

3 December 2019

**TO CREDITORS AND EMPLOYEES**

**WITS HOLDINGS PTY LTD (IN LIQUIDATION)  
ACN 050 322 284 (“THE COMPANY”)  
TRADING AS WADLEY’S**

**NOTICE OF INTENTION TO APPLY FOR REMUNERATION**

I refer to our appointment as Joint and Several Administrators (“Former Administrators”) of the Company on 28 March 2019.

I write to provide you with notice of our intention to apply to the Supreme Court of Victoria for approval of remuneration and disbursements as stipulated in Form 16 attached to this letter.

The Former Administrators are seeking approval for the following:

Period	Applicable FTI Rates Commencing	Amount (excl. GST)
Voluntary Administration Period: 28 March 2019 to 9 April 2019 (inclusive)	1 March 2017	\$280,049.50
Liquidation Period: 10 April 2019 to 30 September 2019 (inclusive)	1 March 2017	\$214,584.50 but limited to \$80,000.00
<b>Total Remuneration Claim</b>		<b>\$360,049.50</b>
Internal Disbursements: 28 March 2019 to 9 April 2019 (inclusive)	N/A	\$1,851.00
<b>Total Claim</b>		<b>\$361,900.50</b>

A considerable amount of time was incurred in the period after the Liquidator was appointed on 10 April 2019 and relates to dealing with outstanding issues resulting from the voluntary administration period including, payment of suppliers, employee salaries and attending to statutory reporting requirements. The Former Administrators have elected to discount their remuneration by \$134,584.50 plus GST and are seeking approval of a revised amount of \$80,000 plus GST.

The application to the Court, including all exhibits, is a substantial document running to many pages. Therefore, in order to save printing and postage costs, the full application is available for download from my firm’s website at <http://www.fticonsulting-asia.com/creditors> Should you require a printed copy of the application, please make this request to the person at the foot of this letter.

As stipulated in Form 16, if you object to our application, you must, within 21 days after being served with this notice, serve on the Former Administrators, a notice of objection stating the grounds of objection to the remuneration and disbursements claimed.

**FTI Consulting (Australia) Pty Limited**  
 ABN 49 160 397 811 | ACN 160 397 811 | AFSL Authorised Representative # 001269325  
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Should you have any queries, please contact James Mazzone on either 03 9604 0626 or [james.mazzone@fticonsulting.com](mailto:james.mazzone@fticonsulting.com).

Yours faithfully



Kathryn Warwick  
Senior Managing Director  
FTI Consulting

Encl.

**NOTICE OF INTENTION TO APPLY FOR REMUNERATION**

IN THE MATTER OF WITS Holdings Pty Ltd

ACN: 050 322 284

TO:

TAKE NOTICE that, not less than 21 days after this notice is served on you, we, Kathryn Warwick, Ross Blakeley and Joseph Hansell, all of 600 Bourke Street Melbourne VIC 3000, the former external administrators of the above company, intend to apply to the Court to determine our remuneration.

If you object to our application, you must, within 21 days after being served with this notice, serve on us a notice of objection stating the grounds of objection to the remuneration claimed.

Date: 3 December 2019

  
.....  
*Signature of external administrator*

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI**

**2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS**  
according to the schedule

Plaintiffs

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS**  
according to the schedule

Defendants

**AFFIDAVIT OF KATHRYN WARWICK**

Date of document 2 December 2019

Filed on behalf of the plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

Rialto Towers

525 Collins Street

MELBOURNE VIC 3000

Solicitors Code 8510

DX 204 MELBOURNE

Telephone (03) 8608 2000

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Reference BRW 1248222

Brendon Watkins

(brendon.watkins@minterellison.com)

I, **KATHRYN WARWICK** of 600 Bourke Street Melbourne VIC 3000, Senior Managing Director, make oath and say as follows:

1. I am the first plaintiff named in these proceedings, and am authorised to make this affidavit on behalf of the second and third plaintiffs.
2. Except where I otherwise indicate, I make this affidavit from my own knowledge.
3. I make this affidavit in support of the plaintiffs' proposed application by Originating Process and Summons for orders under sections 90-15 and 60-10 of the Insolvency Practice Schedule (IPS), and related relief.

## QUALIFICATION

4. I am a Senior Managing Director of FTI Consulting. I am a qualified chartered accountant, a member of the Australian Restructuring Insolvency and Turnaround Association, and have over 25 years' experience in business restructuring and turnaround. I am a registered liquidator in all states and territories of Australia.

## APPOINTMENT

5. On 28 March 2019, WITS Holdings Pty Ltd (the **Company**) was placed into voluntary administration by its director, Grant Fowler, under s 436A of the *Corporations Act 2001* (Cth) (the **Act**). The plaintiffs were appointed as joint and several administrators of the Company (the **Administrators**) on that day. At the time of our appointment, all of the Administrators were (and remain) employed by FTI Consulting.
6. The Company previously traded under the name Wadley's Interstate Transport Service. The Company operated from premises in Campbellfield, Victoria and Wetherill Park, New South Wales, and provided interstate transportation services across the east coast of Australia and South Australia.
7. At the time of our appointment as Administrators, the Company employed approximately 45 staff. In the financial year ending 30 June 2018, the Company's annual turnover was approximately \$19 million.
8. During the first two weeks of their appointment the Administrators undertook a range of tasks including:
  - (a) attending the premises of the Company and liaising with employees and subcontractors to facilitate the collection of motor vehicles and other items of plant and equipment;
  - (b) instructing and liaising with valuers and reviewing valuation reports;
  - (c) preparing an information memorandum to issue to interested parties in relation to selling the business as a going concern;
  - (d) making arrangements to open new bank accounts;



- (e) liaising with debtors and issuing demands for payment;
  - (f) receiving and responding to enquires from secured and unsecured creditors;
  - (g) preparing for and conducting the first meeting of creditors;
  - (h) receiving and following up on employees enquires, as well as preparing separation certificates and termination notices for employees;
  - (i) managing trade on, including:
    - (i) attending at premises to facilitate orders;
    - (ii) maintaining trading cash flow; and
    - (iii) corresponding with suppliers regarding invoices.
  - (j) conducting investigations, including:
    - (i) recovering and reviewing books and records;
    - (ii) conducting and summarising statutory searches; and
    - (iii) liaising with third parties regarding records; and
  - (k) preparing and lodging ASIC forms for appointment, and notifying the ATO of appointment.
9. Initially, the Administrators continued to run the Company's business as going concern on a business as usual basis. However, after a review of the Company's business, the Administrators deemed that it was no longer financially viable.
10. Accordingly, the Administrators determined on 4 April 2019 that the Company should cease trading. As a result, from 4 April 2019 the Administrators oversaw a managed wind down of the Company's operations.



**WINDING UP APPLICATION**

11. Prior to the Administrators' appointment, WEX Australia Pty Ltd (**WEX**), a creditor of the Company, had made an application to the Supreme Court of Victoria to have the Company wound up.
12. On 9 April 2019, the Administrators' solicitors, MinterEllison, sent a letter to the solicitors for WEX outlining that the Administrators would not be opposing the winding up application. This letter was sent after it became apparent that a Deed of Company Administration was unlikely to be pursued. The Administrators' solicitors requested that WEX produce the letter to the Court when the winding up application was heard.
13. Now produced and shown to me and marked '**KW-1**' is a true copy of the letter sent to WEX's solicitors on 9 April 2019.
14. On 10 April 2019 WEX's application to have the Company wound up was heard in the Supreme Court of Victoria.
15. WEX's application was successful and on 10 April 2019, orders were made that the Company be wound up. Stephen Michell of PCI Partners (the second defendant) was appointed as liquidator of the Company (the **Liquidator**).
16. Now produced and shown to me and marked '**KW-2**' is an extract of the records maintained by the Australian Securities and Investments Commission in relation to the Company.

**REMUNERATION BETWEEN 28 MARCH 2019 AND 9 APRIL 2019**

17. During the period of administration, being the period 28 March 2019 to 9 April 2019, the Administrators incurred professional fees totalling \$280,048.50 (excluding GST).
18. These fees have not been approved by creditors of the Company, and the Administrators are yet to receive any payment by way of remuneration for the work they performed during the administration.



19. The Administrators and their staff charged their time by recording in increments of six minutes. They entered their time, together with a narration of the tasks undertaken into an electronic system. The time entered is reviewed periodically.
20. The hourly rates of the Administrators and their staff were set by FTI Consulting. They are, in my experience as an insolvency practitioner, in line with the prevailing market rates for firms of a similar size and capacity to FTI Consulting. I believe the rates allocated to FTI Consulting staff accurately reflect the experience, seniority and capability of the relevant staff member.

*Time costing*

21. The Administrators have calculated their remuneration claim on a time basis. I consider this method of time charging to be the most appropriate for this matter because:
  - (a) it ensures that the Administrators will only be paid for work performed;
  - (b) given the nature of the appointment, and in particular, the fact that the Company was placed into liquidation before the second meeting of creditors was held, other methods of remuneration calculation (for example, fixed fee or percentage of recovery) are not appropriate;
  - (c) FTI Consulting has a time recording system that allows detailed analysis of time spent on each type of task by each individual staff member utilised in the administration, to ensure time is being efficiently recorded at the level appropriate for the work performed.
17. The time entered in FTI Consulting's electronic time recording system for work completed in relation to this administration has been recorded under the following categories:
  - (a) Assets

127.2 hours (totalling \$69,296.00 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) undertaking an assessment of the Personal Properties Securities Register for the Company and writing to all registered security interest holders to advise of the appointment;
  - (ii) monitoring of responses from registered security interest holders and dealing with queries;
  - (iii) identification of trucks and trailers registered to the Company and determining their whereabouts;
  - (iv) engaging Pickles to value the fleet of trucks and trailers;
  - (v) seeking submissions from agents to sell the fleet;
  - (vi) review of submissions received from agents;
  - (vii) undertaking an extensive reconciliation of the accounts receivable ledger to facilitate the collection of debtors subject and not subject to the invoice factoring agreement;
  - (viii) undertaking tasks to collect proof of delivery documents to facilitate the collection of accounts receivable balances;
  - (ix) identification of loads not previously invoiced and overseeing the invoicing of same; and
  - (x) relocation of assets back to base or to the yard of Graysonline following the decision to cease trading.
- (b) Creditors
- 175.3 hours (totalling \$71,304.50 in fees excluding GST) have been recovered under this category. The nature of the tasks that were undertaken include:
- (i) preparing the first circular to creditors dated 1 April 2019 and sent to 217 individual creditors, including employees;



- (ii) preparing the notice of meeting and forms in connection with the meeting of creditors held on 9 April 2019;
  - (iii) attending to queries from creditors by phone, email and post, including discussing the progress of the voluntary administration as required with creditors outside of formal updates;
  - (iv) reviewing documentation from creditors regarding their claims against the Company;
  - (v) reviewing and assessing information received from security interest holders; and
  - (vi) preparing for and attending the first meeting of creditors.
- (c) Employees

31.9 hours (totalling \$13,047.50 in fees excluding GST) have recorded under this category. The nature of the tasks that were undertaken include:

- (i) attending locations and advising employees of appointment;
  - (ii) preparing circular to employees notifying them of the appointment and providing instructions for ongoing trading;
  - (iii) dealing with employee queries as and when they arose particularly with respect to their accrued entitlements;
  - (iv) preparing termination notices for employees;
  - (v) preparing separation certificates.
- (d) Trade On

167.6 hours (totalling \$68,808.00 in fees excluding GST) were recorded under this category. The nature of the tasks that were undertaken include:



- (i) internal meetings to discuss continuing to trade;
- (ii) contacting suppliers and subcontractors and notifying them of the appointment and seeking their ongoing support including setting up new accounts in the voluntary administration;
- (iii) contacting landlords and negotiating short term arrangements to maintain access to facilities;
- (iv) assessing compliance with road safety regulations;
- (v) contacting customers to advise of appointment and seek ongoing support for continued trading;
- (vi) preparation of and maintaining a trading cash flow recording loads delivered and commitments to suppliers;
- (vii) seeking funding from secured creditor to meet payroll requirements;
- (viii) identification and investigation into missing loads;
- (ix) obtaining insurance to allow the continuance of trading and dealing with insurer's ongoing queries;
- (x) arranging for and paying wages to employees; and
- (xi) arranging payment of suppliers.

(e) Investigation

39.4 hours (totalling \$16,871.00 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) attending at premises to secure books and records and undertake forensic imaging of computers and servers;
- (ii) reviewing books and records;

- (iii) investigating the background of the Company and its business (i.e. its directors, assets, security position and structure generally);
- (iv) scanning and collating documents into a usable format for further investigation;
- (v) conducting and summarising statutory searches;
- (vi) preparing and sending correspondence to the Company's accountant providing notification of our appointment as liquidators; and
- (vii) reviewing bank statements to identify any possible voidable transactions requiring further investigation.

(f) Administration

80.6 hours (totalling \$40,991.50 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) advising third parties of our appointment, including the Australian Taxation Office and State Revenue Office or its equivalent in each state of operation;
- (ii) registering for GST;
- (iii) preparing the notice of appointment with ASIC and advertising our appointment online and in print;
- (iv) requesting delivery of books and records held by third parties;
- (v) preparing a notice to all banks to seek information of any accounts held in the name of the Company;
- (vi) attending internal team meetings regarding the progress of the voluntary administration and determining whether to continue trading; and
- (vii) preparing and lodging Form 5062 showing the liquidators' receipts and payments and BAS.

22. Now produced and shown to me and marked 'KW-3' is a true copy of the Administrators' remuneration report (**Remuneration Report**). The Remuneration Report summarises the remuneration incurred by the Administrators, sets out the basis upon which remuneration has been calculated, and includes supporting schedules providing further details of the amount claimed.
23. Table 3 of the Remuneration Report (below) summarises the remuneration claimed by the Administrators within the Remuneration Report, for the period between 28 March 2019 and 9 April 2019. It also includes the names of FTI Consulting staff who have assisted the Administrators, their position, their hourly charge out rate and the time recorded in respect of the work completed

Table 3: Voluntary Administrators' Time Incurred to 9 April 2019

Timekeeper Name	Title	Administration		Assets		Creditors		Employees		Investigation		Trade on		Total Hours	Total Amount (\$)	
		Rate/Hr	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours			Amount (\$)
Kathryn Warwick	Senior Managing Director (Appointee)	625	25.0	15,625.00	2.0	1,250.00	5.5	3,437.50			3.0	1,875.00		35.5	22,187.50	
Joseph Hansell	Senior Managing Director (Appointee)	625	0.4	250.00	23.0	14,375.00	4.5	2,812.50	1.0	625.00			12.8	8,000.00	41.7	26,062.50
Ross Blakeley	Senior Managing Director (Appointee)	625	7.0	4,375.00	1.5	937.50	2.0	1,250.00	0.2	125.00	2.0	1,250.00	0.5	312.50	13.2	8,250.00
Michael McCreadie	Senior Managing Director	625	9.5	5,937.50	1.0	625.00							2.0	1,250.00	12.5	7,812.50
Patrick O'Brien	Managing Director	580			35.1	20,358.00	11.5	6,670.00	2.5	1,450.00			7.0	4,060.00	56.1	32,538.00
Patrick O'Brien	Senior Director	570					7.7	4,389.00					10.3	5,871.00	18.0	10,260.00
Simon Skelton	Managing Director	580					2.1	1,218.00							2.1	1,218.00
Drew Forbes	Managing Director	580			11.9	6,902.00									11.9	6,902.00
Ian Morton	Senior Director	570	0.7	399.00	3.9	2,223.00	8.2	4,674.00	0.5	285.00			6.0	3,420.00	19.3	11,001.00
Christopher Hatfield	Senior Director (Technology)	450									21.2	9,540.00			21.2	9,540.00
Jonathan Chee	Director	510	10.4	5,304.00	34.3	17,493.00	15.4	7,854.00	6.0	3,060.00			27.1	13,821.00	93.2	47,532.00
James Mazzone	Senior Consultant I	380	7.3	2,774.00	7.2	2,736.00	33.3	12,654.00	1.4	532.00	5.4	2,052.00	5.4	2,052.00	60.0	22,800.00
Robert Beaumont	Senior Consultant I	380	0.3	114.00			20.7	7,866.00	2.7	1,026.00			0.7	266.00	24.4	9,272.00
Catherine Jaques	Consultant II	360	8.8	3,168.00	3.5	1,260.00	8.3	2,988.00	8.9	3,204.00	0.7	252.00	13.0	4,680.00	43.2	15,552.00
Catherine Jaques	Consultant I	315	5.0	1,575.00	1.5	472.50	5.0	1,575.00	2.0	630.00			2.5	787.50	16.0	5,040.00
Maxine Allan	Consultant I	315					2.0	630.00	1.4	441.00			45.3	14,269.50	48.7	15,340.50
Maxine Allan	Associate II	280									2.8	784.00	14.2	3,976.00	17.0	4,760.00
Richard Batten	Consultant I	315			1.2	378.00	11.7	3,685.50	5.3	1,669.50			11.2	3,528.00	29.4	9,261.00
Richard Batten	Associate II	280			1.1	286.00	4.8	1,248.00			4.3	1,118.00	6.3	1,638.00	16.5	4,290.00
James Macreadie	Associate II	280					21.6	6,048.00					2.8	784.00	24.4	6,832.00
Gerald Tallud	Associate II	280	3.4	952.00											3.4	952.00
Jaymee Greenway	Junior Associate	185	2.0	370.00			11.0	2,035.00					0.5	92.50	13.5	2,497.50
Grace Tupe	Junior Associate	185	0.8	148.00											0.8	148.00
<b>Grand Total</b>			<b>80.6</b>	<b>40,991.50</b>	<b>127.2</b>	<b>69,296.00</b>	<b>175.3</b>	<b>71,034.50</b>	<b>31.9</b>	<b>13,047.50</b>	<b>39.4</b>	<b>16,871.00</b>	<b>167.6</b>	<b>68,808.00</b>	<b>622.0</b>	<b>280,048.50</b>

24. Now produced and shown to me and marked 'KW-4' is a further itemised report of the work undertaken by the Administrators and their staff in relation to the administration, between 28 March 2019 and 9 April 2019 (**Further Itemised Report 1**). This report has been extracted from FTI Consulting's time recording system, and includes narrations for each individual time entry. The time as recorded in this report has been summarised in the Remuneration Report.

25. The Administrators have endeavoured to ensure that tasks of low complexity were undertaken by staff members that are junior and have lower charge-out rates than the senior staff, who were allocated more complex tasks.
26. I am satisfied that the time recorded for each task as reflected in the Remuneration Report and the Further Itemised Report is commensurate with the work that was necessary for the administration, and properly performed.
27. The Remuneration Report has been prepared in accordance with the Code of Professional Practice for Insolvency Practitioners (Third Edition, 2014) (**ARITA Code**). The Administrators have had regard to and have observed the principles and standards set out in the ARITA Code in respect of remuneration, specifically Parts 14 and 15 of the ARITA Code.

#### **CONSEQUENCES OF THE WINDING UP ORDER**

28. I refer to paragraph 15 above. I understand that as result of the operation of s 435C(3)(g) of the Act, the appointment of the Liquidator meant the administration of the Company came to an end on 10 April 2019. Consequently, the Administrators' appointment formally ceased on that day.
29. Despite the administration being terminated on 10 April 2019, the Administrators were required to complete a range of tasks arising from, or otherwise incidental to their period of appointment as Administrators.
30. The Administrators assisted in managing the transition of the Company from administration to liquidation, and they continued to incur remuneration, costs and expenses in relation to the performance of their residual functions, powers and duties as administrators.

#### **REMUNERATION INCURRED POST THE WINDING UP ORDER**

31. I have been informed by my solicitors that the Administrators are not automatically entitled under the Act to recover remuneration which relates to a period after the administration had formally come to an end. Nevertheless, I believe all the tasks performed by the Administrators post the winding up order were necessary for the proper and orderly completion of the administration of the Company.



32. In total, the Administrators incurred fees totalling \$214,584.50 (excluding GST) in finalising the administration of the Company, between 10 April 2019 and 30 September 2019.
33. Now produced and shown to me and marked 'KW-5' is a further itemised report of the work undertaken by the Administrators and their staff in finalising the administration of the Company, between 10 April 2019 and 30 September 2019 (**Further Itemised Report 2**). This report has been extracted from FTI Consulting's time recording system, and includes narrations for each individual time entry.
34. These fees have not been approved by creditors of the Company, and the Administrators are yet to receive any payment for this work.
35. Table 4 of the Remuneration Report (below) summarises the remuneration claimed by the Administrators within the Remuneration Report for the period between 10 April 2019 to 30 September 2019.

