten signature in blue ink, appearing to be 'H. Lock', enclosed in a blue ink scribble.

.....
*Signature of applicant making this application or
applicant's legal practitioner*

This application will be heard by at [address of Court] at
..*am/*pm on

B. NOTICE TO RESPONDENT(S) (IF ANY)

TO: [name and address of each respondent to this interlocutory process (if any). If applicable, also state the respondent's address for service.]

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence.

Before appearing before the Court, you must, except if you have already done so or you are the plaintiff in this proceeding, file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff in the originating process.

Note Unless the Court otherwise orders, a respondent that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. FILING

This interlocutory process is filed by Hamilton Locke for the applicant.



D. SERVICE

The applicant's address for service is Level 42, 264 George Street, Sydney NSW 2000.

It is not intended to serve a copy of this interlocutory process on any person.