Table 4 - Administrators' Time Incurred Between 10 April 2019 to 30 September 2019

Timekeeper Name	Title	Rate/Hr	Administration		Assets		Creditors		Employees		Investigation		Trade on		Total	Total
			Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)
Warwick, Kathryn	Senior Managing Director (Appointee)	625	11.6	7,250.00							16.9	10,562.50	7	4,375.00	35.5	22,187.50
Hansell, Joseph	Senior Managing Director (Appointee)	625	12	7,500.00	3.9	2,437.50	0.4	250.00					7.5	4,687.50	23.8	14,875.00
O'Brien, Patrick	Managing Director	580			18.4	10,672.00			2.6	1,508.00			36.3	21,054.00	57.3	33,234.00
Forbes, Drew	Managing Director	580			0.2	116.00									0.2	116.00
Morton, Ian	Senior Director	570	23	13,110.00	27.5	15,675.00	12.2	6,954.00	0.6	342.00			21.7	12,369.00	85	48,450.00
Hatfield, Christopher	Senior Director (Technology)	450									10.8	4,860.00			10.8	4,860.00
Chee, Jonathan	Director	510	5.9	3,009.00			1.2	612.00					18.3	9,333.00	25.4	12,954.00
Beaumont, Robert	Senior Consultant I	380	2	760.00			5.4	2,052.00					1.1	418.00	8.5	3,230.00
Mazzone, James	Senior Consultant I	380	11.5	4,370.00	5.3	2,014.00	1.6	608.00	1.7	646.00			78.6	29,868.00	98.7	37,506.00
Jaques, Catherine	Consultant II	360	6.4	2,304.00	0.3	108.00	2.1	756.00			1.5	540.00	13.1	4,716.00	23.4	8,424.00
Allan, Maxine	Consultant I	315	3	945.00	1.9	598.50	0.8	252.00	2.6	819.00			26.4	8,316.00	34.7	10,930.50
Batten, Richard	Consultant I	315	1.3	409.50	2.6	819.00							0.9	283.50	4.8	1,512.00
Macreadie, James	Associate II	280					1.5	420.00							1.5	420.00
Tallud, Gerald	Associate II	280	23.2	6,496.00					1.2	336.00			7.4	2,072.00	31.8	8,904.00
Furman, Joshua	Associate I	260			0.8	208.00									0.8	208.00
Greenway, Jaymee	Junior Associate	185	3.5	647.50	24.8	4,588.00			0.5	92.50			5.3	980.50	34.1	6,308.50
Glover, Talia	Executive Assistant	155	1.5	232.50											1.5	232.50
Sayer, Jessica	Administrative Assistant	155	1.5	232.50											1.5	232.50
<b>Grand Total</b>			<b>106.4</b>	<b>47,266.00</b>	<b>85.7</b>	<b>37,236.00</b>	<b>25.2</b>	<b>11,904.00</b>	<b>9.2</b>	<b>3,743.50</b>	<b>29.2</b>	<b>15,962.50</b>	<b>223.6</b>	<b>98,472.50</b>	<b>479.3</b>	<b>214,584.50</b>

The tasks the Administrators and their staff have completed post the winding up order have also been recorded under the following categories:

#### Assets

- (a) 85.7 hours (totalling \$37,236.00 in fees excluding GST) have been recorded under this category. The nature of tasks that were undertaken include:
- (i) attending the Company's premises to oversee the relocation of trucks and trailers to the yard of Graysonline;

- (ii) liaising with employees and subcontractors to facilitate the relocation;
- (iii) provision of information pertaining to missing loads to the Liquidator;
- (iv) preparing correspondence to the Liquidator and secured creditor as to the status of the collection exercise;
- (v) issuance of final invoices to customers;
- (vi) attendance at premises to obtain information to facilitate the collection of outstanding debtor balances to be passed to the Liquidator;
- (vii) ongoing reconciliations of debtor ledgers with the Liquidator and secured creditor regarding collections;
- (viii) dealing with ongoing queries from customers as they arose; and
- (ix) meeting with the Liquidator's representatives to handover information on accounts receivable ledgers.

(b) Creditors

25.2 hours (totalling \$11,904.00 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) preparing a circular to unsecured trade creditors advising of the cessation of the Administrators' appointment;
- (ii) dealing with creditor queries as they arose, some of which related to trade on activities;
- (iii) preparing reports to the major secured creditor and other security interest holders on the cessation of the appointment; and
- (iv) preparing and lodging minutes of meeting of creditors with ASIC.



(c) Employees

9.2 hours (totalling \$3,743.50.00 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) attending locations and advising employees of the cessation of the Administrators' appointment and appointment of the Liquidator;
- (ii) dealing with ongoing employee queries;
- (iii) issuing of payslips for the administration period;
- (iv) preparing separation certificates;
- (v) preparing PAYG summaries; and
- (vi) liaising with superannuation companies for payment of outstanding balances.

(d) Trade On

223.6 hours (totalling \$98,472.50 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) paying trading liabilities from both funds on hand and indirectly via FTI Consulting and updating the commitment schedule;
- (ii) dealing with ongoing queries from suppliers and employees arising from trading;
- (iii) reconciliation of trading sales and preparing handover to Liquidator for collection;
- (iv) internal processing and recording of receipts and payments;



- (v) assessment and categorisation of liabilities to allocate between care and preservation and trading; and
  - (vi) dealing with ongoing queries from the Liquidator regarding trading liabilities.
- (e) Investigation

29.2 hours (totalling \$15,962.50 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) attending premises to secure books and records and undertake forensic imaging of computers and servers;
  - (ii) scanning and collating of documents into a usable format for further investigation; and
- (f) Administration

106.4 hours (totalling \$47,266.00 in fees excluding GST) have been recorded under this category. The nature of the tasks that were undertaken include:

- (i) preparing and lodging forms with ASIC regarding ceasing to act as voluntary administrators;
- (ii) preparing and lodging forms recording the Administrators' receipts and payments for the voluntary administration period;
- (iii) preparing and lodging business activity statements;
- (iv) advising third parties of ceasing to act;
- (v) preparing and delivery of books and records to the Liquidator;
- (vi) completion of single touch payroll requirements for employees;
- (vii) finalisation of insurance arrangements for the administration period;

- (viii) undertaking reconciliation of bank accounts;
  - (ix) dealing with queries from the Liquidator not charged to other task codes;
  - (x) correspondence with the Liquidator regarding the equitable and statutory liens;
  - (xi) undertaking assessment of remuneration and disbursements and allocating against asset classes;
  - (xii) meetings with legal team and the representatives of the Attorney General's Office (FEG); and
  - (xiii) preparing an application to Court seeking approval of remuneration.
36. Despite incurring fees totalling \$214,584.50 (excluding GST) for the period 10 April 2019 to 30 September 2019, the Administrators are only seeking payment of, and court approval for an amount totalling \$80,000.00. As explained in the Remuneration Report, I have reviewed the fees and formed the view that a discount of \$134,584.50 should be applied to the fees incurred post 9 April 2019.
37. First, I note that \$70,959.00 in fees was incurred responding to requests from the Liquidator. The Administrators will not be seeking payment of these fees as I do not believe this work provided any benefit to creditors.
38. Next, I calculate that \$98,472.50 in fees relates to time spent in dealing with costs that were incurred during the Administrators' period of appointment, which they were unable to defray as the Administrators did not have sufficient funds. This led to time being incurred in managing queries from suppliers and subcontractors, together with the additional administrative tasks of having to pay the incurred expenses directly from FTI Consulting. I understand that the time incurred in completing these tasks has been allocated to the 'trade on' category, and this explains why there were significant 'trade on' fees recorded after the decision to cease trading was made. The Administrators are only seeking remuneration for approximately one third of this time, totalling \$34,847.00. This represents a discount of \$63,625.50.



## EQUITABLE LIENS

39. I have considered the remuneration claimed in detail and believe that a portion should be recognised as being secured by equitable liens in accordance with the principles set out in *Re Universal Distributing Co Ltd (in liq)* (1933) 48 CLR 171 (*Re Universal*).
40. The first equitable lien (**Equitable Lien 1**) relates to time spent in collecting or preserving non-circulating assets subject to Westpac Banking Corporation's (**Westpac**) various fixed interest securities (excluding book debts of the Company purchased by Westpac under an Invoice Finance Facility). This primarily related to time spent collecting or preserving the Company's fleet of trucks and trailers.
41. On 4 April 2019, when the decision was made to cease trading, over 50 of the Company's trucks were at various locations across the eastern seaboard of Australia. As a result, the Administrators devoted significant resources to locating and securing the trucks. The Administrators had difficulty arranging secure storage of the trucks. For example, a truck, which were parked on the street near the Company's Campbellfield site, was stolen.
42. I consider that the remuneration covered by Equitable Lien 1 includes time spent attending to the following tasks:
- (a) arranging for security to protect the trucks and trailers;
  - (b) arranging for the return of trucks and trailers;
  - (c) efforts to recover a stolen truck; and
  - (d) preparing documentation for the possible sale of trailers and responding to inquiries about purchase.
43. In determining the quantum of remuneration covered by Equitable Lien 1, I have considered the individual narrations in Further Itemised Report 1 and Further Itemised Report 2, and considered whether the work related to preserving the plant and equipment of the Company.



44. Where an entry did not relate solely to time spent preserving the fleet of vehicles I have only claimed a portion is covered by the equitable lien. The apportionments are based on the narrative provided by the staff member who completed the task and my understanding of the work that was completed.
45. In Further Itemised Report 1 and Further Itemised Report 2, I have identified which entries I believe are covered by Equitable Lien 1 and any apportionments I have made in relation to those entries. Where appropriate, I have also included an explanatory note. The explanatory notes provide further information in support of the entry being covered by Equitable Lien 1.
46. In total I calculate that Equitable Lien 1 secures remuneration totalling \$76,398.25 (excluding GST). Of this amount, \$57,467.25 was incurred during the period of administration, between 28 March 2019 and 9 April 2019 (both dates included). The balance totalling \$18,931.00 was incurred post the winding up order between 10 April 2019 and 18 September 2019.
47. The second equitable lien (**Equitable Lien 2**) relates to time spent in identifying and realising the book debts of the Company purchased by Westpac under an Invoice Finance Facility (**IFA**).
48. In calculating Equitable Lien 2 I adopted the same methodology as applied to Equitable Lien 1. Again, I have provided explanatory notes in Further Itemised Report 1 and Further Itemised Report 2.
49. I consider that the remuneration covered by Equitable Lien 2 includes time spent attending to the following tasks:
- (a) reviewing debt ledgers to determine which debts were purchased by Westpac under the IFA;
  - (b) reviewing debt ledgers to determine outstanding amounts;
  - (c) contacting debtors; and
  - (d) liaising with Westpac.



50. In total, I calculate that Equitable Lien 2 secures remuneration totalling \$16,501.20 (excluding GST). Of this amount, \$12,141.95 was incurred during the period of administration between 28 March 2019 and 9 April 2019 (both dates included). The balance totalling \$4,359.25 was incurred post the winding up order, between 10 April 2019 and 26 September 2019.

#### **INTERNAL DISBURSEMENTS**

51. In relation to work completed by the Administrators during the administration of the Company between 28 March 2019 and 9 April 2019, the Administrators incurred \$1,851.00 in internal disbursements. These disbursements are comprised of printing costs and time incurred by FTT's strategic communications division, which was engaged to assist with media inquiries during the administration.
52. Table 5 of the Remuneration Report provides a summary of the internal disbursements claimed.
53. The internal disbursements have not been approved by creditors of the Company, and the Administrators are yet to receive any amount by way of reimbursement.

#### **COSTS AND EXPENSES OF THE ADMINISTRATION**

54. While I understand that the Administrators' costs and expenses do not need to be approved by the creditors or the Court, details are included in the Remuneration Report as required by the ARITA Code. To provide further context in relation to the administration, I draw the Court's attention to the fact that the Administrators incurred significant costs and expenses in relation to their administration of the Company, including on account of:
- (a) labour hire;
  - (b) room hire for the first meeting of creditors;
  - (c) legal fees incurred in connection with the administration;
  - (d) fuel for the trucks during trading and thereafter to facilitate delivery back to various premises;
  - (e) insurance for vehicles; and



- (f) 24 hour security services for the Victorian and New South Wales sites.
55. As of 16 October 2019, the costs and expenses incurred by the Administrators in connection with their administration of the Company totalled \$703,331.00. This amount includes costs and expenses incurred during the formal administration period and after the administration came to an end as a result of the winding up order on 10 April 2019.
56. Now produced and shown to me and marked 'KW-6' is a table detailing the costs and expenses of the administration.
57. To date, the costs and expenses of the administration have been funded from the following sources:
- (a) advances from Westpac;
  - (b) post-appointment receipts (comprised of some refunds, debtor receipts and a minor asset sale) which were available to the Administrators to meet the costs of the administration; and
  - (c) by FTI Consulting directly. A total of total of \$227,357.66 (excluding GST) has been paid by FTI Consulting pending reimbursement by the Liquidator. To date, \$113,709.17 has been reimbursed by the Liquidator.
58. I believe that some of the costs and expenses incurred by the Administrators relate to efforts to preserve or realise non-circulating assets of the Company subject to Westpac's security interests. While I consider that these costs and expenses would be covered by either Equitable Lien 1 or Equitable Lien 2, the reimbursement of these costs and expenses has largely been resolved through direct correspondence with the Liquidator. This process is continuing, accordingly, I do not propose that the Court determine the possible application of Equitable Lien 1 or Equitable Lien 2 to these costs and expenses.
59. I do, however, propose that the Court order that the Administrators are entitled to recover costs and expenses incurred post the winding up order, which nevertheless relate to the administration of the Company. I have been informed by my solicitors that the Administrators are not automatically entitled to recover these costs and expenses. The

majority of these costs and expenses are legal fees the Administrators have incurred post the winding up order, in an effort to recover their remuneration, costs and expenses associated with the administration.

## THE COMPLEXITY OF THE ADMINISTRATION

60. During the course of the Administrators' appointment a range of challenges arose which added to the complexity of the administration. For example, the following caused difficulties:
- (a) the lease of the premises from which the Company had traded in Sydney had expired when the Administrators were appointed. As a result, the Administrators were required to negotiate extensively with the landlord of the site to secure continued use;
  - (b) on 4 April 2019, when the decision was made to cease trading, the Company's fleet was located across the eastern seaboard of Australia. Hence, the Administrators were required to locate and manage the return of the trucks from various locations;
  - (c) several key staff members of the Company took sick leave when the administration commenced. This included the Chief Financial Officer who was responsible for maintaining the Company's debtor ledgers. As a result, the Administrators' work associated with the debtor ledgers was extremely difficult;
  - (d) during the administration the Administrators were required to deal with attempts by third parties to steal some of the assets of the Company;
  - (e) given WEX's winding up application the Administrators were required to complete an urgent evaluation of the Company's business and engage with directors to assess the possibility of a Deed of Company Arrangement. The urgency of this work increased the complexity; and
  - (f) assisting with the transition of the Company from administration to liquidation has involved extensive and protracted negotiation with the Liquidator. These interactions are described further below.



**DISCUSSIONS WITH THE LIQUIDATOR**

61. Since the termination of their appointment on 10 April 2019 the Administrators, along with their solicitors, have been in regular correspondence with the Liquidator.
62. This correspondence has related to the liquidation of the Company as well as payment of the Administrators' remuneration, costs and expenses. The Administrators have provided detailed explanations of, and evidence to support their claim for remuneration, costs and expenses. They have detailed their priority entitlements arising by virtue of their statutory lien under s 443F of the Act, and have also identified remuneration, costs and expenses protected by an equitable lien, relying on the principles as set out in *Re Universal*.
63. Finally, the Administrators have written to the Liquidator to advise of their intention to make this application to the court for orders under s 90-15 of the IPS permitting recovery of remuneration, costs and expenses incurred post the winding-up order, and proposing how proceeds should be allocated to meet various claims, having regard to the different asset pools available to the Liquidator.
64. In determining the correct waterfall distributions, I consider that there is a need to clarify the relative priority to be afforded to :
- (a) the Administrators' remuneration;
  - (b) the Administrators' costs and expenses;
  - (c) the Liquidator's remuneration;
  - (d) the Liquidator's costs and expenses;
  - (e) employees with outstanding entitlements;
  - (f) secured creditors; and
  - (g) unsecured creditors;
- having regard to the various categories of assets available to the Liquidator.
65. I am informed by the Administrators' solicitors and understand that the following principles should apply when considering the relative priority to be afforded to the Administrators' remuneration, costs and expenses:



- (a) first, the payment of any remuneration, costs or expenses that may be covered by Equitable Lien 1 or Equitable Lien 2, from the proceeds realised in respect of the affected assets, being plant and equipment in respect of Equitable Lien 1, and the book debts purchased by Westpac under the IFA for Equitable Lien 2;
  - (b) next any equitable lien that the Liquidator might establish relying on the principles set out in *Re Universal*. To the extent that the Liquidator asserts an equitable lien over the same assets that are the subject of either Equitable Lien 1 or Equitable Lien 2, then the Administrators' and Liquidator's liens would rank equally and should be satisfied on a pari passu basis;
  - (c) the remainder of the Administrators' remuneration, costs and expenses (including any amount that is claimed under Equitable Lien 1 or Equitable Lien 2, if that amount is not capable of being satisfied pursuant to the equitable liens) is secured by their statutory lien (which applies to all property of the Company) arising under s443F of the Act. The statutory lien ranks in priority to any security interest existing in respect of the circulating assets of the Company, and otherwise ranks ahead of any remuneration, costs or expenses payable to the Liquidator under s 556 of the Act (save to the extent that the Liquidator is properly entitled to claim remuneration, costs or expenses under an equitable lien in accordance with paragraph (b) above); and
  - (d) importantly, it doesn't matter if the remuneration, costs or expenses were incurred during the period of administration or after the winding up order was made.
66. Now produced and shown to me and marked 'KW-7' is a true copy of a letter from the Administrators' solicitors to the Liquidator dated 7 June 2019.
67. Now produced and shown to me and marked 'KW-8' is a true copy of a letter from the Liquidator's solicitor to the Administrators' solicitors dated 18 June 2019.
68. Now produced and shown to me and marked 'KW-9' is a true copy of an email chain (including attachments) between the Administrators' solicitors and the Liquidator's solicitors spanning the period 11 July 2019 to 7 November 2019. .

69. In addition, I have written directly to the Liquidator on numerous occasions. Now produced and shown to me and marked 'KW-10' is a true copy of a bundle of the key correspondence passing directly between the Administrators and the Liquidators.
70. Specifically, I would like to draw the following aspects of the above correspondence to the Court's attention.

**Liquidator's attitude to the Administrators' application under s 90-15 of the IPS for orders entitling the Administrators to claim for remuneration, costs and expenses incurred post the winding up order**

71. By email dated 30 July 2019, the Administrators' solicitors asked the Liquidator's solicitors whether the Liquidator would 'support (or at least not oppose)' the Administrators' s application under s90-15. The Administrators were not asking the Liquidator to agree on the actual amount of remuneration and had made it clear that they would request that creditors (or the Court) approve remuneration at the appropriate time and on the appropriate material.
72. By email dated 30 August 2019, the Liquidator informed the Administrators that he would only advise whether he would support or not oppose the application once he had been provided with a copy of the application.

**Liquidator's attitude towards convening a meeting of creditors to approve remuneration assuming the Administrators successfully attain an order extending their entitlement to remuneration beyond the winding up order**

73. By email dated 30 August 2019, the Liquidator indicated to the Administrators that he did not propose to convene a meeting of creditors to approve the Administrators' remuneration.
74. By emails dated 8 October 2019 and 21 October 2019 to the Liquidator's solicitors, the Administrators' solicitors inquired whether the Liquidator would reconsider his opposition to convening a meeting of creditors to approve the Administrators' remuneration. In the email dated 8 October 2019, the Administrators' solicitors emphasised the cost and delay involved in requiring the Court to approve the amount of remuneration, noting that these costs would erode the funds otherwise available to creditors.



75. The Liquidator's solicitor responded by email dated 30 October 2019, reiterating that the Liquidator would not convene a meeting of creditors to approve the Administrators' remuneration. The Administrators' solicitors responded to the reasons provided by email dated 7 November 2019, but the Administrators have otherwise determined to seek orders from the Court approving remuneration, as set out in the Originating Motion to be filed in these proceedings.

**Liquidator's attitude to the substantiation of the Administrator's costs and expenses**

76. After providing what the Administrators believed was sufficient information substantiating their costs and expenses, I wrote to the Liquidator on 17 October 2019 seeking the release of funds to reimburse the costs and expenses claimed. In particular, I was keen to have the costs and expenses that had been funded directly by FTI Consulting reimbursed.
77. The Liquidator responded via email dated 18 October 2019, indicating that he would not release funds to reimburse costs and expenses incurred post the winding up order without a court order, but that he would release a limited amount in respect of work performed prior to the winding up order, subject to Westpac's confirmation that they accepted the amount claimed. The Liquidator otherwise stated that he did 'not propose to remit funds in relation to any amounts that are not yet substantiated or that are subject to court approval'.
78. The Administrators' solicitors responded to the Liquidator's solicitors by email dated 21 October 2019, accepting that a court order would be required under s 90-15 for reimbursement of costs and expenses incurred post the winding up order. Subject to obtaining that order, the Administrators' solicitors requested that the Liquidator's solicitor 'confirm that the amounts have otherwise been substantiated to [the Liquidator's] satisfaction and that there are no other objections to reimbursement'.
79. The Liquidator's solicitor responded by email dated 30 October 2019, indicating that the Liquidator does not agree with the amounts claimed, and still requires further verification of certain amounts, on the basis that they differ from amounts previously disclosed.
80. The Administrators' solicitors responded by email dated 7 November 2019, noting the amounts claimed were consistent with updated correspondence from the Administrators to



the Liquidator on 17 October 2019. It was further noted that the Administrators would be seeking an order, as part of this application, requiring that the Liquidator identify any additional evidence required to substantiate costs or expenses, by an agreed final date.

**Liquidator's attitude to the waterfall distributions in respect of funds realised during the liquidation**

81. By letter dated 7 June 2019, the Administrators' solicitors wrote to the Liquidator proposing waterfall distributions. In this letter, the Administrators' solicitors identified the following assets pools from which payments could be made:
- (a) realisations from the collection of 'accepted debts' (being purchased debts) under Westpac's IFA (**Accepted Debts / IFA**);
  - (b) other (ie excluding the Accepted Debts) non-circulating asset realisations from assets that are subject to Westpac's various fixed interest securities (**Westpac Fixed Assets**);
  - (c) circulating asset realisations held by the Administrators (**Administrator Realisations**);
  - (d) debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
  - (e) other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and
  - (f) non-circulating asset realisations from assets that are subject to a fixed security interest in favour of other secured creditors other than Westpac. In the letter dated 7 June 2019 the Administrators' solicitors indicated that the Administrators were not seeking to recover from this asset pool.
82. By letter dated 18 June 2019, the Liquidator's solicitor wrote to the Administrators' solicitors proposing alternate waterfall distributions. The Administrator's solicitors proposed amendments to these waterfall distributions by emails dated 30 July 2019 and 21 October 2019.

83. The Liquidator's solicitor responded by email dated 30 October 2019, indicating that the Liquidator did not agree with the proposed waterfall distributions and further stating that they 'consider there is little value in continuing amendments to the letter until such time as the issues relating to the QM Claim are resolved by the Court'.
84. The Administrators' solicitors responded to a number of specific matters raised in connection with the waterfalls, by email dated 7 November 2019. However, it is clear that the parties are unable to reach agreement on how proceeds realised within the liquidation should be distributed without direction from the Court.
85. The Administrators contend that the available proceeds should be distributed in the following manner:

**(a) Accepted Debts / IFA (non-circulating asset)**

In relation to Accepted Debts, the Administrators propose that the proceeds be dealt with in the following manner:

- (i) to the Administrators in respect of their remuneration, costs and expenses secured by Equitable Lien 2, together with, on a pari passu basis, the Liquidator for any remuneration, costs and expenses incurred by the Liquidator in preserving or realising the Accepted Debts (such amount to include the debt collection costs of CFMG Pty Ltd relevant to these assets); then
- (ii) in reduction of the Westpac IFA; then
- (iii) subject to the liquidator's further consideration, in reduction of other Westpac facilities (relying on set-off); then
- (iv) to the Administrators in payment of the balance of their remuneration, costs and expenses (as secured by the Administrators' statutory lien under s 443E of the Act); then
- (v) to the Liquidator for the balance of his remuneration, costs and expenses; then
- (vi) to the employees; and then



(vii) to the unsecured creditors.

**(b) Westpac Fixed Assets (non-circulating asset)**

In relation to Westpac Fixed Assets, the Administrators propose that the proceeds be dealt with in the following manner:

- (i) to the Administrators in respect of their remuneration, costs and expenses secured by Equitable Lien 1, together with, on a pari passu basis, the Liquidator for any remuneration, costs and expenses incurred by the Liquidator in preserving or realising the Westpac Fixed Assets (such amount to include the cost of commission and other expenses incurred by Grays or Gordon Bros relevant to these assets); then
- (ii) to Westpac in reduction of their outstanding facilities (noting that Westpac's charge in respect of fixed assets secures all of Westpac's facilities and not just the equipment finance facilities); then
- (iii) to the Administrators in payment of the balance of their remuneration, costs and expenses (as secured by the Administrators' statutory lien under s 443E of the Act); then
- (iv) to the Liquidator for the balance of his remuneration, costs and expenses; then
- (v) to the employees; and then
- (vi) to the unsecured creditors.

**(c) Administrator Realisations (circulating asset)**

In relation to the Administrator Realisations, the Administrators propose that the proceeds be applied to the Administrators' expenses. It does not appear there will be any surplus.

**(d) Administration Debtors (circulating asset)**

In relation to Administration Debtors, the Administrators propose that the proceeds be dealt with in the following manner:

- (i) to the Liquidator for any remuneration, costs and expenses incurred by the Liquidator in preserving or realising the Administration Debtors (such amount to include the debt collection costs of CFMG Pty Ltd relevant to these assets); then
- (ii) to the Administrators for their remuneration, costs and expenses (as secured by the Administrators' statutory lien under s 443E of the Act); then
- (iii) to the Liquidator for the balance of his remuneration, costs and expenses; then
- (iv) to the employees; then
- (v) to Westpac for its outstanding facilities; and then
- (vi) to the unsecured creditors.

**(e) Liquidation Proceeds (circulating asset)**

The Administrators contend that invoices raised by the Administrators which relate to pre-appointment trading are to be included in the Liquidation Proceeds. The Administrators propose that the Liquidation Proceeds be dealt with in the following manner:

- (i) to the Liquidator for the remuneration, costs and expenses incurred by the Liquidator in preserving or realising the Liquidation Proceeds (such amount to include the debt collection costs of CFMG Pty Ltd relevant to these assets); then
- (ii) to the Administrators for their remuneration, costs and expenses (as secured by the Administrators' statutory lien under s 443E of the Act); then
- (iii) to the Liquidator for the balance of his remuneration, costs and expenses; then
- (iv) to the employees; then



(v) to Westpac for its outstanding facilities; and then

(vi) to the unsecured creditors.

86. Based on the matters set out in this affidavit, the plaintiffs seek orders in accordance with the Originating Process and Summons filed in these proceedings.

The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offences of perjury.

SWORN at  
in the State of Victoria  
by Katheryn Warwick  
on 2/12/19

)  
)  
)  
)  


before me

  
\_\_\_\_\_

A person authorised under section 19(1) of the  
**Oaths and Affirmations Act 2018** to take an  
affidavit.

**ANDREW ROBERT BISSET**  
of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)

**SCHEDULE**

**KATHERYN WARWICK**

First Plaintiff

and

**ROSS BLAKELEY**

Second Plaintiff

and

**JOSEPH HANSELL**

Third Plaintiff

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION)**

First Defendant

and

**STEPHEN MICHELL in his capacity as liquidator of  
the Company**

Second Defendant



**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

Not Restricted

**COMMERCIAL COURT**

SCI 2019

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

Plaintiffs

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

Defendants

**CERTIFICATE IDENTIFYING EXHIBIT**

---

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

Rialto Towers

525 Collins Street

MELBOURNE VIC 3000

Solicitors Code 8510

DX 204 MELBOURNE

Telephone (03) 8608 2000

Facsimile (03) 8608 1000

Reference BRW 1248222

Brendon Watkins

(brendon.watkins@minterellison.com)

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This is the exhibit marked 'KW-1' now produced and shown to **KATHRYN WARWICK** at the

time of swearing her affidavit on

2/12/19



before me



**Exhibit 'KW-1'**

**Letter to WEX's solicitors dated 9 April 2019**

**ANDREW ROBERT BISSET**  
of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)

# MinterEllison

9 April 2019

**BY EMAIL:** david.brett@mckeanpark.com.au

David Brett  
Special Counsel  
McKean Park  
Level 11, 575 Bourke Street  
MELBOURNE VIC 3000

Dear Mr Brett

**WITS Holdings Pty Ltd ACN 050 322 284 (administrators appointed)  
Supreme Court of Victoria proceeding number S ECI 2019 01014**

We act for Kathryn Warwick, Ross Blakeley and Joseph Hansell in their capacity as joint and several administrators of WITS Holdings Pty Ltd ACN 050 322 284 (Administrators Appointed) (**Company**).

As you may be aware, our clients were appointed as administrators of the Company on 28 March 2019.

We understand you act for WEX Australia Pty Ltd ACN 005 970 570, and are instructed that your client has issued proceedings in the Supreme Court of Victoria (being proceeding number S ECI 2019 01014) (**Proceeding**) seeking orders that the Company be wound up.

We understand the Proceeding is returnable before the Court on 10 April 2019 at 10.30am.

We write to advise our clients do not oppose the making of a winding up order against the Company. To conserve costs, our clients do not propose to attend at the hearing, but we request that you produce this letter to the court.

Could you kindly confirm by **2pm today** that you will do so?

Yours faithfully  
**MinterEllison**



Contact: Ned Marlow-Weir T: +61 3 8608 2765  
F: +61 3 8608 1765 ned.marlow-weir@minterellison.com  
Partner: Brendon Watkins T: +61 3 8608 2601  
OUR REF: BRW NZM 1248222 YOUR REF: DMB:ATD:190048



**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

**Plaintiffs**

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

**Defendants**

**CERTIFICATE IDENTIFYING EXHIBIT**

---

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

Rialto Towers

525 Collins Street

MELBOURNE VIC 3000

Solicitors Code 8510

DX 204 MELBOURNE

Telephone (03) 8608 2000

Facsimile (03) 8608 1000

Reference BRW 1248222

Brendon Watkins

(brendon.watkins@minterellison.com)

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This is the exhibit marked 'KW-2' now produced and shown to **KATHRYN WARWICK** at the time of swearing her affidavit on 2/12/19



before me



**Exhibit 'KW-2'**

**ASIC extract for WITS Holdings Pty Ltd**

**ANDREW ROBERT BISSET**

of 525 Collins Street, Melbourne

An Australian Legal Practitioner

within the meaning of the Legal

Profession Uniform Law (Victoria)

# Historical Company Extract for WITS HOLDINGS PTY. LTD.

Extracted from ASIC database on 28 November 2019 01:57 PM AEST

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

## Current Organisation Details

Name: WITS HOLDINGS PTY. LTD.  
A.C.N: 050322284  
A.B.N: 24050322284  
Status: Externally Administered

For information about this status refer to the documents listed under the heading "External Administration and/or appointment of Controller", below.

Registered In: NSW  
Registration Date: 30/10/1990  
Review Date: 30/10/2020  
Name Start Date: 06/02/1991  
Type: Australian Proprietary Company  
Organisation Number Type: Australian Company Number  
Details Start Date: 28/03/2019  
Class: Limited By Shares  
Subclass: Proprietary Company  
Disclosing Entity: No  
Previous State Number: 48620425  
Registered charity: No  
Document Number:

## Former Organisation Details

Start Date - Name End Date	Status	Name Start Date	Type	Class	Subclass	Disclosing Entity	Doc Number
06/02/1991 - WITS 27/03/2019 HOLDINGS PTY. LTD.	Registered	06/02/1991	Australian Proprietary Company	Limited By Shares	Proprietary Company	No	000335792
30/10/1990 - BOMA 05/02/1991 HOLDINGS PTY. LTD.	Registered		Australian Proprietary Company	Limited By Shares	Unknown	No	

## Organisation Address

Status	Address Type	Address	Start Date - End Date	Doc Number
Current	Registered Office	'CHAMBERS & PARTNERS' LEVEL 4 437 ST KILDA ROAD MELBOURNE VIC 3004	21/12/2018 -	0EFG28609
Current	Principal Place of Business	147 NORTHBOURNE ROAD CAMPBELLFIELD VIC 3061	03/01/2019 -	0EGV55565
Former	Registered Office	56 NEWTON ROAD WETHERILL PARK NSW 2164	24/07/2002 - 20/12/2018	0E7418957
Former	Registered Office	871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2171	27/10/1993 - 23/07/2002	005821158
Former	Registered Office	SUITE 6 LEVEL 7 111 PHILLIP STREET PARRAMATTA NSW 2150	08/01/1991 - 26/10/1993	000316053
Former	Registered Office		- 07/01/1991	
Former	Principal Place of Business	56 NEWTON ROAD WETHERILL PARK NSW 2164	11/07/2002 - 02/01/2019	0E7418957
Former	Principal Place of Business	871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2171	30/06/1993 - 10/07/2002	007114317 (AR 1993)
Former	Principal Place of Business	135 BRONZEWING STREET TAHMOOR NSW 2573	31/12/1992 - 29/06/1993	004809490 (AR 1992)
Former	Principal Place of Business	LOT 5 OLD HUME HIGHWAY TAHMOOR NSW 2573	31/12/1991 - 30/12/1992	004809491 (AR 1991)

## Organisation Officers

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Current Director	GRANT HARTLEY FOWLER Date of Birth: 12/03/1957 Place of Birth: MELBOURNE VIC	38 PASLEY STREET SOUTH YARRA VIC 3141	28/04/2016 -		9E0007467
Current Secretary	GRANT HARTLEY FOWLER Date of Birth: 12/03/1957 Place of Birth: MELBOURNE VIC	38 PASLEY STREET SOUTH YARRA VIC 3141	28/04/2016 -		9E0007467
Current Petitioner Court Action	WEX AUSTRALIA PTY LTD ACN: 005970570 ABN: 68005970570	LEVEL 3 293 CAMBERWELL ROAD CAMBERWELL VIC 3124	12/03/2019 -	Supreme Court, VIC ApplicationNumber:01014, Year:2019	030575371
Current Appointed Liquidator (Court Winding Up)	STEPHEN JOHN MICHELL Place of Birth:	PCI PARTNERS LEVEL 8 179 QUEEN STREET MELBOURNE VIC 3000	10/04/2019 -	Supreme Court, VIC ApplicationNumber:01014, Year:2019	7EAK35779
Former Director	BRIAN FRANCIS WADLEY Date of Birth: 26/08/1951 Place of Birth: SYDNEY NSW	871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2171	22/11/1990 - 15/03/2018		0E0383873(AR 1995)
Former Director	STEPHANIE WADLEY Date of Birth: 11/03/1956 Place of Birth: BOSNA PRNJAVOR SERBIA	CATHERINE FIELD NSW 2171	01/09/1994 - 24/03/2000		0E0383873(AR 1995)
Former Director	BARRY DESMOND WADLEY Date of Birth: 22/01/1958 Place of Birth: SYDNEY NSW	74 CRIBBES ROAD WANGARATTA VIC 3677	13/02/1992 - 01/09/1994		007114317(AR 1993)
Former Director	STEPHANIE WADLEY Date of Birth: 11/03/1956 Place of Birth: SERBIA	46 ELOUERA CRESCENT MOOREBANK NSW 2170	22/11/1990 - 13/02/1992		000316054
Former Secretary	BRIAN FRANCIS WADLEY Date of Birth: 26/08/1951 Place of Birth: SYDNEY NSW	871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2171	13/02/1992 - 28/04/2016		0E0383873(AR 1995)
Former Secretary	STEPHANIE WADLEY Date of Birth: 11/03/1956 Place of Birth: BOSNA PRNJAVOR SERBIA	CATHERINE FIELD NSW 2171	01/09/1994 - 24/03/2000		0E0383873(AR 1995)
Former Secretary	BARRY DESMOND WADLEY Date of Birth: 22/01/1958 Place of Birth: SYDNEY NSW	74 CRIBBES ROAD WANGARATTA VIC 3677	13/02/1992 - 01/09/1994		007114317(AR 1993)
Former Secretary	STEPHANIE WADLEY Date of Birth: 11/03/1956 Place of Birth: SERBIA	46 ELOUERA CRESCENT MOOREBANK NSW 2170	22/11/1990 - 13/02/1992		000316054
Former Administrator of a Company under Administration	ROSS ANDREW BLAKELEY Place of Birth:	FTI CONSULTING 'BOURKE PLACE' LEVEL 21 600 BOURKE STREET MELBOURNE VIC 3000	28/03/2019 - 10/04/2019		7EAJ89579
Former Administrator of a Company under Administration	KATHRYN WARWICK Place of Birth:	FTI CONSULTING 'BOURKE PLACE' LEVEL 21 600 BOURKE STREET MELBOURNE VIC 3000	28/03/2019 - 10/04/2019		7EAJ89579
Former Administrator of a Company under Administration	JOSEPH RONALD HANSELL Place of Birth:	FTI CONSULTING LEVEL 15 50 PITT STREET SYDNEY NSW 2000	28/03/2019 - 10/04/2019		7EAJ89579

#### Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Current	A CLASS A	12	\$1,500,000.00	\$0.00	1M0015073
Current	ORD ORDINARY SHARES	10	\$3,600,000.00	\$0.00	004809490 (AR 1992)
Current	ORD1 ORDINARY SHARES	2	\$2.00	\$0.00	1E2272998

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

#### Shareholders

Status	Class	No. Held	Beneficially Held	Fully Paid	Shareholder Details	Document Number
Current	A	12	Yes	Yes	WITS GROUP AUSTRALIA PTY LTD LEVEL 17 499 ST KILDA ROAD MELBOURNE VIC 3004 ACN: 601465703	1M0015073
Current	ORD	10	Yes	Yes	WITS GROUP AUSTRALIA PTY LTD LEVEL 17 499 ST KILDA ROAD MELBOURNE VIC 3004 ACN: 601465703	9E0042441
Current	ORD1	2	Yes	Yes	WITS GROUP AUSTRALIA PTY LTD LEVEL 17 499 ST KILDA ROAD MELBOURNE VIC 3004 ACN: 601465703	9E0042441
Former	ORD	10	Yes	Yes	AIR-RIDE RENTALS PTY. LIMITED 56 NEWTON ROAD WETHERILL PARK NSW 2164 ACN: 000848475 ABN: 50000848475	1M0015073
Former	ORD1	2	Yes	Yes	AIR-RIDE RENTALS PTY. LIMITED 56 NEWTON ROAD WETHERILL PARK NSW 2164 ACN: 000848475 ABN: 50000848475	1M0015073
Former	ORD1	2	Yes	Yes	BRIAN FRANCIS WADLEY 871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2557	1E2272998
Former	ORD1	1	Yes	Yes	STEPHANIE WADLEY 871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2171	0E0927280 (AR 1996)
Former	ORD	1	Yes	Yes	BRIAN FRANCIS WADLEY 871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2171	0E0383873 (AR 1995)
Former	ORD	1	Yes	Yes	STEPHANIE WADLEY 871 CAMDEN VALLEY WAY CATHERINE FIELD NSW 2171	0E0383873 (AR 1995)
Former	ORD	1	Yes	Yes	BARRY DESMOND WADLEY 74 CRIBBES ROAD WANGARATTA VIC 3677	004809490 (AR 1992)

#### External Administration Documents

Documents relating to External Administration and/or appointment of Controller. This extract may not list all documents relating to this status. State and Territory records should be searched.

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	15/10/2019	15/10/2019	15/10/2019	7EAQ30289
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	12/07/2019	12/07/2019	12/07/2019	7EAN37453
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	2	12/07/2019	12/07/2019	12/07/2019	7EAN37361

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
5601	5601 STATUTORY REPORT FROM LIQUIDATOR S70-40 OF INSOLVENCY PRACTICE RULES (CORPORATIONS) 2016 Altered by 030 659 464	33	09/07/2019	25/07/2019	09/07/2019	7EAN24656
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	21/06/2019	21/06/2019	21/06/2019	7EAM50034
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	20/06/2019	20/06/2019	20/06/2019	7EAM47435
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28335
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28319
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28312
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28301
5602	5602K ANNUAL ADMINISTRATION RETURN RETURN OF ACCOUNTS OF ADMINISTRATOR	16	10/05/2019	10/05/2019	10/04/2019	7EAL18999
507	507C REPORT ON COMPANY ACTIVITIES AND PROPERTY REGARDING COURT WINDING UP	25	03/05/2019	03/05/2019	01/05/2019	7EAK96593
562	562 NOTICE OF LIQ EXT TIME SUBMIT RPT CO ACTIVITIES AND PROPERTY	2	24/04/2019	24/04/2019	24/04/2019	7EAK69590
505	505Y NOTICE BY EXTERNAL ADMINISTRATOR/CONTROLLER-APPOINT/CEASE RESIGNATION OR REMOVAL OF ADMINISTRATOR OF COMPANY UNDER ADMINISTRATION UNDER S.436E(4), 449B OR 449C	6	15/04/2019	15/04/2019	15/04/2019	030574876
560	560 COURT ORDER TO WIND UP A COMPANY AND APPOINT A LIQUIDATOR	2	15/04/2019	16/04/2019	10/04/2019	030595301
5011	5011B COPY OF MINUTES OF MEETING OF MEMBERS, CREDITORS, CONTRIBUTORIES OR COMMITTEE OF INSPECTION UNDER S.436E OR S.439A	15	11/04/2019	11/04/2019	09/04/2019	7EAK39396
519	519D NOTIFICATION OF MAKING OF WINDING UP ORDER	3	11/04/2019	15/04/2019	10/04/2019	030596345
505	505G NOTICE BY EXTERNAL ADMINISTRATOR/CONTROLLER-APPOINT/CEASE APPOINTMENT OF LIQUIDATOR BY THE COURT	2	10/04/2019	15/04/2019	10/04/2019	7EAK35779
531	531A DECLARATION OF RELEVANT RELATIONSHIPS AND/OR INDEMNITY COPY OF A DIRRI	6	02/04/2019	02/04/2019	01/04/2019	7EAK07312
505	505U NOTICE BY EXTERNAL ADMINISTRATOR/CONTROLLER-APPOINT/CEASE APPT OF ADMINISTRATOR UNDER S.436A, 436B, 436C, 436E(4), 449B, 449C(1), 449C(4) OR 449(6)	2	28/03/2019	28/03/2019	28/03/2019	7EAJ89579
519	519A NOTIFICATION OF FILING OF APPLICATION FOR WINDING UP ORDER	3	15/03/2019	19/03/2019	12/03/2019	030545680
519	519A NOTIFICATION OF FILING OF APPLICATION FOR WINDING UP ORDER Altered by 030 477 632	3	13/03/2019	14/03/2019	12/03/2019	030575371

#### Annual Returns

Year	Return Due	Extended Due Date	AGM Due Date	Extended AGM Due Date	AGM Held	Outstanding
1991	31/01/1992		31/12/1991		31/12/1991	No
1992	31/05/1992		30/04/1992		31/12/1992	No
1993	30/11/1993		31/10/1993		31/12/1993	No
1994	31/01/1995		31/12/1994		31/12/1994	No
1995	31/01/1996					No
1996	31/01/1997					No
1997	31/01/1998					No
1998	31/01/1999					No
1999	31/01/2000					No
2000	31/01/2001					No
2001	31/01/2002					No
2002	31/01/2003					No

#### Documents

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	15/10/2019	15/10/2019	15/10/2019	7EAG30289
902	902 Supplementary Document Alters 7EA N24 656	8	19/07/2019	25/07/2019	09/07/2019	030659464
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	12/07/2019	12/07/2019	12/07/2019	7EAN37453
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	2	12/07/2019	12/07/2019	12/07/2019	7EAN37361
5601	5601 STATUTORY REPORT FROM LIQUIDATOR S70-40 OF INSOLVENCY PRACTICE RULES (CORPORATIONS) 2016 Altered by 030 659 464	33	09/07/2019	25/07/2019	09/07/2019	7EAN24656
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	21/06/2019	21/06/2019	21/06/2019	7EAM50034
525	525 NOTICE OF DISCLAIMER OF ONEROUS PROPERTY	3	20/06/2019	20/06/2019	20/06/2019	7EAM47435
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28335
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28319
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28312
5022	5022 OUTCOME OF PROPOSAL TO CREDITORS OR CONTRIBUTORIES WITHOUT A MEETING	53	14/06/2019	14/06/2019	07/06/2019	7EAM28301
5602	5602K ANNUAL ADMINISTRATION RETURN RETURN OF ACCOUNTS OF ADMINISTRATOR	16	10/05/2019	10/05/2019	10/04/2019	7EAL18999
507	507C REPORT ON COMPANY ACTIVITIES AND PROPERTY REGARDING COURT WINDING UP	25	03/05/2019	03/05/2019	01/05/2019	7EAK96593
562	562 NOTICE OF LIQ EXT TIME SUBMIT RPT CO ACTIVITIES AND PROPERTY	2	24/04/2019	24/04/2019	24/04/2019	7EAK69590
505	505Y NOTICE BY EXTERNAL ADMINISTRATOR/CONTROLLER- APPOINT/CEASE RESIGNATION OR REMOVAL OF ADMINISTRATOR OF COMPANY UNDER ADMINISTRATION UNDER S.436E(4), 449B OR 449C	6	15/04/2019	15/04/2019	15/04/2019	030574876
560	560 COURT ORDER TO WIND UP A COMPANY AND APPOINT A LIQUIDATOR	2	15/04/2019	16/04/2019	10/04/2019	030595301

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
505	505Y Notice By External Administrator/controller-Appoint/cease Resignation or Removal of Administrator of Company Under Administration Under S.436e(4), 449b or 449c	0	11/04/2019		11/04/2019	030595334
5011	5011B COPY OF MINUTES OF MEETING OF MEMBERS, CREDITORS, CONTRIBUTORIES OR COMMITTEE OF INSPECTION UNDER S.436E OR S.439A	15	11/04/2019	11/04/2019	09/04/2019	7EAK39396
519	519D NOTIFICATION OF MAKING OF WINDING UP ORDER	3	11/04/2019	15/04/2019	10/04/2019	030596345
505	505G NOTICE BY EXTERNAL ADMINISTRATOR/CONTROLLER- APPOINT/CEASE APPOINTMENT OF LIQUIDATOR BY THE COURT	2	10/04/2019	15/04/2019	10/04/2019	7EAK35779
531	531A DECLARATION OF RELEVANT RELATIONSHIPS AND/OR INDEMNITY COPY OF A DIRRI	6	02/04/2019	02/04/2019	01/04/2019	7EAK07312
505	505U NOTICE BY EXTERNAL ADMINISTRATOR/CONTROLLER- APPOINT/CEASE APPT OF ADMINISTRATOR UNDER S.436A, 436B, 436C, 436E(4), 449B, 449C(1), 449C(4) OR 449(6)	2	28/03/2019	28/03/2019	28/03/2019	7EAJ89579
902	902 Supplementary Document Alters 030 575 371	2	19/03/2019	20/03/2019	12/03/2019	030477632
519	519A NOTIFICATION OF FILING OF APPLICATION FOR WINDING UP ORDER	3	15/03/2019	19/03/2019	12/03/2019	030545680
519	519A NOTIFICATION OF FILING OF APPLICATION FOR WINDING UP ORDER Altered by 030 477 632	3	13/03/2019	14/03/2019	12/03/2019	030575371
484	484C Change to Company Details Change of Principal Place Of Business (Address)	2	29/01/2019	29/01/2019	03/01/2019	0EGV55565
484	484B Change to Company Details Change of Registered Address	2	14/12/2018	14/12/2018	14/12/2018	0EFG28609
484	484 Change to Company Details 484E Appointment or Cessation of a Company Officeholder 484N Changes to (Members) Share Holdings	3	21/03/2018	21/03/2018	21/03/2018	9E0042441
902	902 Supplementary Document Alters 1M0 015 073	2	22/12/2016	23/12/2016	13/05/2016	029758128
2205	2205F Notification of Resolution Relating to Shares Financial Assistance - Approval By Company's Own Sharehold	6	30/05/2016	28/06/2016	26/05/2016	029371437
2601	2601 Notification of Intention to Give Financial Assistance	2	30/05/2016	14/06/2016	14/06/2016	029371436
2602	2602A Notification of Financial Assistance Details Approval By Company's Own Members	8	26/05/2016	03/06/2016	26/05/2016	029617171
484	484E Change to Company Details Appointment or Cessation of A Company Officeholder	2	19/05/2016	19/05/2016	19/05/2016	9E0007467
484	484 Change to Company Details 484G Notification of Share Issue 484O Changes to Share Structure 484N Changes to (Members) Share Holdings Altered by 029 758 128	3	11/05/2016	13/05/2016	13/05/2016	1M0015073
2601	2601 Notification of Intention to Give Financial Assistance	2	12/09/2014	15/09/2014	29/09/2014	029082034
2602	2602A Notification of Financial Assistance Details Approval By Company's Own Members	9	12/09/2014	15/09/2014	12/09/2014	029082033
9204	9204 Pre 1991 Memorandum And Articles	19	05/09/2013	05/09/2013	05/09/2013	930336027

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
9205	9205 Pre 1991 Regd Office/place of Business, Agent,Officeholders Shares-Allotment, Prospectus, Report of Affairs, Trust Deed	4	05/09/2013	05/09/2013	05/09/2013	930336028
312	312C Notification of Release of Property	1	14/08/2009	14/08/2009	14/08/2009	024989218
309	309A NOTIFICATION OF DETAILS OF A CHARGE	13	15/08/2007	15/08/2007	30/07/2007	023973516
309	309A NOTIFICATION OF DETAILS OF A CHARGE	13	04/07/2007	04/07/2007	05/06/2007	023969149
309	309A NOTIFICATION OF DETAILS OF A CHARGE	13	28/06/2007	28/06/2007	05/06/2007	022529972
309	309A NOTIFICATION OF DETAILS OF A CHARGE	15	02/05/2007	02/05/2007	20/04/2007	023338579
309	309A NOTIFICATION OF DETAILS OF A CHARGE	15	26/04/2007	26/04/2007	29/03/2007	022528347
484	484 CHANGE TO COMPANY DETAILS 484O CHANGES TO SHARE STRUCTURE 484N CHANGES TO (MEMBERS) SHARE HOLDINGS	2	05/07/2006	05/07/2006	26/06/2006	1E2272998
309	309A NOTIFICATION OF DETAILS OF A CHARGE	13	07/02/2005	07/02/2005	21/01/2005	020763667
309	309A NOTIFICATION OF DETAILS OF A CHARGE	13	02/02/2005	02/02/2005	21/01/2005	020770201
309	309A NOTIFICATION OF DETAILS OF A CHARGE	13	17/12/2004	17/12/2004	09/12/2004	020115050
309	309A NOTIFICATION OF DETAILS OF A CHARGE	20	14/12/2004	15/12/2004	30/11/2004	020403319
309	309A NOTIFICATION OF DETAILS OF A CHARGE	27	02/09/2004	02/09/2004	05/08/2004	020157028
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	3	03/02/2003	04/02/2003	30/12/2002	0E8549199 (AR 2002)
203	203 NOTIFICATION OF 203A CHANGE OF ADDRESS 203G CHANGE OF ADDRESS - PRINCIPAL PLACE OF BUSINESS	1	17/07/2002	17/07/2002	11/07/2002	0E7418957
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	3	14/01/2002	14/01/2002	31/12/2001	0E6773360 (AR 2001)
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	3	16/01/2001	16/01/2001	08/01/2001	0E5420571 (AR 2000)
304	304A NOTIFICATION OF CHANGE TO OFFICEHOLDERS OF AUSTRALIAN COMPANY	1	24/03/2000	24/03/2000	24/03/2000	0E4386945
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	3	19/01/2000	19/01/2000	31/12/1999	0E4055235 (AR 1999)
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	3	13/01/1999	13/01/1999	08/01/1999	0E2727630 (AR 1998)
309	309A NOTIFICATION OF DETAILS OF A CHARGE	41	06/05/1998	07/05/1998	29/04/1998	013818925
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	4	14/01/1998	14/01/1998	31/12/1997	0E1719658 (AR 1997)
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	4	20/01/1997	21/01/1997	06/01/1997	0E0927280 (AR 1996)
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	4	29/01/1996	31/01/1996	16/01/1996	0E0383873 (AR 1995)
316	316L ANNUAL RETURN - PROPRIETARY COMPANY	4	28/02/1995	19/04/1995	31/12/1994	007241973 (AR 1994)
304	304A NOTIFICATION OF CHANGE TO OFFICEHOLDERS OF AUSTRALIAN COMPANY	2	09/09/1994	20/09/1994	01/09/1994	008234184
304	304C NOTIFICATION OF CHANGE OF NAME OR ADDRESS OF OFFICEHOLDER	2	02/05/1994	04/05/1994	24/04/1994	005513098
316	316L ANNUAL RETURN	4	02/05/1994	05/07/1994	31/12/1993	007114317 (AR 1993)
203	203A NOTIFICATION OF CHANGE OF ADDRESS	1	20/10/1993	26/10/1993	09/10/1993	005821158
316	316L ANNUAL RETURN	4	02/08/1993	18/08/1993	31/12/1991	004809491 (AR 1991)
316	316L ANNUAL RETURN	4	02/08/1993	04/08/1993	31/12/1992	004809490 (AR 1992)

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
304	304 NOTIFICATION OF 304A CHANGE TO OFFICEHOLDERS OF AUSTRALIAN COMPANY 304C CHANGE OF NAME OR ADDRESS OF OFFICEHOLDER	2	17/02/1992	06/03/1992	13/02/1992	002650490
245	245 CERTIFICATE OF REGISTRATION ON CHANGE OF NAME	1	06/02/1991	06/02/1991	06/02/1991	000337384
410	410B APPLICATION FOR RESERVATION OF A NEW NAME UPON CHANGE OF NAME	1	06/02/1991	06/02/1991	06/02/1991	000337385
205	205A NOTIFICATION OF RESOLUTION CHANGING COMPANY NAME	1	10/01/1991	06/02/1991	04/01/1991	000335792
304	304A NOTIFICATION OF CHANGE TO OFFICEHOLDERS OF AUSTRALIAN COMPANY	1	01/01/1991	18/03/1991	22/11/1990	000316054
N150I	N150I CONSENT TO USE ADDRESS - INITIAL NOTICE	1	01/01/1991	11/02/1991	01/01/1991	000316058
203	203 NOTIFICATION OF 203A CHANGE OF ADDRESS 203B CHANGE OF OFFICE HOURS	1	01/01/1991	13/02/1991	22/11/1990	000316053
207	207B NOTIFICATION OF ALLOTMENT OF SHARES REGARDING SUBSEQUENT ALLOTMENT	1	01/01/1991	11/02/1991	01/01/1991	000316052

**Contact Address for ASIC use only**

Note: The Address for ASIC Company Communications is for ASIC use only to correspond with the company. ASIC will forward notices such as the company statement, invoice statements and other correspondence where requested to this address.

Status	Address	Start Date - End Date	Doc Number
Current	PO BOX 7064 ST KILDA ROAD VIC 8004	05/10/2016 -	

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

Plaintiffs

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

Defendants

**CERTIFICATE IDENTIFYING EXHIBIT**

---

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

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This is the exhibit marked 'KW-3' now produced and shown to **KATHRYN WARWICK** at the

time of swearing her affidavit on

2/12/19



before me



**Exhibit 'KW-3'**

**The Administrators' Remuneration Report**

**ANDREW ROBERT BISSET**

of 525 Collins Street, Melbourne

An Australian Legal Practitioner

within the meaning of the Legal

Profession Uniform Law (Victoria)

29 NOVEMBER 2019

# REMUNERATION APPROVAL REPORT

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WITS HOLDINGS PTY LTD  
(IN LIQUIDATION)  
ACN 050 322 284

# Introduction

## Overview

On 28 March 2019, I, Kathryn Warwick, along with Joseph Hansell and Ross Blakeley ("the Administrators"), were appointed as voluntary administrators of WITS Holdings Pty Ltd (In Liquidation) ACN 050 322 284 ("the Company").

On 10 April 2019 the Administrators' appointment was terminated when a winding up order was made in respect of the Company and Stephen Michell was appointed liquidator ("Liquidator").

The Administrators are now seeking that the Supreme Court of Victoria ("the Court") approve their remuneration for the necessary work, properly performed, in relation to their administration of the Company.

## Information included in report

This remuneration approval report provides you with the information that the Corporations Act 2001 ("Act") and the Code of Professional Practice published by the Australian Restructuring Insolvency and Turnaround Association ("ARITA") requires creditors to receive to make an informed decision regarding the approval of our remuneration and the cost of our internal disbursements for undertaking the voluntary administration of the Company, during the period 28 March 2019 to 9 April 2019 and for the subsequent period of 10 April 2019 to 30 September 2019 following the appointment of the liquidator on 10 April 2019. This report has the following information included:

Introduction.....	1
Part 1: Declaration.....	1
Part 2: Executive Summary.....	2
Part 3: Remuneration.....	3
Part 4: Disbursements.....	6
Part 5: Summary of Receipts and Payments.....	7
Part 6: Queries.....	7
Schedule 1: Administrators' remuneration for the period 28 March 2019 to 9 April 2019.....	8
Schedule 2: Administrators' remuneration for the period 10 April 2019 to 30 September 2019.....	10
Schedule 3: FTI Consulting Schedules of Rates.....	12
Schedule 4: Summary of Receipts and Payments.....	13

## Part 1: Declaration

I, Kathryn Warwick, of FTI Consulting have undertaken a proper assessment of the claims for remuneration and payment of our internal disbursements for the appointment as Voluntary Administrator of WITS Holdings Pty Ltd (In Liquidation) ACN 050 322 284 in accordance with the law and applicable professional standards. I am satisfied that the remuneration claimed is in respect of necessary

work, properly performed, or to be properly performed, in the conduct of this appointment and further, that the disbursements claimed are necessary and proper.

In addition, I have undertaken a proper assessment of the claims for remuneration and payment of our internal disbursements incurred post the termination of the Administrators' appointment in accordance with the law and applicable professional standards. I am satisfied that the remuneration claimed is in respect of necessary work, properly performed, and further, that the disbursements claimed are necessary and proper.

## Part 2: Executive Summary

### Remuneration

I currently estimate the total remuneration for this appointment for the period 28 March 2019 to 30 September 2019 to be \$494,634.00 plus GST.

It is my intention to only seek orders from the Court approving remuneration of \$360,049.50 plus GST, representing a discount of \$134,584.50 plus GST.

A significant amount of time was incurred by the Administrators, \$70,959.00, in responding to requests from the Liquidator and would not provide any benefit to creditors. Although this time has been properly incurred, I am proposing to discount it in full from my fee application.

In addition to the above, a significant amount of time was incurred by the Administrators, \$98,472.50, in extinguishing liabilities incurred during the voluntary administration on the basis that the Administrators were without funds in order to defray the costs. This led to time being incurred in dealing with repeat queries from suppliers and subcontractors, together with the additional administrative tasks of having to pay the incurred expenses directly from FTI Consulting. We are only seeking remuneration representing approximately a third of the time incurred resulting in a discount of \$63,625.50.

Remuneration claimed and previously approved is summarised below:

<b>Table 1: Remuneration for which approval is sought</b>			
<b>Period</b>	<b>Applicable FTI Rates Commencing</b>	<b>Report Reference</b>	<b>Amount (excl. GST)</b>
Voluntary Administration Period: 28 March 2019 to 9 April 2019 (inclusive)	1 March 2017	Part 3	\$280,049.50
Liquidation Period: 10 April 2019 to 30 September 2019 (inclusive)	1 March 2017	Part 3	\$214,584.50 but limited to \$80,000.00
<b>Estimated Total Liquidation Remuneration</b>			<b>\$360,049.50</b>

## Disbursements

Internal disbursements which were not charged at cost currently claimed are summarised below:

<b>Table 2: Current claim for internal disbursements (not charged at cost)</b>		
<b>Period</b>	<b>Report Reference</b>	<b>Amount (excl GST)</b>
Internal Disbursements: 28 March 2019 to 9 April 2019 (inclusive)	Part 4	\$1,851.00

Please refer to the relevant report sections for full details of the calculation and composition of the remuneration and internal disbursements for which approval is sought.

## Part 3: Remuneration

### Remuneration claim

I will be seeking approval of the following orders regarding remuneration from the Court. Details to support these orders are shown immediately below the resolutions and in the schedules to this report.

#### **Order 1: Remuneration from 28 March 2019 to 9 April 2019 (inclusive)**

An order pursuant to s 60-10(1)(c) of the IPS specifying that the plaintiffs' remuneration for the necessary work properly performed in relation to the external administration of the Company, between 29 March 2019 and 9 April 2019, be approved and fixed at \$280,049.50 (excluding GST).

#### **Order 2: Remuneration from 10 April 2019 to 30 September 2019 (inclusive)**

An order pursuant to s 60-10(1)(c) of the IPS specifying that the plaintiffs' remuneration for the necessary work properly performed in relation to the external administration of the Company during the Post-Appointment Period, be approved and fixed at \$80,000 (excluding GST).

### Details to support the orders

The basis of calculating the remuneration claims are summarised below and the details of the major tasks performed and the costs associated with each of those major tasks are contained in Schedule 1 to 3.

**Order 1: Remuneration from 28 March 2019 to 9 April 2019 (inclusive)**

Table 3 sets out time charged to each major task area by staff members working on the voluntary administration for the period 28 March 2019 to 30 September 2019 (inclusive) which is the basis of the remuneration claim. More detailed descriptions of the tasks performed within each task area, matching the amounts below, are contained in Schedule 1.

Table 3: Voluntary Administrators' Time Incurred to 9 April 2019																
Timekeeper Name	Title	Rate/Hr	Administration		Assets		Creditors		Employees		Investigation		Trade on		Total Hours	Total Amount (\$)
			Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)		
Kathryn Warwick	Senior Managing Director (Appointee)	625	25.0	15,625.00	2.0	1,250.00	5.5	3,437.50			3.0	1,875.00			35.5	22,187.50
Joseph Hansell	Senior Managing Director (Appointee)	625	0.4	250.00	23.0	14,375.00	4.5	2,812.50	1.0	625.00			12.8	8,000.00	41.7	26,062.50
Ross Blakeley	Senior Managing Director (Appointee)	625	7.0	4,375.00	1.5	937.50	2.0	1,250.00	0.2	125.00	2.0	1,250.00	0.5	312.50	13.2	8,250.00
Michael McCreadie	Senior Managing Director	625	9.5	5,937.50	1.0	625.00							2.0	1,250.00	12.5	7,812.50
Patrick O'Brien	Managing Director	580			35.1	20,358.00	11.5	6,670.00	2.5	1,450.00			7.0	4,060.00	56.1	32,538.00
Patrick O'Brien	Senior Director	570					7.7	4,389.00					10.3	5,871.00	18.0	10,260.00
Simon Skelton	Managing Director	580					2.1	1,218.00							2.1	1,218.00
Drew Forbes	Managing Director	580			11.9	6,902.00									11.9	6,902.00
Ian Morton	Senior Director	570	0.7	399.00	3.9	2,223.00	8.2	4,674.00	0.5	285.00			6.0	3,420.00	19.3	11,001.00
Christopher Hatfield	Senior Director (Technology)	450									21.2	9,540.00			21.2	9,540.00
Jonathan Chee	Director	510	10.4	5,304.00	34.3	17,493.00	15.4	7,854.00	6.0	3,060.00			27.1	13,821.00	93.2	47,532.00
James Mazzone	Senior Consultant I	380	7.3	2,774.00	7.2	2,736.00	33.3	12,654.00	1.4	532.00	5.4	2,052.00	5.4	2,052.00	60.0	22,800.00
Robert Beaumont	Senior Consultant I	380	0.3	114.00			20.7	7,866.00	2.7	1,026.00			0.7	266.00	24.4	9,272.00
Catherine Jaques	Consultant II	360	8.8	3,168.00	3.5	1,260.00	8.3	2,988.00	8.9	3,204.00	0.7	252.00	13.0	4,680.00	43.2	15,552.00
Catherine Jaques	Consultant I	315	5.0	1,575.00	1.5	472.50	5.0	1,575.00	2.0	630.00			2.5	787.50	16.0	5,040.00
Maxine Allan	Consultant I	315					2.0	630.00	1.4	441.00			45.3	14,269.50	48.7	15,340.50
Maxine Allan	Associate II	280									2.8	784.00	14.2	3,976.00	17.0	4,760.00
Richard Batten	Consultant I	315			1.2	378.00	11.7	3,685.50	5.3	1,669.50			11.2	3,528.00	29.4	9,261.00
Richard Batten	Associate II	280			1.1	286.00	4.8	1,248.00			4.3	1,118.00	6.3	1,638.00	16.5	4,290.00
James Macreadie	Associate II	280					21.6	6,048.00					2.8	784.00	24.4	6,832.00
Gerald Tallud	Associate II	280	3.4	952.00											3.4	952.00
Jaymee Greenway	Junior Associate	185	2.0	370.00			11.0	2,035.00					0.5	92.50	13.5	2,497.50
Grace Tupe	Junior Associate	185	0.8	148.00											0.8	148.00
<b>Grand Total</b>			<b>80.6</b>	<b>40,991.50</b>	<b>127.2</b>	<b>69,296.00</b>	<b>175.3</b>	<b>71,034.50</b>	<b>31.9</b>	<b>13,047.50</b>	<b>39.4</b>	<b>16,871.00</b>	<b>167.6</b>	<b>68,808.00</b>	<b>622.0</b>	<b>280,048.50</b>

**Order 2: Remuneration from 10 April 2019 to 30 September 2019 (inclusive)**

Table 4 sets out time charged to each major task area by staff members during the period 10 April 2019 to 30 September 2019 (inclusive) which is the basis of the remuneration claim. More detailed descriptions of the tasks performed within each task area, matching the amounts below, are contained in Schedule 1.

**Table 4 - Administrators' Time Incurred Between 10 April 2019 to 30 September 2019**

Timekeeper Name	Title	Rate/Hr	Administration		Assets		Creditors		Employees		Investigation		Trade on		Total	
			Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)	Hours	Amount (\$)
Warwick, Kathryn	Senior Managing Director (Appointee)	625	11.6	7,250.00							16.9	10,562.50	7	4,375.00	35.5	22,187.50
Hansell, Joseph	Senior Managing Director (Appointee)	625	12	7,500.00	3.9	2,437.50	0.4	250.00					7.5	4,687.50	23.8	14,875.00
O'Brien, Patrick	Managing Director	580			18.4	10,672.00			2.6	1,508.00			36.3	21,054.00	57.3	33,234.00
Forbes, Drew	Managing Director	580			0.2	116.00									0.2	116.00
Morton, Ian	Senior Director	570	23	13,110.00	27.5	15,675.00	12.2	6,954.00	0.6	342.00			21.7	12,369.00	85	48,450.00
Hatfield, Christopher	Senior Director (Technology)	450									10.8	4,860.00			10.8	4,860.00
Chee, Jonathan	Director	510	5.9	3,009.00			1.2	612.00					18.3	9,333.00	25.4	12,954.00
Beaumont, Robert	Senior Consultant I	380	2	760.00			5.4	2,052.00					1.1	418.00	8.5	3,230.00
Mazzone, James	Senior Consultant I	380	11.5	4,370.00	5.3	2,014.00	1.6	608.00	1.7	646.00			78.6	29,868.00	98.7	37,506.00
Jaques, Catherine	Consultant II	360	6.4	2,304.00	0.3	108.00	2.1	756.00			1.5	540.00	13.1	4,716.00	23.4	8,424.00
Allan, Maxine	Consultant I	315	3	945.00	1.9	598.50	0.8	252.00	2.6	819.00			26.4	8,316.00	34.7	10,930.50
Batten, Richard	Consultant I	315	1.3	409.50	2.6	819.00							0.9	283.50	4.8	1,512.00
Macreadie, James	Associate II	280					1.5	420.00							1.5	420.00
Tallud, Gerald	Associate II	280	23.2	6,496.00					1.2	336.00			7.4	2,072.00	31.8	8,904.00
Furman, Joshua	Associate I	260			0.8	208.00									0.8	208.00
Greenway, Jaymee	Junior Associate	185	3.5	647.50	24.8	4,588.00			0.5	92.50			5.3	980.50	34.1	6,308.50
Glover, Talia	Executive Assistant	155	1.5	232.50											1.5	232.50
Sayer, Jessica	Administrative Assistant	155	1.5	232.50											1.5	232.50
<b>Grand Total</b>			<b>106.4</b>	<b>47,266.00</b>	<b>85.7</b>	<b>37,236.00</b>	<b>25.2</b>	<b>11,904.00</b>	<b>9.2</b>	<b>3,743.50</b>	<b>29.2</b>	<b>15,962.50</b>	<b>223.6</b>	<b>98,472.50</b>	<b>479.3</b>	<b>214,584.50</b>

## Total remuneration reconciliation

I have not previously sought remunerations and therefore a reconciliation of actual remuneration claimed is not required to be completed.

## Likely impact on dividends

The Act sets the order for payment of claims against the Company and it provides for remuneration of the Voluntary Administrators and Liquidators to be paid in priority to other claims. This ensures that when there are sufficient funds, the Voluntary Liquidators receive payment for the work done to recover assets, investigate the Company's affairs, report to creditors and ASIC and distribute any available funds.

Any dividend to creditors will also be impacted by the amount of assets that are able to be recovered and the amount of creditor claims that are admitted to participate in any dividend, including any claims by priority creditors such as employees.

As a Liquidator was appointed to the Company on 10 April 2019, I am unable to comment on the impact that my remuneration claim will have on potential dividends to creditors.

## Part 4: Disbursements

### Explanatory note on disbursements

Disbursements are divided into three types:

- **Externally provided professional services** - these are recovered at cost. An example of an externally provided professional service disbursement is legal fees.
- **Externally provided non-professional costs** - these are recovered at cost. Examples of externally provided non-professional costs are travel, accommodation and search fees.
- **Internal disbursements** such as photocopying, printing and postage. These disbursements, if charged to the administration, would generally be charged at cost; though some expenses such as telephone calls, photocopying and printing may be charged at a rate which recoups both variable and fixed costs. The recovery of these costs must be on a reasonable commercial basis. Details of the basis of recovery of each of these costs is discussed below.

Creditor approval is not required for payment of internal disbursements which have been charged at cost. Internal disbursements not charged at cost, however, must be approved by creditors before we can draw the cost of those disbursements from the external administration. Court approval is being sought for internal disbursements which includes time incurred by FTI's Strategic Communications division for time incurred in dealing with media enquiries, together with printing costs.

A summary of FTI Consulting's Disbursement Rates is outlined in Table 5 below.

### Internal disbursement claim resolution

We will be seeking a Court order with respect to our internal disbursements (which were not charged at cost) incurred in the period to 9 April 2019. Details to support these resolutions are shown immediately below the resolutions and in the schedules to this report.

**Order 3: Internal disbursements from 28 March 2019 to 9 April 2019 (inclusive)**

An order pursuant to s 60-10(1)(c) of the IPS specifying that the plaintiffs' entitlement to be reimbursed for internal disbursements incurred during the external administration of the Company be approved and fixed at the amount \$1,851 (excluding GST).

Details to support resolutions

**Order 3: Internal disbursements from 28 March 2019 to 9 April 2019 (inclusive)**

The cost of the internal disbursements that are the subject of Order 3 have been calculated in the manner shown in Table 5 below.

<b>Table 5: Disbursements from 28 March 2019 to 9 April 2019</b>		
<b>Category B2 - Internal Non-Professional Fees</b>		
<b>Printing</b>		
Colour	42 pages @ \$1.00/page	\$42.00
Black and white	43 pages @ \$0.50/page	\$21.50
<b>Strategic Communications</b>		
Invoice Number 1729683		\$1,787.50
<b>Total Disbursements - Category B2</b>		<b>\$1,851.00</b>

Part 5: Summary of Receipts and Payments

A summary of receipts and payments to and from the bank account for the period from 28 March 2019 to 30 September 2019 appears as Schedule 4 which accompanies this report.

Part 6: Queries

If you have any queries or require any further information concerning my claim for remuneration and internal disbursements, please contact James Mazzone on 9604 0626 or via email on james.mazzone@fticonsulting.com.

You can also access information which may assist you on the following websites:

- ARITA at [www.arita.com.au/creditors](http://www.arita.com.au/creditors)
- ASIC at [www.asic.gov.au](http://www.asic.gov.au) (search for "insolvency information sheets").

Yours faithfully

Kathryn Warwick  
 Senior Managing Director  
 FTI Consulting (Australia) Pty Ltd

## Schedule 1: Administrators' remuneration for the period 28 March 2019 to 9 April 2019

The below table provides a description of the work undertaken in each major task area for the period from 28 March 2019 to 9 April 2019 (inclusive).

Order 1: Work Completed from 28 March 2019 to 9 April 2019 (inclusive)					
Company	WITS Holdings Pty Ltd (In Liquidation) ACN 050 322 284	From	28-Mar-19	To	9-Apr-19
Practitioners	Kathryn Warwick, Ross Blakeley and Joseph Hansell	Firm	FTI Consulting		
Administration Type	Voluntary Administration				
Task Area	General Description	Includes			
<b>Assets</b> 127.2 hrs \$69,296.00 (ex GST)	Sale of Business as a Going Concern	Preparing an information memorandum to issue to interested parties Liaising with interested parties Internal meetings to discuss sale of business Assessing and documenting decision not to sell business as a going concern			
	Plant and Equipment	Conducting searches with Road Authorities Instructing and liaising with valuers Reviewing valuation report Reviewing books and records including asset registers Attendance at premises to facilitate collection of plant and equipment Assessing security position of secured creditors Assessing and documenting decision to realise plant and equipment assets Liaising with employees and sub-contractors to co-ordinate collection of plant and equipment Liaising with collection agents, secured creditor and solicitor regarding the collection of the plant and equipment Reviewing insurance requirements and liaising with insurance broker Dealing with stolen plant and equipment including reviewing debtor ledgers for liabilities owing to sub-contractors and liaising with insurers, employees, sub-contractors and Liquidator Liaising with secured creditor regarding collection of plant and equipment and entitlement to proceeds from sale Internal file reviews to discuss collection of plant and equipment Preparing reports and correspondence to secured creditor			
	Debtors	Attendance at premises to facilitate reconciliation of debtors Liaising with employees regarding debtors Scanning debtor documents to file Reviewing and assessing debtors' ledgers and supporting Issuing demands for payment and liaising with debtors Reconciling debtor receipts Liaising with secured creditor regarding collection of debtors and entitlement to proceeds Reconciling professional fees incurred in recovering and securing debtor assets Internal file reviews to discuss collection of debtors Preparing reports and correspondence to secured creditor			
	Other Assets	Tasks associated with realising other assets including writing to banks and conducting searches			
<b>Creditors</b> 175.3 hrs \$71,034.50 (ex GST)	Creditor Enquiries, Requests & Directions	Receive and respond to creditor enquiries Maintaining creditor request log Review and prepare initial correspondence to creditors and their representatives Compiling information requested by creditors			
	Creditor Reports	Preparing report to creditors Circulating report to creditors			
	Secured creditor reporting	Search the PPSR register Preparing and issuing correspondence to secured creditors advising of appointment Receive initial notification of creditor's intention to claim Review information supplied by secured creditors Review asset registers and valuation Assess security position of secured creditor and determining waterfalls Receive and respond to secured creditor enquiries Correspondence with secured creditors regarding decision on exercising property rights Preparing report to secured creditor			
	Creditor reports	Preparing Voluntary Administrator's report to creditors pursuant to s439A			
	Dealing with proofs of debt	Receiving and filing POD			
	Meeting of Creditors	Preparation of meeting notices, proxies and advertisements Forward notice of meeting to all known creditors Preparation of meeting file, including agenda, certificate of postage, attendance register, list of creditors, reports to creditors, advertisement of meeting and draft minutes of meeting Reviewing and assessing POD and Proxies Attending and conducting meeting of creditors Preparation of minutes of meetings with ASIC Responding to stakeholder queries and questions immediately following meeting			

REMUNERATION APPROVAL REPORT WITS Holding Pty Ltd (In Liquidation) ACN 050 322 284

<p>Employees 31.9 hrs \$13,047.50 (ex GST)</p>	<p>Employees enquiries</p>	<p>Preparation and circulation of notice of appointment to employees Receive and follow up employee enquiries via telephone Maintain employee enquiry register Attendance on site to deal with employee enquiries Preparation and circulation of termination notices Preparation of separation certificates and letters to employees</p>
<p>Trade On 167.6 hrs \$68,808.00 (ex GST)</p>	<p>Trade On Management</p>	<p>Attendance at premises to facilitate sales and orders Prepare and circulate notice to suppliers and employees regarding effect of the appointment Liaising with employees regarding sales and orders Reviewing and collating information in support of sales and following up payment of same Maintain sales register Maintaining trading cash flow Documenting decision to cease trading Attendance at premises to facilitate collection of plant and equipment and reconciliation of sales Liaising with collection agents and secured creditor regarding the collection of the plant and equipment Dealing with stolen plant and equipment including reviewing debtor ledgers for liabilities owing to sub-contractors and liaising with insurers and employees Reconciling sales to customers and subsequent receipts Reviewing and assessing lease agreements Entering into agreements with lessors Issuing demands for payment and liaising with debtors Liaising with management and staff regarding supplier invoices and debtor recovery Reviewing supplier invoices and liaising with suppliers with respect to invoices Maintaining supplier register Correspondence with suppliers regarding invoices Liaising with employees regarding wages and ongoing employment issues Reconciling trading liabilities including payroll and statutory liabilities Liaising with secured creditor regarding funding and entering into an agreement on same Liaising with secured creditor regarding collection of plant and equipment and debtor proceeds Preparing and authorising receipt vouchers Preparing and authorising payment vouchers Dealing with employee enquiries on same Internal meetings to discuss trading position</p>
	<p>Processing receipts and payments</p>	<p>Entering receipts and payments into accounting system Reviewing cash flow summary Reconciling account</p>
	<p>Budgeting and financial reporting</p>	<p>Maintain trading liability reconciliation Meetings to discuss trading position</p>
<p>Investigation 39.4 hrs \$16,871.00 (ex GST)</p>	<p>Conducting Investigations</p>	<p>Attendance on site to deal with records Recovering records from premises Scanning and collating documents to file Electronically storing records Reviewing books and records Conducting and summarising statutory searches Reviewing bank statements and summarising transactions Reviewing potential Deed of Company Arrangement and meetings and correspondence with Director on same Liaising with third parties regarding records</p>
<p>Administration 80.6 hrs \$40,991.50 (ex GST)</p>	<p>Correspondence  General Administration  Insurance  Bank account administration  ASIC Forms ATO and other statutory reporting Planning / Review  Books and records / storage</p>	<p>Correspondence with stakeholders including creditors, suppliers and employees. Filing of documents File reviews to discuss trading position and asset recovery Documenting and discussions decisions on files Updating checklists Identification of potential issues requiring attention of insurance specialists Correspondence with insurer regarding initial and ongoing insurance requirements Complete insurance applications Reviewing insurance policies Correspondence with previous brokers Requesting bank statements Bank account reconciliations including for payroll, debtor and supplier transactions Preparing and lodging ASIC forms for appointment Notification of appointment Discussions regarding status of administration Recovering records from premises Scanning and collating documents to file Electronically storing records Reviewing records</p>
<p>Grand Total \$280,048.50 (ex GST)</p>		

## Schedule 2: Administrators' remuneration for the period 10 April 2019 to 30 September 2019

The below table provides a description of the work to be undertaken by the Former Administrators in each major task area for the period 10 April 2019 to 30 September 2019 (inclusive).

Order 2: Work Completed from 10 April 2019 to 30 September 2019 (inclusive)					
Company	WITS Holdings Pty Ltd (In Liquidation) ACN 050 322 284	From	10-Apr-19	To	30-Sep-19
Practitioners	Kathryn Warwick, Ross Blakeley and Joseph Hansell	Firm	FTI Consulting		
Administration Type	Liquidation				
Task Area	General Description	Includes			
Assets 85.7 hrs \$37,236.00 (ex GST)	Plant and Equipment	Attendance at premises to facilitate collection of plant and equipment Liaising with employees and sub-contractors to co-ordinate collection of plant and equipment Liaising with collection agents, secured creditor, solicitor and Liquidator regarding the collection of the plant and equipment Reviewing books and records including asset registers and correlating with assets recovered Reviewing insurance requirements and liaising with insurance broker Dealing with stolen plant and equipment including reviewing debtor ledgers for liabilities owing to sub-contractors and liaising with insurers, employees, sub-contractors and Liquidator Reconciling professional fees incurred in recovering and securing plant and equipment Internal file reviews to discuss collection of plant and equipment and the reconciliation of professional fees Preparing reports and correspondence to secured creditor and Liquidator on the status of collection of plant and equipment			
	Debtors	Attendance at premises to facilitate reconciliation of debtor balances Liaising with employees regarding debtors and supporting documentation Scanning debtor documents to file Finalisation and issuing of invoices for Administration trading period Issuing demands for payment and liaising with debtors Reconciling debtor receipts Meeting with Liquidator's representatives to discuss and handover information to facilitate the collection of debtor balances Liaising with Liquidator, secured creditor and solicitor regarding debtor collection and entitlement to proceeds Reconciling professional fees incurred in recovering and securing debtor assets Preparing reports and correspondence to secured creditor and Liquidator on collections			
Creditors 25.2 hrs \$11,904.00 (ex GST)	Creditor Enquiries, Requests & Directions	Receive and respond to creditor enquiries Maintaining creditor request log			
	Creditor Reports	Preparing report to creditors regarding appointment of Liquidator Circulating report to creditors			
	Secured creditor reporting	Preparing reports to the secured creditor Responding to the secured creditor's queries			
	Meeting of Creditors	Preparation and lodgement of minutes of first meeting of creditors with ASIC			
Employees 9.2 hrs \$3,743.50 (ex GST)	Employees enquiries	Receive and follow up employee enquiries via telephone Preparation of circular to employees advising of appointment of the Liquidator Maintain employee enquiry register Preparation of separation certificates and letters to employees			
	Calculation of entitlements (Trading Period)	Calculating employee entitlements Reviewing employee files and company's books and records Preparing and reviewing single touch payroll Issuing payslips			
Trade On 223.6 hrs 98,472.50 (ex GST)	Trade On Management	Dealing with stolen plant and equipment including reviewing debtor ledgers for liabilities owing to sub-contractors and liaising with insurers, employees and Liquidator - not included in the above time Reviewing supplier invoices and liaising with suppliers with respect to invoices Reconciling sales to customers and subsequent receipts Reconciling superannuation accounts Liaising with management and staff regarding supplier invoices and debtor recovery Maintaining supplier register Correspondence and liaising with Liquidator regarding debtor receipts, supplier invoices and trading liabilities Liaising with employees regarding wages and ongoing employment issues Reconciling trading liabilities including payroll and statutory liabilities Preparing PAYG summaries and dealing with employee enquiries on same			
	Processing receipts and payments	Preparing and authorising receipt vouchers and entering into accounting system Preparing and authorising payment vouchers and entering into accounting system Undertaking reconciliation of bank account			
	Budgeting and financial reporting	Meetings to discuss final trading position			

Investigation 29.2 hrs \$15,962.50 (ex GST)	Books and records	Recovering records from premises Forensically imaging documents to file Electronically storing records Tasks associated with delivering books and records to Liquidator including collating and providing electronic and physical records
	Administrators' Lien	Liaising with solicitors regarding lien Reconciling professional fees Correspondence with Liquidator and solicitor Meeting with Liquidator and solicitor Liaising with Liquidator regarding lien
Administration 106.4 hrs \$47,244.00 (ex GST)	Correspondence	Correspondence with stakeholders including creditors, employees and Liquidator
	Document maintenance/file review/checklist	Filing of documents Updating checklists
	Administrators' Lien	Reviewing individual time charges and costs incurred and allocating professional fees against asset classes Meetings and correspondence with solicitor, FEG and Liquidator regarding lien Internal meetings to discuss lien Preparing Court application
	Insurance	Identification of potential issues requiring attention of insurance specialists Correspondence with insurer regarding initial and ongoing insurance requirements for administration period Complete insurance applications dealing with administration period Reviewing insurance policies Correspondence with previous brokers
	Bank account administration	Requesting bank statements Bank account reconciliations including for payroll, debtor and supplier transactions
	ASIC Forms	Preparing and lodging ASIC forms for resignation
	ATO and other statutory reporting	Preparing BAS Completing single touch payroll
	Planning / Review	Discussions regarding status of administration
	Books and records / storage	Recovering records from premises Scanning and collating documents to file Electronically storing records Tasks associated with delivering books and records to Liquidator including collating and providing electronic and physical records
Grand Total \$214,584.50 (ex GST)		

## Schedule 3: FTI Consulting Schedules of Rates

FTI Consulting Standard Rates effective 1 March 2017 (excluding GST)		
Typical classification	Standard Rates \$/hour	General guide to classifications
Senior Managing Director	625	Registered/Official Liquidator and/or Trustee, with specialist skills and extensive experience in all forms of insolvency administrations. Alternatively, has proven leadership experience in business or industry, bringing specialist expertise and knowledge to the administration.
Managing Director	580	Specialist skills brought to the administration. Extensive experience in managing large, complex engagements at a very senior level over many years. Can deputise for the appointee. May also be a Registered/Official Liquidator and/or Trustee. Alternatively, has extensive leadership/senior management experience in business or industry.
Senior Director	570	Extensive experience in managing large, complex engagements at a very senior level over many years. Can deputise for the appointee, where required. May also be a Registered/Official Liquidator and/or Trustee or have experience sufficient to support an application to become registered. Alternatively, has significant senior management experience in business or industry, with specialist skills and/or qualifications.
Director	510	Significant experience across all types of administrations. Strong technical and commercial skills. Has primary conduct of small to large administrations, controlling a team of professionals. Answerable to the appointee, but otherwise responsible for all aspects of the administration. Alternatively, has significant senior management experience in business or industry, with specialist skills and/or qualifications.
Senior Consultant 2	440	Typically an ARITA professional member. Well-developed technical and commercial skills. Has experience in complex matters and has conduct of small to medium administrations, supervising a small team of professionals. Assists planning and control of medium to larger administrations.
Senior Consultant 1	380	Assists with the planning and control of small to medium administrations. May have the conduct of minor administrations. Can supervise staff. Has experience performing more difficult tasks on larger administrations.
Consultant 2	360	Typically ICAA qualified (or similar). Required to control the tasks on small administrations and is responsible for assisting with tasks on medium to large administrations.
Consultant 1	315	Qualified accountant with several years' experience. Required to assist with day-to-day tasks under the supervision of senior staff.
Associate 2	280	Typically a qualified accountant. Required to assist with day-to-day tasks under the supervision of senior staff.
Associate 1	260	Typically a university undergraduate or graduate. Required to assist with day-to-day tasks under the supervision of senior staff.
Junior Associate	185	Undergraduate in the latter stage of their university degree.
Administration 2	185	Well-developed administrative skills with significant experience supporting professional staff, including superior knowledge of software packages, personal assistance work and/or office management. May also have appropriate bookkeeping or similar skills.
Junior Accountant	155	Undergraduate in the early stage of their university degree.
Administration 1	155	Has appropriate skills and experience to support professional staff in an administrative capacity.

## Schedule 4: Summary of Receipts and Payments

<b>WITS Holdings Pty Ltd (In Liquidation)</b>	
<b>Receipts and Payments for the period 28 March 2019 to 9 April 2019</b>	<b>Amount (\$)</b>
<b>Receipts</b>	
Administration Funding - Care & Preservation Funds	149,967.00
Administration Funding - S560 Funds Advanced	165,000.00
Debtors - Pre-appointment	13,805.00
<b>Total Receipts</b>	<b>328,772.00</b>
<b>Payments</b>	
Bank Fees	20.00
Subcontractors	10,354.98
Wages	54,434.92
<b>Total Payments</b>	<b>64,809.90</b>
<b>Closing Balance as at 9 April 2019</b>	<b>263,962.10</b>
<b>Receipts and Payments for the period 10 April 2019 to 11 November 2019</b>	<b>Amount (\$)</b>
Opening Balance as at 10 April 2019	263,962.10
<b>Receipts</b>	
Debtors - Pre-appointment	16,335.00
Debtors - VA Period	40,482.31
Loan - FTI Consulting	248,057.33
Plant and Equipment	2,803.65
Subcontractors - Returned Payment	1,305.00
<b>Total Receipts</b>	<b>308,983.29</b>
<b>Payments</b>	
Insurance	33,462.24
Legal Fees	110,553.72
Meals	706.60
Parking	342.73
Postage	1,348.13
Rent	10,256.87
Room Hire	3,482.60
Search Fees	1,078.47
Security	50,322.36
Subcontractors / Suppliers	282,391.41
Travel & Accommodation	7,023.82
Valuation Fees	11,000.00
Wages & Payroll Expense	60,498.46
<b>Total Payments</b>	<b>572,467.40</b>
<b>Closing Balance as 11 November 2019</b>	<b>477.99</b>



*Liability limited by a scheme approved under Professional Standards Legislation Scheme. May not apply to all services.*

James Mazzone  
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**About FTI Consulting**

FTI Consulting, Inc. is a global business advisory firm dedicated to helping organisations protect and enhance enterprise value in an increasingly complex legal, regulatory and economic environment. FTI Consulting professionals, who are located in all major business centers throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges in areas such as investigations, litigation, mergers and acquisitions, regulatory issues, reputation management and restructuring. More information can be found at [www.fticonsulting.com](http://www.fticonsulting.com).



**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

Not Restricted

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

Plaintiffs

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

Defendants

**CERTIFICATE IDENTIFYING EXHIBIT**

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Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

Rialto Towers

525 Collins Street

MELBOURNE VIC 3000

Solicitors Code 8510  
DX 204 MELBOURNE  
Telephone (03) 8608 2000  
Facsimile (03) 8608 1000  
Reference BRW 1248222

Brendon Watkins

(brendon.watkins@minterellison.com)

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This is the exhibit marked 'KW-4' now produced and shown to **KATHRYN WARWICK** at the

time of swearing her affidavit on 2/12/19



before me



**Exhibit 'KW-4'**

**The Administrators' Further Itemised Report 1**

**ANDREW ROBERT BISSET**

of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)



Timekeeper Number	Timekeeper Name	Title	Date	Bill Hours	Bill Rate	Bill Amount	Billable Amount	Activity Description	Task	Narrative	Equitable Lien	Percentage of Time Entry	Equitable Lien Amount	Explanatory Note
26283	Richard Bahen	Consultant I	3/29/19	1.00	\$ 625.00	\$ 625.00	625.00	General operations and correspondence	Trade on	Preparing information for resolution to Gordon Brothers and Scottish Pacific with regards to landing	Equitable Lien 1	50%	\$ 312.50	Following the appointment, the Voluntary Administrators approached Gordon Brothers on behalf of the secured creditor to contact an attorney for the sale of all Company vehicles in order to repay the bank. Therefore 50% of the time entry has been changed.
26284	James Mazzone	St. Consultant I	3/29/19	0.40	\$ 380.00	\$ 152.00	152.00	Insurance	Admin	Call with insurer and discussed ongoing insurance issues. Summarized position.	Equitable Lien 1	50%	\$ 76.00	The motor vehicles were required to be insured following the appointment. Staff also spoke to the insurers about ongoing trading. Therefore, only 50% of the time has been changed.
26284	James Mazzone	St. Consultant I	3/29/19	2.00	\$ 380.00	\$ 760.00	760.00	Unsecured - general correspondence	Creditors	Received and followed up various creditor enquiries via telephone and email.				
26284	James Mazzone	St. Consultant I	3/29/19	2.50	\$ 380.00	\$ 950.00	950.00	Meetings, reports, circulars and COI	Creditors	Reviewed the and prepared first report to creditors. Prepared relevant indices.				
26284	James Mazzone	St. Consultant I	3/29/19	1.00	\$ 380.00	\$ 380.00	380.00	Meetings, reports, circulars and COI	Creditors	Prepared for first meeting of creditors including organising meeting venue and scheduling meeting dates.				
26284	James Mazzone	St. Consultant I	3/29/19	1.00	\$ 380.00	\$ 380.00	380.00	Material oversight and administration	Admin	Reviewed the and prepared strategy re:unsecured bank.				
26284	James Mazzone	St. Consultant I	3/29/19	0.20	\$ 380.00	\$ 76.00	76.00	Material oversight and administration	Admin	Meeting with Kate Warwick to discuss the strategy.				
26284	James Mazzone	St. Consultant I	3/29/19	2.10	\$ 380.00	\$ 798.00	798.00	Statutory compliance	Admin	Reviewed the, discussed with appointees and prepared DIRR.				
26284	James Mazzone	St. Consultant I	3/29/19	1.00	\$ 380.00	\$ 380.00	380.00	Trade on - management & accounting	Trade on	Reviewed the, calls to OHS assessors. Discussed general requirements. Prepared email.				
26284	James Mazzone	St. Consultant I	3/29/19	4.00	\$ 625.00	\$ 2,500.00	2,500.00	Material oversight and administration	Creditors	Initial appointment, decision to trade				
26284	James Mazzone	St. Consultant I	3/29/19	0.20	\$ 185.00	\$ 37.00	37.00	Unsecured - general correspondence	Creditors	Correspondence to creditors.				
26283	Richard Bahen	Consultant I	3/29/19	0.50	\$ 260.00	\$ 130.00	130.00	Trade on - employees	Trade on	Creditor/supplier calls re: appointment and trading status				
26283	Richard Bahen	Consultant I	3/29/19	1.30	\$ 260.00	\$ 338.00	338.00	Unsecured - general correspondence	Trade on	Creating and updating creditors listing				
26283	Richard Bahen	Consultant I	3/29/19	0.90	\$ 260.00	\$ 234.00	234.00	Trade on - management & accounting	Trade on	Drafting WTS expression of interest for ad placement/initial media highway re: advertising sale of business/call Kelsey/Melita highway re: ads				
26283	Richard Bahen	Consultant I	3/29/19	1.10	\$ 260.00	\$ 286.00	286.00	Debtors	Admin	Reviewing debtor ledger and discussions debtors with associate				
26283	Richard Bahen	Consultant I	3/29/19	1.40	\$ 260.00	\$ 364.00	364.00	Trade on - employees	Trade on	Call Patna Fink re: Administrators account/discussion applicable re: fuel card/call associate re: employees with print list card/sending requirements Call and email Bill Collier re: transfer of fuel cards				
26283	Richard Bahen	Consultant I	3/29/19	0.20	\$ 260.00	\$ 76.00	76.00	Trade on - employees	Trade on	Reviewing WCI landlord letter				
26283	Richard Bahen	Consultant I	3/29/19	1.00	\$ 260.00	\$ 260.00	260.00	Trade on - employees	Trade on	Creating and updating Employee listing				
26283	Richard Bahen	Consultant I	3/29/19	1.20	\$ 260.00	\$ 312.00	312.00	Investigations	Investing	Bank statement review				
26283	Richard Bahen	Consultant I	3/29/19	0.60	\$ 260.00	\$ 156.00	156.00	Investigations	Investing	Letter to Chambers and Partners re: books and reconstructive to Piper Alderman re: books and records/Sending letter to accountant and lawyer				
18948	Patrick O'Brien	Managing Dir	3/29/19	3.70	\$ 570.00	\$ 2,109.00	2,109.00	Trade on - management & accounting	Trade on	Attended site and oversaw operations and met with staff in relation to the appointment				
18948	Patrick O'Brien	Managing Dir	3/29/19	4.30	\$ 570.00	\$ 2,461.00	2,461.00	Trade on - management & accounting	Trade on	Engaging with various unsecured creditors at Whitehall Park, meeting with subbies and employees.				
18948	Patrick O'Brien	Managing Dir	3/29/19	2.00	\$ 570.00	\$ 1,140.00	1,140.00	Secured - PPSA specific	Creditors	Update prepared for the Administrators in relation to the PPSR registered equipment and the need for funding to maintain ongoing operations.				
23752	Jonathan Chue	Director	3/29/19	6.00	\$ 510.00	\$ 3,060.00	3,060.00	General operations and correspondence	Trade on	Operations, disc: with employees and subcontractors, cashflow forecast				
23752	Jonathan Chue	Director	3/29/19	1.60	\$ 510.00	\$ 816.00	816.00	Plant and equipment	Trade on	Security cam, plant and equipment review, interview with staff				
26284	Catherine Jacques	Consultant II	3/29/19	1.50	\$ 315.00	\$ 472.50	472.50	Travel	Admin	Travel to and from client site				
26284	Catherine Jacques	Consultant II	3/29/19	2.50	\$ 315.00	\$ 787.50	787.50	Unsecured - general correspondence	Creditors	Queries from subcontractors regarding payment, explain VA process and address queries				
26284	Catherine Jacques	Consultant II	3/29/19	2.00	\$ 315.00	\$ 630.00	630.00	Trade on - employees	Employees	Employee queries regarding status of VASCompany strategy moving forward/commitments				
26284	Catherine Jacques	Consultant II	3/29/19	1.00	\$ 315.00	\$ 315.00	315.00	Trade on - management & accounting	Trade on	Processes regarding PPSA/leases etc: moving forward				
26284	Catherine Jacques	Consultant II	3/29/19	1.00	\$ 315.00	\$ 315.00	315.00	Material oversight and administration	Admin	Mailer update regarding strategy and plan moving forward as well as tasks undertaken to date and site update				
21814	Maxine Allan	Consultant I	3/29/19	8.00	\$ 260.00	\$ 2,080.00	2,080.00	General operations and correspondence	Trade on	Attending on site meeting with key employees regarding suppliers, debtors and general operations. Dealing with various enquiries regarding funding and appointment. Conversations with suppliers and creditors. Team discussions regarding funding position.				
18979	Ross Blakely	St. Managing Dir	4/1/19	1.00	\$ 625.00	\$ 625.00	625.00	Meetings, reports, circulars and COI	Creditors	Review, amend and sign lodgment notices and initial creditor report				
18984	Ross Blakely	St. Managing Dir	4/1/19	1.50	\$ 625.00	\$ 937.50	937.50	Material oversight and administration	Admin	Internal meetings and discussions regarding strategy and direction, and operational issues				
18984	Ross Blakely	St. Managing Dir	4/1/19	0.80	\$ 185.00	\$ 148.00	148.00	General correspondence	Admin	Assisting with circular to creditors with Matt Hamlett				
27037	James Mazzone	Associate II	4/1/19	5.00	\$ 200.00	\$ 1,000.00	1,000.00	Secured - PPSA general	Creditors	Compiling spreadsheet of PPSR registrations and updating as per responses received				
25208	Kathryn Warwick	St. Managing Dir	4/1/19	2.00	\$ 625.00	\$ 1,250.00	1,250.00	Material oversight and administration	Admin	Appointment, banking, strategy, asset relocation, cashing to trade				
27772	Jaymes Greenway	Associate	4/1/19	3.00	\$ 185.00	\$ 555.00	555.00	Unsecured - general correspondence	Creditors	Assists with mail out to WTS creditors, involved creating labels, stuffing envelopes, banking envelopes etc.				
26284	James Mazzone	St. Consultant I	4/1/19	1.50	\$ 380.00	\$ 570.00	570.00	Unsecured - general correspondence	Creditors	Venues calls from creditors regarding outstanding claims and correspondence to the same.				
26284	James Mazzone	St. Consultant I	4/1/19	1.00	\$ 380.00	\$ 380.00	380.00	Statutory compliance	Admin	Reviewed changes to DIRR with Ross Blakely, updated DIRR.				
26284	James Mazzone	St. Consultant I	4/1/19	0.75	\$ 380.00	\$ 285.00	285.00	General operations and correspondence	Trade on	Call to OHS surveyor and prepared correspondence.				
26284	James Mazzone	St. Consultant I	4/1/19	2.00	\$ 380.00	\$ 760.00	760.00	Meetings, reports, circulars and COI	Creditors	Reviewed first report and updated changes. Completed relevant lodgments for the first meeting. Assisted with sending report.				
26284	James Mazzone	St. Consultant I	4/1/19	0.00	\$ 380.00	\$ 384.00	384.00	Meetings, reports, circulars and COI	Creditors	Prepared meeting documents, Reviewed meeting venue booking.				
26283	Richard Bahen	Consultant I	4/1/19	0.40	\$ 315.00	\$ 126.00	126.00	Trade on - management & accounting	Trade on	Drafting landlord letter NSW premises				
26283	Richard Bahen	Consultant I	4/1/19	0.70	\$ 315.00	\$ 220.50	220.50	Trade on - management & accounting	Trade on	calls from suppliers/subcontractors				
26283	Richard Bahen	Consultant I	4/1/19	1.60	\$ 315.00	\$ 504.00	504.00	Trade on - management & accounting	Trade on	Team calls re: trade on issues.				
26283	Richard Bahen	Consultant I	4/1/19	2.10	\$ 315.00	\$ 661.50	661.50	Trade on - management & accounting	Trade on	Updating and reviewing cash flow forecast				
26283	Richard Bahen	Consultant I	4/1/19	2.00	\$ 315.00	\$ 630.00	630.00	Meetings, reports, circulars and COI	Creditors	Creating/revamping share sheet for initial circular to creditors/Sending/mailing initial circular to creditors				
21814	Maxine Allan	Consultant I	4/1/19	8.50	\$ 315.00	\$ 2,677.50	2,677.50	Trade on - management & accounting	Trade on	Meeting with debt, correspondence regarding debtors, phone calls with subcontractors and suppliers, meetings with subcontractors. Liaising with associate team to provide financial information as requested. Conversation regarding status of debtors.				
21814	Maxine Allan	Consultant I	4/1/19	2.00	\$ 315.00	\$ 630.00	630.00	Meetings, reports, circulars and COI	Creditors	Sent out report to creditors to all secured, unsecured and priority creditors				
26283	Richard Bahen	Consultant I	4/1/19	1.30	\$ 315.00	\$ 409.50	409.50	Meetings, reports, circulars and COI	Creditors	Sending/mailing initial circular to creditors				
18948	Patrick O'Brien	Managing Dir	4/1/19	1.00	\$ 580.00	\$ 580.00	580.00	General operations and correspondence	Trade on	Internal FTI discussion in relation to strategy and way forward on operations.				

Timekeeper Number	Timekeeper Name	Title	Date	Bill Hour	Bill Rate	Bill Rate Amount	Billable Amount	Activity Description	Task	Narrative	Equitable Lien	Percentage of Time EMTV	Equitable Lien Amount	Explanatory Note
18948	Patrick O'Brien	Managing Dir	4/1/19	5.00	\$ 590.00	\$ 2,950.00	2,950.00	General operations and correspondence	Trade on	Attendance on site and engaged with staff and operations to ensure overall supervision of the appointment in the Sydney office at Wehrhelt Park. Engaged with Operations staff to review orders and discussed missing loads.	Equitable Lien 1	33%	\$ 985.67	As discussed above, loads had been misappropriated and we have charged 33.3% of time to seek their recovery.
24143	Joseph Hansell	Sr Managing Dir	4/1/19	2.50	\$ 625.00	\$ 1,562.50	1,562.50	General operations and correspondence	Trade on	Trading issues. Discussion with team regarding trading issues.	Equitable Lien 1	100%	\$	
24143	Joseph Hansell	Sr Managing Dir	4/1/19	0.40	\$ 625.00	\$ 250.00	250.00	Statutory compliance	Admin	Dealing with statutory issues.	Equitable Lien 1	100%	\$	Joe Hansell's primary role was to oversee the preservation of Wespac's assets, including obtaining funding for this process.
24143	Joseph Hansell	Sr Managing Dir	4/1/19	1.00	\$ 625.00	\$ 625.00	625.00	Care & preservation - GSA creditor	Assets	Care and preservation of WVC Assets.	Equitable Lien 1	100%	\$ 2,167.50	See above.
24143	Joseph Hansell	Sr Managing Dir	4/1/19	3.50	\$ 625.00	\$ 2,187.50	2,187.50	Care & preservation - GSA creditor	Assets	Discussion with Mel Lamson of Wespac regarding care & preservation costs. Drafting email regarding care & preservation costs.	Equitable Lien 1	100%	\$	
18924	Joseph Hansell	Sr Managing Dir	4/1/19	0.40	\$ 625.00	\$ 250.00	250.00	General operations and correspondence	Assets	Discussion with WVC regarding update of Wespac.	Equitable Lien 1	100%	\$	
18924	Joseph Hansell	Sr Managing Dir	4/1/19	0.50	\$ 700.00	\$ 350.00	350.00	Secured - PPSA specific	Creditors	Call with B Walker regarding claim from Puma and winding-up application. Follow-up email to team.	Equitable Lien 1	100%	\$	
23752	Jonathan Chee	Director	4/1/19	5.60	\$ 510.00	\$ 2,856.00	2,856.00	General operations and correspondence	Trade on	Team meeting to discuss trade on issues.	Equitable Lien 1	100%	\$	
23752	Jonathan Chee	Director	4/1/19	0.80	\$ 570.00	\$ 456.00	456.00	Trade on - management & accounting	Trade on	Team meeting to discuss trade on issues.	Equitable Lien 1	100%	\$	
18924	Jan Motion	Senior Director	4/1/19	0.20	\$ 570.00	\$ 114.00	114.00	Unsecured - general correspondence	Creditors	Review of messages from creditors and allocating to for call responses.	Equitable Lien 1	100%	\$	
18924	Jan Motion	Senior Director	4/1/19	1.20	\$ 510.00	\$ 612.00	612.00	General correspondence	Admin	Material review and general correspondence.	Equitable Lien 1	100%	\$	
23752	Jonathan Chee	Director	4/1/19	2.20	\$ 570.00	\$ 1,254.00	1,254.00	Meetings - reports, circulars and COI	Creditors	Preparing second report to creditors.	Equitable Lien 1	100%	\$	
18924	Jan Motion	Senior Director	4/1/19	1.40	\$ 510.00	\$ 714.00	714.00	Unsecured - general correspondence	Creditors	Creditor and subcontractor correspondence in person and by phone.	Equitable Lien 1	100%	\$	
23752	Jonathan Chee	Director	4/1/19	0.10	\$ 570.00	\$ 57.00	57.00	Trade on - management & accounting	Trade on	Review of vicissimal form Test Freight and forward to P. Wilson.	Equitable Lien 1	100%	\$	
18924	Jan Motion	Senior Director	4/1/19	0.70	\$ 570.00	\$ 399.00	399.00	Secured - GSA creditor	Assets	Review of valuation, reduction and forward to Shireys and Gary's following discussions.	Equitable Lien 1	100%	\$	
23752	Jonathan Chee	Director	4/1/19	4.00	\$ 510.00	\$ 2,040.00	2,040.00	Other - circulating	Assets	Debtor review, interview with staff re process, review myob ledger.	Equitable Lien 2	50%	\$	399.00 Valuation was compromised and submissions were sought from selling agents for the realisation of the trucks. The valuation was retained and forwarded to the agents to facilitate the completion of the submissions.
18924	Jan Motion	Senior Director	4/1/19	0.20	\$ 570.00	\$ 114.00	114.00	Unsecured - general correspondence	Creditors	Call with P Meade or Roland Lee Transport regarding debt due and ongoing trading.	Equitable Lien 1	50%	\$	1,020.00 As discussed above, a substantial exercise was undertaken to reconcile the debtors. During this process, substantial unvoiced debtors were identified which were subsequently invoiced, thus increasing the asset pool.
27661	Robert Beament	Sr. Consult I	4/1/19	1.10	\$ 380.00	\$ 418.00	418.00	Meetings - reports, circulars and COI	Creditors	Coordinating first meeting of creditors with James Mazzoze and Melaine Hansell. Enquiries and quotes with various venues, lists with team to ascertain creditor quantum.	Equitable Lien 1	100%	\$	
27661	Robert Beament	Sr. Consult I	4/1/19	1.20	\$ 380.00	\$ 456.00	456.00	Secured - PPSA general	Creditors	Preparing PPSR schedule for vehicle registrations. Liaison with James Mazzoze and Melaine Hansell. Enquiries and quotes with various venues, lists with team to ascertain creditor quantum.	Equitable Lien 1	100%	\$	
24281	Michael McCredie	Sr Managing Dir	4/1/19	2.80	\$ 625.00	\$ 1,750.00	1,750.00	Material oversight and administration	Admin	Materialise regarding updates to schedule.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	1.50	\$ 380.00	\$ 540.00	540.00	Travel	Admin	Communicate with Tim Enay at Scottish Pacific about invoicing holiday call with Jo Hansell to discuss Scottish Pacific's position on the PPSA general issues.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	2.50	\$ 380.00	\$ 900.00	900.00	Material oversight and administration	Admin	Travel to and from client site.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and administration	Admin	Material catchup regarding strategy meeting forward.	Equitable Lien 1	100%	\$	
26934	Catherine Jacques	Consultant II	4/1/19	0.80	\$ 380.00	\$ 288.00	288.00	Material oversight and						



Timekeeper Number	Timekeeper Name	Title	Date	Bill Hours	Bill Rate	Billable Amount	Activity Description	Task	Narrative	Equitable Lien	Percentage of Time Entry	Equitable Lien Amount	Explanatory Note
18948	Patrick O'Brien	Managing Dir	4/4/19	1.30	\$ 500.00	\$ 754.00	Master oversight and administration	Creditors	Various phone calls with creditors in relation to the engagement and monies owing, including with Kevin over the stolen truck.	Equitable Lien 1	33%	\$ 251.33	A third of time charged in relation to a stolen vehicle.
18949	Patrick O'Brien	Managing Dir	4/4/19	2.50	\$ 500.00	\$ 1,450.00	General correspondence	Employees	Preparation for an attendance at meeting to terminate staff and prepare for the wind down of operations. Meeting with staff.	Equitable Lien 1	100%	\$ 1,450.00	
18949	Patrick O'Brien	Associate II	4/4/19	0.10	\$ 280.00	\$ 28.00	Accounting	Admin	Outgoing bank statement and reviewing information. Provided to the accountant.	Equitable Lien 1	100%	\$ 28.00	Work undertaken in relation to securing assets.
24143	Joseph Harsell	Managing Dir	4/4/19	1.50	\$ 625.00	\$ 937.50	Care & preservation - GSA creditor	Trade on Assets	Worked with operations staff to facilitate the return of all trucks and assets to respective yards and discussed with Trading Issues. Discussion with my staff regarding outstanding issues.	Equitable Lien 1	100%	\$ 937.50	Work undertaken in relation to securing assets.
24143	Joseph Harsell	Managing Dir	4/4/19	4.30	\$ 625.00	\$ 2,687.50	Care & preservation - GSA creditor	Assets	Discussions regarding DOCA proposal.	Equitable Lien 1	100%	\$ 2,687.50	Work undertaken in relation to securing assets as well as possible sales.
24143	Joseph Harsell	Managing Dir	4/4/19	1.00	\$ 625.00	\$ 625.00	Pre-application entitlements	Employees	Care and preservation card discussions regarding assets with Weapac and sales agents. Review agent proposals. Email to Waspac regarding same.	Equitable Lien 1	100%	\$ 625.00	
27637	James Mascarede	Associate II	4/4/19	2.00	\$ 280.00	\$ 560.00	General operations and correspondence	Creditors	Answering calls on VA holidays and following up enquires relating to creditors claims	Equitable Lien 1	100%	\$ 560.00	Reviewing agent submissions for possible sales.
27637	James Mascarede	Associate II	4/4/19	1.00	\$ 280.00	\$ 280.00	Secured - PPSA general	Creditors	Updating PPSR master spreadsheet as per responses received	Equitable Lien 1	50%	\$ 140.00	50% of time charged in respect of securing and releasing assets.
18979	Ross Blakeley	Managing Dir	4/4/19	0.50	\$ 625.00	\$ 312.50	Investigations	Assets	Reviewing PPSR schedule and email and telephone correspondence with AG Egan and Chip regarding property on site. Assessing documentation received and consider validity of security. Correspond with James Mascarede regarding same.	Equitable Lien 1	100%	\$ 312.50	Reviewing agent submissions for possible sales.
18979	Ross Blakeley	Managing Dir	4/4/19	1.70	\$ 625.00	\$ 1,062.50	Master oversight and administration	Admin	Analysis of outcomes and offers from fleet buyers	Equitable Lien 1	50%	\$ 531.25	50% of time charged in respect of securing and releasing assets.
23752	Jonathan Chee	Director	4/4/19	3.40	\$ 510.00	\$ 1,734.00	General correspondence	Employees	Arrangements for terminating staff and winding down/review later. discuss with staff/discussions with co-arrangements with co-arranger as to operation funding. asset realisations and reversion	Equitable Lien 1	100%	\$ 1,734.00	
23752	Jonathan Chee	Director	4/4/19	1.60	\$ 510.00	\$ 816.00	General correspondence	Assets	Employee termination, queries and care	Equitable Lien 1	100%	\$ 816.00	
23752	Jonathan Chee	Director	4/4/19	2.70	\$ 510.00	\$ 1,377.00	Plant and equipment	Admin	Master review and general care	Equitable Lien 1	50%	\$ 688.50	50% of time charged in respect of securing and releasing assets.
23752	Jonathan Chee	Director	4/4/19	2.00	\$ 510.00	\$ 1,020.00	Unsecured - general correspondence	Creditors	Security care, plant and equipment review. interview with staff. security of assets with Gordon Brothers and Grays	Equitable Lien 1	50%	\$ 510.00	
18941	Drew Forbes	Managing Dir	4/4/19	6.40	\$ 580.00	\$ 3,712.00	Master oversight and administration	Assets	Creditor and subcontractor calls in person and by phone	Equitable Lien 1	50%	\$ 1,856.00	Reviewing agent submissions for possible sales.
27661	Robert Beaumont	St. Consult I	4/4/19	1.50	\$ 380.00	\$ 570.00	Secured - PPSA general	Creditors	Preparation of estimated outcome statement - assessing realisable value of assets and determining flow of funds to creditors. Reviewing selling agents proposals for realisation of equipment and discussions with Joe Harsell. Ross Blakeley. Reviewing PPSR schedule and email and telephone correspondence with AG Egan and Chip regarding property on site. Assessing documentation received and consider validity of security. Correspond with James Mascarede regarding same.	Equitable Lien 1	100%	\$ 570.00	
27661	Robert Beaumont	St. Consult I	4/4/19	1.00	\$ 380.00	\$ 380.00	Secured - PPSA general	Creditors	Email correspondence with Sandra Taitios (Cheng) to facilitate collection of pallets from NSW and VIC sites. Liaison with James Mascarede and Jonathan Chee to ascertain quantum of pallets at VIC site.	Equitable Lien 1	100%	\$ 380.00	
27661	Robert Beaumont	St. Consult I	4/4/19	0.70	\$ 380.00	\$ 266.00	Secured - PPSA general	Creditors	Assets PPSR schedule for vehicle VIN numbers, undertake lookup of vehicles and corresponding financiers.	Equitable Lien 1	100%	\$ 266.00	Work involved in remanulation of vehicles to ensure all accounted for.
27661	Robert Beaumont	St. Consult I	4/4/19	1.50	\$ 380.00	\$ 570.00	General correspondence	Employees	Discussions with James Mascarede and Joseph Harsell regarding same.	Equitable Lien 1	100%	\$ 570.00	
27661	Robert Beaumont	St. Consult I	4/4/19	0.50	\$ 380.00	\$ 190.00	Secured - PPSA general	Creditors	Meeting on site with employees regarding cessation of trading. Discussions with various employees regarding underlying entitlements.	Equitable Lien 1	100%	\$ 190.00	
22223	Christopher Halford	Senior Director	4/4/19	2.50	\$ 450.00	\$ 1,125.00	Technology - insolvency files	Investig	Call with Peter Kain regarding remote access to NSW data. Call with Peter Kain regarding IT assessment. Review IT Assessment questionnaire completed by Peter Kain.	Equitable Lien 1	100%	\$ 1,125.00	
24623	Michael McCreadie	St Managing Dir	4/4/19	1.00	\$ 625.00	\$ 625.00	Master oversight and administration	Admin	Discussion with Ross. Draw about DOCA process and then include Grant in discussion.	Equitable Lien 1	100%	\$ 625.00	
28934	Catherine Jaques	Consultant II	4/4/19	0.50	\$ 380.00	\$ 190.00	Unsecured - general correspondence	Creditors	Queries from unsecured creditors regarding payment of invoices, explain to unsecured creditors the VA process	Equitable Lien 1	100%	\$ 190.00	Dealing with a stolen vehicle.
28934	Catherine Jaques	Consultant II	4/4/19	1.50	\$ 380.00	\$ 570.00	Plant and equipment	Assets	Meeting with Peter, Pat and Mick regarding truck stolen by creditor	Equitable Lien 1	100%	\$ 570.00	
28934	Catherine Jaques	Consultant II	4/4/19	1.30	\$ 380.00	\$ 496.00	Trade	Admin	Travel to and from client site	Equitable Lien 1	100%	\$ 496.00	
28934	Catherine Jaques	Consultant II	4/4/19	1.00	\$ 380.00	\$ 380.00	Trade on - management & accounting	Trade on Assets	Various discussions with Mick regarding location of prime movers and trailers	Equitable Lien 1	100%	\$ 380.00	Work undertaken in relation to securing assets.
28934	Catherine Jaques	Consultant II	4/4/19	4.40	\$ 380.00	\$ 1,672.00	Trade on - employees	Employees	Email to Carlos RE: cancellation of fuel cards, maintaining schedule RE: same	Equitable Lien 1	100%	\$ 1,672.00	
25206	Kolbyn Wysocki	St Managing Dir	4/5/19	3.00	\$ 625.00	\$ 1,875.00	Master oversight and administration	Admin	Teleconference with employees notifying them of their termination, preparation beforehand with POB and answering employee queries afterwards as well as passing employee details to Richard Bailen	Equitable Lien 1	100%	\$ 1,875.00	
27772	Jayme Greenway	Associate	4/5/19	0.00	\$ 185.00	\$ 0.00	Meetings, reports, circulars and COI	Creditors	Appointment, banking strategy, asset realisation, ceasing to trade	Equitable Lien 1	100%	\$ 0.00	
27772	Jayme Greenway	Associate	4/5/19	0.30	\$ 185.00	\$ 55.50	Unsecured - general correspondence	Creditors	Preparing documents for Fuel Creditors meetings.	Equitable Lien 1	100%	\$ 55.50	
28948	James Mazzone	St. Consult I	4/5/19	2.50	\$ 380.00	\$ 950.00	Other - non-circulating	Assets	Correspondence with unsecured creditors regarding the return of POD items, supporting documents etc.	Equitable Lien 1	100%	\$ 950.00	Work undertaken in relation to securing assets.
28948	James Mazzone	St. Consult I	4/5/19	0.80	\$ 380.00	\$ 304.00	Unsecured - general correspondence	Creditors	Reviewed available reports and confirmed collection.	Equitable Lien 1	100%	\$ 304.00	
28948	James Mazzone	St. Consult I	4/5/19	4.50	\$ 380.00	\$ 1,710.00	Investigations	Investig	Various calls and enquires with creditors regarding status of administrations and status of their claims.	Equitable Lien 1	100%	\$ 1,710.00	
26283	Richard Bailen	Consultant I	4/5/19	0.70	\$ 315.00	\$ 220.50	Meetings, reports, circulars and COI	Creditors	Discussion with Drew Forbes. Obtained reports from MYOB. Completed solvency review and provided comments on the same. Reviewed preference review summary and provided comments on the same. Completed aged payables analysis for purpose of insolvent trading c	Equitable Lien 1	100%	\$ 220.50	
26283	Richard Bailen	Consultant I	4/5/19	3.70	\$ 315.00	\$ 1,165.50	Meetings, reports, circulars and COI	Creditors	Preparation meeting pack. Drafting meeting presentation/slides. Creating meeting physical files	Equitable Lien 1	100%	\$ 1,165.50	
26283	Richard Bailen	Consultant I	4/5/19	0.20	\$ 315.00	\$ 63.00	Trade on - employees	Trade on Assets	Call Sarah DAI re: workover policy/Email DAI. Initial circular to creditors	Equitable Lien 1	100%	\$ 63.00	
26283	Richard Bailen	Consultant I	4/5/19	0.20	\$ 315.00	\$ 63.00	Trade on - employees	Trade on Assets	Call Grant (banker) re: telstra services	Equitable Lien 1	100%	\$ 63.00	
26283	Richard Bailen	Consultant I	4/5/19	0.20	\$ 315.00	\$ 63.00	Plant and equipment	Assets	Call Consultant re: termination letters	Equitable Lien 1	100%	\$ 63.00	
26283	Richard Bailen	Consultant I	4/5/19	0.50	\$ 315.00	\$ 157.50	Trade on - employees	Employees	Drafting individual notice letters	Equitable Lien 1	100%	\$ 157.50	
26283	Richard Bailen	Consultant I	4/5/19	0.20	\$ 315.00	\$ 63.00	Trade on - employees	Trade on Assets	Call Consultant re: notice to suppliers	Equitable Lien 1	100%	\$ 63.00	
26283	Richard Bailen	Consultant I	4/5/19	0.50	\$ 315.00	\$ 157.50	FEES	Employees	Call David Plummer re: FEG/Call Dawn Dixon re: separation costs	Equitable Lien 1	100%	\$ 157.50	
21614	Maurie Allan	Consultant I	4/5/19	0.20	\$ 315.00	\$ 63.00	Plant and equipment	Assets	Call John Williamson re: offer on table	Equitable Lien 1	100%	\$ 63.00	
18948	Patrick O'Brien	Managing Dir	4/5/19	2.00	\$ 580.00	\$ 1,160.00	General correspondence	Creditors	Attending on site. Discussions with staff regarding orders, processes, reviewed wages, liaised with relevant staff to ensure payment. Review commitment schedule and updated. Drafted email to appointees regarding same. Discussion with 11 staff re: same.	Equitable Lien 1	33%	\$ 384.00	A third of time charged for reconciling debtors and overseeing invoicing.
18948	Patrick O'Brien	Managing Dir	4/5/19	3.60	\$ 580.00	\$ 2,088.00	Care & preservation - GSA creditor	Assets	Various queries and correspondence with James Harrie and Capral in relation to the ransom bids held by various parties.	Equitable Lien 1	50%	\$ 1,044.00	Dealing with queries resulting from stolen vehicles in terms of the collectability of the debtor.
18948	Patrick O'Brien	Managing Dir	4/5/19	1.60	\$ 580.00	\$ 928.00	Care & preservation - GSA creditor	Assets	Review the driver log register and liaised with the operations staff in relation to the parking up then relocation of the entire Sydney fleet to Glenelg.	Equitable Lien 1	100%	\$ 928.00	Work undertaken in relation to securing assets.
18948	Patrick O'Brien	Associate II	4/5/19	0.20	\$ 280.00	\$ 44.00	Accounting	Admin	Oversee the start of the relocation of the fleet to Glenelg throughout the day.	Equitable Lien 1	100%	\$ 44.00	Work undertaken in relation to securing assets.
18948	Patrick O'Brien	Managing Dir	4/5/19	0.90	\$ 580.00	\$ 522.00	Care & preservation - GSA creditor	Assets	Reviewing appointment letters. Set up bank account into MYOB and draft of accounts.	Equitable Lien 1	100%	\$ 522.00	Work undertaken in relation to securing assets.
18948	Patrick O'Brien	Managing Dir	4/5/19	1.00	\$ 580.00	\$ 580.00	General operations and correspondence	Trade on Assets	Phone call with Hatz Aubrey of Gordon Brothers in relation to the relocation of the fleet from Mykenah Park to Glenelg.	Equitable Lien 1	100%	\$ 580.00	Work undertaken in relation to securing assets.
24143	Joseph Harsell	St Managing Dir	4/5/19	1.00	\$ 625.00	\$ 625.00	General operations and correspondence	Trade on Assets	Liaised with Ops staff being in the field loads and send final drivers forms.	Equitable Lien 1	100%	\$ 625.00	Work undertaken in relation to securing assets.
27637	James Mascarede	Associate II	4/5/19	1.00	\$ 280.00	\$ 280.00	Secured - PPSA general	Creditors	Trading issues. Discussion with appointees. Wages.	Equitable Lien 1	100%	\$ 280.00	
27637	James Mascarede	Associate II	4/5/19	2.00	\$ 280.00	\$ 560.00	General operations and correspondence	Creditors	Updating PPSR master spreadsheet as per responses received	Equitable Lien 1	100%	\$ 560.00	
27637	James Mascarede	Associate II	4/5/19	2.00	\$ 280.00	\$ 560.00	General operations and correspondence	Creditors	Answering calls on VA holidays and following up enquires relating to creditors claims	Equitable Lien 1	100%	\$ 560.00	

Timekeeper	Timekeeper Name	Title	Date	Bill	Bill Rate	Bilable Amount	Activity Description	Task	Narrative	Equitable Lien	Percentage of Time Entry	Equitable Lien Amount	Explanatory Note
24143	Joseph Hansell	Sr Managing Dir	4/5/19	3.00	\$ 625.00	\$	Care & preservation - GSA creditor	Assets	Care and Preservation Discussion with Waspac and email Discussion with Sales agents.	Equitable Lien 1	100%	\$	Work undertaken in relation to securing assets.
18879	Ross Blakely	Sr Managing Dir	4/5/19	1.50	\$ 625.00	\$	337.50 Inventory	Invoicing	Discussions and instructions to administrators with co-ops/pe	Equitable Lien 1	100%	\$	Work undertaken in relation to securing assets as well as possible sales.
23752	Jonathan Chee	Director	4/5/19	1.00	\$ 510.00	\$	510.00 Unsecured - general correspondence	Creditors	Creditor and subcontractor in person and by phone	Equitable Lien 1	100%	\$	
23752	Jonathan Chee	Director	4/5/19	2.00	\$ 510.00	\$	1,020.00 General correspondence	Employees	Employee termination, queries and coro	Equitable Lien 2	50%	\$	306.00 50% of time charged to oversee debt reconciliation and invoicing of untraced loads.
23752	Jonathan Chee	Director	4/5/19	1.20	\$ 510.00	\$	612.00 General correspondence	Assets	Master review and general coro	Equitable Lien 1	100%	\$	Work undertaken in relation to securing assets.
23752	Jonathan Chee	Director	4/5/19	1.20	\$ 510.00	\$	612.00 Other - circulating	Assets	Debtor review, invoice with staff re process, review myol ledger	Equitable Lien 1	100%	\$	Work undertaken in relation to securing assets.
23752	Jonathan Chee	Director	4/5/19	1.80	\$ 510.00	\$	918.00 Plant and equipment	Assets	Security coro, plant and equipment review, interview with staff, security of assets with Gordon Brothers and Gays	Equitable Lien 1	33%	\$	1,063.33 Reviewing agent submissions for possible sales and call with value.
18841	Drew Forbes	Managing Dir	4/5/19	5.50	\$ 580.00	\$	3,190.00 Mater oversight and administration	Assets	Assessment of security position and general matters to creditors. Determine level of funding required for DOCA contribution. Liases with auditors around submissions to sell equipment. Phone calls with Pricles.	Equitable Lien 1	33%	\$	
27661	Robert Beaumont	Sr. Consult I	4/5/19	0.90	\$ 380.00	\$	342.00 Unsecured - general correspondence	Creditors	Email correspondence with Jonathan Chee and Sandra Tidos (Chap) in relation to collection of pallets at VIC and NSW sites. Telephone and email correspondence with Branco Kzic (Chap) regarding same. Liases with Patrick O'Brien regarding same.				
27661	Robert Beaumont	Sr. Consult I	4/5/19	0.70	\$ 380.00	\$	266.00 General correspondence	Employees	Email and telephone correspondence with Mark Tucker (former employee) regarding first meeting of creditors, outstanding superannuation and possible liquidation scenario. Discussed with James Mazzone.				
27661	Robert Beaumont	Sr. Consult I	4/5/19	0.30	\$ 380.00	\$	114.00 Secured - PPSA general	Creditors	Investigate queries received from Waspac in relation to existing PPSR registrations, discussed security with James Mazzone. Consult with Joseph Hansell.				
27661	Robert Beaumont	Sr. Consult I	4/5/19	0.60	\$ 380.00	\$	228.00 Secured - PPSA general	Creditors	Discuss assets without PPSR registrations with James Mazzone. Review Cleburn claim for asset.				
27661	Robert Beaumont	Sr. Consult I	4/5/19	0.40	\$ 380.00	\$	152.00 Secured - PPSA general	Creditors	Discussions with James Mazzone regarding PPSA updates. Review PPSR schedule. Assess Enquiries received to date.				
27661	Robert Beaumont	Sr. Consult I	4/5/19	0.80	\$ 380.00	\$	304.00 Unsecured - general correspondence	Creditors	Email correspondence with Kyra Taylor (Thom Group) regarding PPSR registration. Review validity of security.				
18800	Gerald Tallid	Associate II	4/5/19	0.10	\$ 280.00	\$	28.00 Accounting	Admin	Telephone and email correspondence with various trade creditors regarding status of administration, possible return to creditors and other miscellaneous Enquiries. Discussed with James Mazzone regarding same. Pricus circulars issued.				
22223	Christopher Halford	Senior Director	4/5/19	6.20	\$ 450.00	\$	2,780.00 Technology - insolvency files	Invoicing	Obtaining bank statement and reviewing information. Provided to the accountant.				
22223	Christopher Halford	Senior Director	4/5/19	1.50	\$ 450.00	\$	675.00 Travel	Invoicing	Obtain bench capture of NSW book and records including server and desktops.				
24253	Michael MacCreadie	Sr Managing Dir	4/5/19	2.50	\$ 625.00	\$	1,562.50 Mater oversight and administration	Admin	Update call with Kate and JLeffman's Statement of Position and recovery percentages from a DOCA/VL liquidation/review revised WTS Balance Sheet as prepared by Steven Campbell and ask questions via email after discussion.				
26934	Catherine Jaques	Consultant II	4/5/19	0.20	\$ 360.00	\$	72.00 Plant and equipment	Assets	Call with Glenn of Haining Albany repairs RE: invoice to pay regarding lien over prime mover	Equitable Lien 1	100%	\$	72.00 Dealing with payment of lien in order to recover prime mover requiring repairs.
26934	Catherine Jaques	Consultant II	4/5/19	0.20	\$ 360.00	\$	72.00 Mater oversight and administration	Admin	Email to James RE: follow up on electricity account				
26934	Catherine Jaques	Consultant II	4/5/19	1.00	\$ 360.00	\$	360.00 Trade on - management & accounting	Trade on	Updating commitment schedule				
26934	Catherine Jaques	Consultant II	4/5/19	1.50	\$ 360.00	\$	540.00 Travel	Admin	Travel to and from client site				
26934	Catherine Jaques	Consultant II	4/5/19	0.70	\$ 360.00	\$	252.00 Investigations	Invoicing	Liaseing with Chris H RE: forensic backup of company data for court purposes, obtaining required information about key personnel computers				
26934	Catherine Jaques	Consultant II	4/5/19	4.00	\$ 360.00	\$	1,440.00 Trade on - employees	Trade on	Collecting timesheets required for employee payroll, sorting through invoices and timesheets, resolving issues with queries				
25934	Catherine Jaques	Consultant II	4/5/19	0.50	\$ 360.00	\$	180.00 Unsecured - general correspondence	Creditors	Query from unsecured creditors regarding payment of invoices, explain to unsecured creditors the VA process				
26934	Catherine Jaques	Consultant II	4/5/19	0.50	\$ 360.00	\$	180.00 Unsecured - general correspondence	Trade on	Discussions with Tereza RE: continuation and cancellation of various services, gathering information RE: same, and transfer of ownership form				
23752	Jonathan Chee	Senior Director	4/6/19	2.40	\$ 510.00	\$	1,224.00 Accounting	Creditors	Cashflow and commitments schedule				
23752	Jonathan Chee	Senior Director	4/6/19	1.90	\$ 450.00	\$	855.00 Technology - insolvency files	Invoicing	Conduct remote forensic capture of data from NSW network server and desktops. Verify and duplicate forensic data.				
21814	Maureen Alan	Consultant I	4/7/19	0.40	\$ 315.00	\$	126.00 Trade on - management & accounting	Trade on	Sent trading update to all suppliers.				
21814	Maureen Alan	Consultant I	4/7/19	1.40	\$ 315.00	\$	441.00 General correspondence	Invoicing	Sent termination letters to employees				
22223	Christopher Halford	Senior Director	4/7/19	1.40	\$ 450.00	\$	630.00 Technology - insolvency files	Invoicing	Conduct remote forensic capture of data from NSW network server and desktops. Verify and duplicate forensic data.				
18800	Gerald Tallid	Associate II	4/8/19	0.20	\$ 280.00	\$	56.00 Accounting	Admin	Obtaining bank account details and provided to the accountants.				
18800	Gerald Tallid	Associate II	4/8/19	0.10	\$ 280.00	\$	28.00 Accounting	Admin	Spoke to Maureen Alan, Consultant, regarding Waspac pre-appointment accounts. Obtaining relationship manager contact details and provided to Mixere.				
18800	Gerald Tallid	Associate II	4/8/19	0.30	\$ 280.00	\$	84.00 Salary compliance	Admin	Reviewing initial information to Creditors. Updated into ATO business portal. Provided receipts to the accountants.				
18800	Gerald Tallid	Associate II	4/8/19	0.20	\$ 280.00	\$	56.00 Mater oversight and administration	Admin	Obtaining profiles and reviewing information. Provided to the accountants.				
18800	Gerald Tallid	Associate II	4/8/19	0.20	\$ 280.00	\$	56.00 Mater oversight and administration	Admin	Obtaining bank statement and reviewing information. Provided to the accountants.				
25306	Kathryn Warwick	Sr Managing Dir	4/8/19	1.50	\$ 625.00	\$	937.50 Meetings, reports, circulars and COI	Creditors	Preparations for First Creditors meeting				
25306	Kathryn Warwick	Sr Managing Dir	4/8/19	3.00	\$ 625.00	\$	1,875.00 Investigations	Invoicing	Debts, cashflow, trading liabilities				
24143	Joseph Hansell	Sr Managing Dir	4/8/19	1.00	\$ 625.00	\$	625.00 Meetings, reports, circulars and COI	Creditors	Creditors meeting and application				
24143	Joseph Hansell	Sr Managing Dir	4/8/19	2.00	\$ 625.00	\$	1,250.00 Care & preservation - GSA creditor	Assets	Care and preservation email to the Bank, Waspac Email to the safe agents	Equitable Lien 1	100%	\$	1,250.00 Update to bank of operation to secure assets. Email to agents regarding possible sales.
24143	Joseph Hansell	Sr Managing Dir	4/8/19	0.50	\$ 625.00	\$	312.50 Trade on - management & accounting	Trade on	Trading issues Discussion with team regarding trading issues				
27637	James MacCreadie	Associate II	4/8/19	0.50	\$ 280.00	\$	140.00 General operators and correspondence	Trade on	Drafting letter to RUS re asset secure				
27637	James MacCreadie	Associate II	4/8/19	1.00	\$ 280.00	\$	280.00 General correspondence	Creditors	Answering calls from VA hotline and following up on enquiries				
27637	James MacCreadie	Associate II	4/8/19	2.00	\$ 280.00	\$	560.00 Meetings, reports, circulars and COI	Creditors	Phone calls and correspondence with statutory bodies (ATO and Vic SRO) re attendance to creditors meeting				
27637	James MacCreadie	Associate II	4/8/19	1.50	\$ 280.00	\$	420.00 Secured - PPSA general	Creditors	Updating PPSR spreadsheet as responses received				
28048	James Mazzone	Sr. Consult I	4/8/19	4.50	\$ 380.00	\$	1,710.00 Meetings, reports, circulars and COI	Creditors	Prepared documents for the first meeting of creditors including powerpoint presentation, minutes, agenda, register and PODs/lyones. Discussion with appointees regarding meeting.				
28048	James Mazzone	Sr. Consult I	4/8/19	2.00	\$ 380.00	\$	760.00 General correspondence	Creditors	Received various calls and responded to various emails from creditors regarding outstanding claims and process during the administration.				
27661	Robert Beaumont	Sr. Consult I	4/8/19	0.30	\$ 380.00	\$	342.00 Secured - PPSA general	Creditors	Discussions with James Mazzone regarding assessment of security registrations and validity of claims. Review and update of PPSA schedule with Pricus regarding same.				
27661	Robert Beaumont	Sr. Consult I	4/8/19	2.80	\$ 380.00	\$	1,064.00 Meetings, reports, circulars and COI	Creditors	Finalised the funding file for funding of creditors. Finalised and pursue relevant documentation. Discussions with James Mazzone regarding collating of POOs and Proves for meeting. Confer with James MacCreadie regarding follow up of same. Meeting w/				
27661	Robert Beaumont	Sr. Consult I	4/8/19	0.50	\$ 380.00	\$	190.00 Pre-appointment endorsements	Employees	Liaseing with Patrick O'Brien regarding Mark Tucker (former employee) regarding outstanding entitlements and possible DOCA proposal submitted. Responses to Mark Tucker regarding same.				
18848	Patrick O'Brien	Managing Dir	4/8/19	5.00	\$ 580.00	\$	2,900.00 Secured - PPSA specific	Assets	Engaged with the safe and Gordon Brothers in relation to the securing and relocation of the assets from VP to Glenelg. Worked with Nick Barn and Peter Gorman to get remaining equipment off site and into control of Gordon Brothers.	Equitable Lien 1	100%	\$	2,900.00 Work undertaken in relation to securing assets.
23752	Jeanathan Chee	Director	4/8/19	0.30	\$ 510.00	\$	459.00 Mater oversight and administration	Admin	Master oversight and internal coro				

Timekeeper Number	Timekeeper Name	Title	Date	Bill Hours	Bill Rate	Bill Amount	Bilable Amount	Activity Description	Task	Narrative	Equitable Len	Percentage of Time Entry	Equitable Len Amount	Explanatory Note	
23752	Jonathan Chee	Director	4/8/19	1.80	\$ 510.00	\$ 918.00	918.00	General correspondence	Creditors	Creditor care regarding Admin process and likelihood of dividend	Equitable Len 1				
18948	Patrick O'Brien	Managing Dir	4/8/19	3.20	\$ 580.00	\$ 1,856.00	1,856.00	Trade on - management & accounting	Creditors	Engaged with various creditors in relation to missing bonds and the arrear payments required for release. Discussed terms with Gordon and James Heider, and Mick Bunn in relation to release.	Equitable Len 1	50%	\$	928.00	Work undertaken in relation to securing assets.
23752	Jonathan Chee	Director	4/8/19	1.20	\$ 510.00	\$ 612.00	612.00	Fleet and equipment	Assets	Various phone calls with Gordon Brothers re collection of forklifts, eight unseen val re misc items, email care re security of physical assets					
23752	Jonathan Chee	Director	4/8/19	5.80	\$ 510.00	\$ 2,958.00	2,958.00	Other - circulating	Assets	Debtor review, create debtor category schedule, review and discuss categories with staff, deal with POD issues and subcontractors	Equitable Len 2	50%	\$	1,479.00	Finalisation of arrangements to secure debtors including recovering proof of deliveries to secure receipts.
18924	Ian Morton	Senior Director	4/8/19	0.20	\$ 570.00	\$ 114.00	114.00	Secured - GSA creditor	Assets	Review of emails regarding agent choice for sale of assets.					
18924	Ian Morton	Senior Director	4/8/19	0.20	\$ 570.00	\$ 114.00	114.00	Trade on - management & accounting	Assets	Review of emails regarding close down of sites.					
18924	Ian Morton	Senior Director	4/8/19	0.20	\$ 570.00	\$ 114.00	114.00	Master oversight and administration	Creditors	Review of emails regarding possible appointment of Liquidators.					
27661	Robert Beaumont	St. Counsel I	4/8/19	0.40	\$ 300.00	\$ 120.00	120.00	Unsecured - general correspondence	Creditors	Email correspondence with Larysa Flynn (Collex) regarding Administrators costs incurred and final invoice. Discussed with James Mazzone.					
18908	Simon Shelton	Managing Dir	4/8/19	2.10	\$ 590.00	\$ 1,239.00	1,239.00	Meetings, reports, circulars and COI	Creditors	Meeting preparation including site visit					
27772	Jayne Greenway	Associate	4/8/19	2.00	\$ 185.00	\$ 370.00	370.00	Meetings, reports, circulars and COI	Creditors	Working on updating creditor listing, commitment schedule, saving invoices and supporting documents and monitoring WTS's Holdings mailbox.					
27772	Jayne Greenway	Associate	4/8/19	1.50	\$ 185.00	\$ 277.50	277.50	Meetings, reports, circulars and COI	Creditors	Preparing for First Creditors Meeting - included printing off PODs and supporting docs etc.					
25308	Kathryn Wynick	St. Managing Dir	4/8/19	1.00	\$ 625.00	\$ 625.00	625.00	Inventory	Assets	Strategy re asset realisations, trucks and trailers	Equitable Len 1	100%	\$	625.00	Discussion on most suitable agent to sell trucks.
25308	Kathryn Wynick	St. Managing Dir	4/8/19	1.00	\$ 625.00	\$ 625.00	625.00	Debtors	Assets	Debtor review					
24143	Joseph Hannell	St. Managing Dir	4/8/19	4.00	\$ 625.00	\$ 2,500.00	2,500.00	Meetings, reports, circulars and COI	Creditors	Preparation and attendance at creditors meeting	Equitable Len 1	100%	\$	500.00	Update to bank of operation to secure assets.
24143	Joseph Hannell	St. Managing Dir	4/8/19	0.80	\$ 625.00	\$ 500.00	500.00	Care & preservation - GSA creditor	Assets	Care and preservation Discussion with the Bank Weespac					
24143	Joseph Hannell	St. Managing Dir	4/8/19	2.50	\$ 625.00	\$ 1,562.50	1,562.50	Meetings, reports, circulars and COI	Creditors	Prepare and hold first creditors meeting					
24143	Joseph Hannell	St. Managing Dir	4/8/19	0.70	\$ 625.00	\$ 437.50	437.50	Trade on - management & accounting	Trade on	Trading issues - discussion with the team					
27637	James Macrae	Associate II	4/8/19	1.00	\$ 200.00	\$ 200.00	200.00	General correspondence	Creditors	Answering calls from VA hotline and following up on enquiries.					
27637	James Macrae	Associate II	4/8/19	1.00	\$ 200.00	\$ 200.00	200.00	Meetings, reports, circulars and COI	Creditors	Phone calls and correspondence with subsidiary leaders (ATO and the SRO) re attendance to creditors meeting					
27637	James Macrae	Associate II	4/8/19	1.60	\$ 200.00	\$ 320.00	320.00	Secured - PEPSA general	Creditors	Updating PEPSA spreadsheet as responses received					
27637	James Macrae	Associate II	4/8/19	2.00	\$ 200.00	\$ 400.00	400.00	Meetings, reports, circulars and COI	Creditors	First Creditors Meeting					
28048	James Mazzone	St. Counsel I	4/8/19	1.10	\$ 300.00	\$ 330.00	330.00	General correspondence	Creditors	Various calls and emails with creditors regarding outstanding claims and the administration.					
28048	James Mazzone	St. Counsel I	4/8/19	1.50	\$ 300.00	\$ 450.00	450.00	Meetings, reports, circulars and COI	Creditors	Preparation for creditors meeting including reviewing all documents submitted and the meeting register.					
28048	James Mazzone	St. Counsel I	4/8/19	0.50	\$ 300.00	\$ 150.00	150.00	Meetings, reports, circulars and COI	Creditors	Reviewed commitment schedule.					
28048	James Mazzone	St. Counsel I	4/8/19	0.30	\$ 300.00	\$ 90.00	90.00	General operations and correspondence	Trade on	Deal with post meeting creditor enquiries.					
28048	James Mazzone	St. Counsel I	4/8/19	1.00	\$ 300.00	\$ 300.00	300.00	Meetings, reports, circulars and COI	Creditors	Attend first meeting and took notes.					
28048	James Mazzone	St. Counsel I	4/8/19	0.40	\$ 300.00	\$ 120.00	120.00	General operations and correspondence	Trade on	Reviewed and updated employee separation certificates.					
28048	James Mazzone	St. Counsel I	4/8/19	0.50	\$ 300.00	\$ 150.00	150.00	Meetings, reports, circulars and COI	Creditors	Assisted with signing in creditors at the meeting.					
27661	Robert Beaumont	St. Counsel I	4/8/19	0.70	\$ 300.00	\$ 210.00	210.00	General operations and correspondence	Trade on	Coordinating cancellation of bank cards. Lanning with Jonathan Chee and Catherine Jacques regarding same.					
27661	Robert Beaumont	St. Counsel I	4/8/19	1.50	\$ 300.00	\$ 450.00	450.00	Meetings, reports, circulars and COI	Creditors	Attendance at First Meeting of Creditors.					
27661	Robert Beaumont	St. Counsel I	4/8/19	0.30	\$ 300.00	\$ 90.00	90.00	General correspondence	Admin	Prepare new account form for Liberty OneSteel. Discussed with Patrick O'Brien.					
27661	Robert Beaumont	St. Counsel I	4/8/19	2.80	\$ 300.00	\$ 840.00	840.00	Meetings, reports, circulars and COI	Creditors	Preparing minutes of meeting. Reviewing notes, meeting file and other pertinent documentation. Discussed with Joseph Hannell and James Mazzone.					
27661	Robert Beaumont	St. Counsel I	4/8/19	1.90	\$ 300.00	\$ 570.00	570.00	Meetings, reports, circulars and COI	Creditors	Johns and finalise meeting documentation for first meeting of creditors. Discussed with Joseph Hannell and James Mazzone.					
18948	Patrick O'Brien	Managing Dir	4/8/19	4.30	\$ 590.00	\$ 2,537.00	2,537.00	Secured - PEPSA specific	Assets	Travelled to site and met with staff in relation to the securing of the assets of the company. Engaged with Gordon Brothers and staff regarding the relocation of the assets and removal of final items from the site to the CB yard.	Equitable Len 1	100%	\$	2,494.00	Work undertaken in relation to securing assets.
18948	Patrick O'Brien	Managing Dir	4/8/19	5.00	\$ 580.00	\$ 2,900.00	2,900.00	Meetings, reports, circulars and COI	Creditors	Preparation for and attendance on the First Meeting of Creditors					
23752	Jonathan Chee	Director	4/8/19	1.60	\$ 510.00	\$ 816.00	816.00	General correspondence	Creditors	Creditor care regarding Admin process and likelihood of dividend					
23752	Jonathan Chee	Director	4/8/19	4.70	\$ 510.00	\$ 2,387.00	2,387.00	Other - circulating	Assets	FINM and WCOB review, site visit, updated debtor category schedule, review and discuss categories with staff, deal with POD issues and subcontractors	Equitable Len 2	50%	\$	1,193.50	Finalisation of arrangements to secure debtors including recovering proof of deliveries to secure receipts.
23752	Jonathan Chee	Director	4/8/19	0.50	\$ 510.00	\$ 255.00	255.00	Fleet and equipment	Assets	Various phone calls with Gordon Brothers re asset status, trading issues, eight unseen val re misc items, email care	Equitable Len 1	50%	\$	127.50	Obtaining an update regarding securing assets from Gordon Brothers.
23752	Jonathan Chee	Director	4/8/19	1.60	\$ 510.00	\$ 816.00	816.00	Master oversight and administration	Admin	Master oversight and internal care	Equitable Len 2	50%	\$	561.00	50% of time charged identifying debtors requiring proof of delivery prior to payment to minimise recoveries.
23752	Jonathan Chee	Director	4/8/19	2.20	\$ 510.00	\$ 1,122.00	1,122.00	General operations and correspondence	Creditors	Review commitment schedule, disc with Jayne re payment run, identify subcontractors that require POD prior to payment					
27772	Jayne Greenway	Associate	4/8/19	0.00	\$ 185.00	\$ 0.00	111.00	Meetings, reports, circulars and COI	Creditors	Assisted with preparation for the first creditors meeting - involving the printing of POD forms, proxies, supporting documents etc.					
27772	Jayne Greenway	Associate	4/8/19	0.50	\$ 185.00	\$ 92.50	92.50	Unsecured - general correspondence	Creditors	General correspondence with WTS's creditors.					
18924	Ian Morton	Senior Director	4/8/19	0.80	\$ 570.00	\$ 456.00	456.00	Meetings, reports, circulars and COI	Creditors	Attendance at creditors' meeting.					
18924	Ian Morton	Senior Director	4/8/19	0.40	\$ 570.00	\$ 228.00	228.00	Trade on - management & accounting	Trade on	Update call with J Chee regarding close out of trading.					
24143	Joseph Hannell	St. Managing Dir	4/8/19	1.7500	\$ 625.00	\$ 1,093.75	1,093.75	Care & preservation - GSA creditor	Assets	Care and preservation Discussion with the Bank Weespac email to Weespac re Update	Equitable Len 1	100%	\$	1,750.00	Update to bank of operation to secure assets.
18908	Simon Shelton	Associate II	4/8/19	0.30	\$ 280.00	\$ 84.00	84.00	Accounting	Admin	Monitoring bank account every after an hour. Obtaining bank statement and reviewing information. Provided to the account					
18908	Simon Shelton	Associate II	4/8/19	0.10	\$ 280.00	\$ 28.00	28.00	Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the account.					
22223	Christopher Hatfield	Senior Director	4/8/19	2.40	\$ 460.00	\$ 1,080.00	1,080.00	Travel	Traveling	Travel from 2023 to Client Site. Travel from Client Site to FTI Offices.					
22223	Christopher Hatfield	Senior Director	4/8/19	4.50	\$ 460.00	\$ 2,055.00	2,055.00	Investigations	Traveling	Onsite at client site performing capture of remaining computers and verification of server data.					
27772	Jayne Greenway	Associate	4/8/19	2.00	\$ 185.00	\$ 370.00	370.00	Master oversight and administration	Admin	Recording and saving information regarding WTS's Holdings creditors, POD forms and invoices received.					
27772	Jayne Greenway	Associate	4/8/19	1.30	\$ 185.00	\$ 240.50	240.50	Master oversight and administration	Creditors	Time spent with Jonathan Chee to work on cash flow/commitment schedule, discuss payroll and plans for the following day.					
<b>Grand Total</b>				<b>622.00</b>		<b>\$ 280,048.50</b>					<b>Total Equitable Len 1</b>		<b>\$ 57,467.25</b>		
											<b>Total Equitable Len 2</b>		<b>\$ 12,141.95</b>		

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

**Plaintiffs**

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

**Defendants**

**CERTIFICATE IDENTIFYING EXHIBIT**

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

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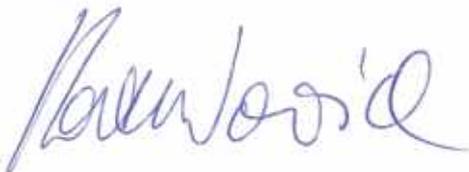
Reference BRW 1248222

Brendon Watkins

(brendon.watkins@minterellison.com)

This is the exhibit marked 'KW-5' now produced and shown to **KATHRYN WARWICK** at the

time of swearing her affidavit on 2/12/19



before me



**Exhibit 'KW-5'**

**The Administrators' Further Itemised Report 2**

**ANDREW ROBERT BISSET**

of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)

Index Number	Timekeeper Number	Timekeeper Name	Title	Date	Bill Hours	Bill Rate	Billable Amount	Activity Description	Task	Narrative	Recategorisation		
											Equitable Lien 1	Equitable Lien 2	Explanatory Note
40463583	26934	Jaques, Catherine	Consultant II	10/04/2019	0.20	\$ 360.00	\$ 72.00	Plant and equipment	Creditors	Email regarding photocopier at Sydney site and whether it is leased/under the PPSR			
40463584	26934	Jaques, Catherine	Consultant II	10/04/2019	4.00	\$ 360.00	\$ 1,440.00	Trade on - management & accounting	Trade on	Liasing with Jaymee Greenway, patrick O'Brien, Jonathan Chee and Mick (Sydney employee) regarding subcontractor payments and reconciliation of same, sending invoices and required BSB and account numbers to Jaymee, follow up of KJS payment and amending commitment schedule			
40463598	26934	Jaques, Catherine	Consultant II	10/04/2019	0.30	\$ 360.00	\$ 108.00	Debtors	Assets	Forward onto Jaymee post appointment proof of deliveries to assist with invoicing of post-appointment debtors			
40463602	26934	Jaques, Catherine	Consultant II	10/04/2019	1.50	\$ 360.00	\$ 540.00	Investigations	Investbg	Liasing with Chris H regarding backup of MYOB and company server, various phone calls and emails regarding same			
40463606	26934	Jaques, Catherine	Consultant II	10/04/2019	0.30	\$ 360.00	\$ 108.00	Trade on - management & accounting	Trade on	Liasing with Jaymee, James and POB regarding transfer of electricity account to new owner of Sydney premise			
40463772	18924	Morton, Ian	Senior Director	10/04/2019	0.20	\$ 570.00	\$ 114.00	Finalisation	Admin	Review of checklist an discussion on finalisation.			
40464159	24143	Hansell, Joseph	Sr Managing Dir	10/04/2019	3.00	\$ 625.00	\$ 1,875.00	Care & preservation - GSA creditor	Assets	Care and preservation Discussion with the Bank Westpac. Email to Westpac re Update Discussions with Gordon Brothers Emails to Westpac	\$ 1,875.00		Although the appointment has officially ended, the Voluntary Administrators continued to oversee the relocation of assets to Graysonline to secure them.
40464170	24143	Hansell, Joseph	Sr Managing Dir	10/04/2019	1.60	\$ 625.00	\$ 1,000.00	Trade on - management & accounting	Trade on	Trading issues - discussion with the team			
40463776	18924	Morton, Ian	Senior Director	10/04/2019	0.80	\$ 570.00	\$ 456.00	Meetings, reports, circulars and COI	Creditors	Review and update of minutes of meeting with creditors.			
40463780	18924	Morton, Ian	Senior Director	10/04/2019	0.50	\$ 570.00	\$ 285.00	Trade on - management & accounting	Trade on	Review and approve trade-on payments.			
40463783	18924	Morton, Ian	Senior Director	10/04/2019	0.20	\$ 570.00	\$ 114.00	Trade on - management & accounting	Trade on	Review of payroll.	\$ 57.00		We have allocated 50% of the cost of undertaking a review of payroll to Equitable Lien 1, on the basis that staff were continued to be employed to recover and secure the vehicles.
40463784	18924	Morton, Ian	Senior Director	10/04/2019	1.50	\$ 570.00	\$ 855.00	Finalisation	Creditors	Drafting of letter to creditors, updating with changes and overseeing mail out.			
40463794	18924	Morton, Ian	Senior Director	10/04/2019	0.20	\$ 570.00	\$ 114.00	Care & preservation - GSA creditor	Admin	Discussion with J Chee regarding debtor categorisation.		\$ 57.00	Information regarding debtors and their categorisation was collated in order to pass to the Liquidator to facilitate collections. As some of these debtors would have been for trading only 50% of time has been charged.
40463795	18924	Morton, Ian	Senior Director	10/04/2019	0.10	\$ 570.00	\$ 57.00	Trade on - management & accounting	Trade on	Review of mail for toll invoices.	\$ 28.50		As with payroll above, toll charges were incurred in securing the assets. Therefore, we have allocated 50% of the time to Equitable Lien 1, with the balance allocated to trading.
40464534	28048	Mazzone, James	Sr. Consult I	10/04/2019	1.00	\$ 380.00	\$ 380.00	Trade on - employees	Trade on	Reviewed payroll for ongoing staff and authorised payroll.	\$ 190.00		Payroll - See index number 40463783 for the rationale for payroll allocation.
40464541	28048	Mazzone, James	Sr. Consult I	10/04/2019	1.00	\$ 380.00	\$ 380.00	General correspondence	Creditors	Reviewed and arranged for report to be sent via past and email.			
40464561	28048	Mazzone, James	Sr. Consult I	10/04/2019	0.50	\$ 380.00	\$ 190.00	Statutory compliance	Admin	Reviewed and prepared form 505 cessation. Prepared letter. Arranged for sending.			
40464567	28048	Mazzone, James	Sr. Consult I	10/04/2019	4.50	\$ 380.00	\$ 1,710.00	Debtors	Assets	Reviewed unprocessed debtors with WITS employees. Reviewed ledgers and collated information in support of claims.	\$ 855.00		Debtors - See index number 40463794 for the rationale for payroll allocation.
40469899	18909	Tallud, Gerald	Associate II	10/04/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing payments and wages. Reconciliation of bank account details. Processing and uploading into online banking. Organise for Ross Blakeley, Administrator, to authorise.			
40469940	18909	Tallud, Gerald	Associate II	10/04/2019	0.30	\$ 280.00	\$ 84.00	Accounting	Admin	Monitoring bank account every after an hour. Obtaining bank statement and reviewing information. Provided to the accountant.			
40470307	23752	Chee, Jonathan	Director	10/04/2019	1.80	\$ 510.00	\$ 918.00	Matter oversight and administration	Admin	General oversight, internal discussion re winding up application			
40470310	23752	Chee, Jonathan	Director	10/04/2019	1.50	\$ 510.00	\$ 765.00	General operations and correspondence	Trade on	Wages review, disc with staff about wage reports and incorrect billings. generate ABA, liaise with Mello office regarding payments	\$ 382.50		Payroll - See index number 40463783 for the rationale for payroll allocation.
40470330	23752	Chee, Jonathan	Director	10/04/2019	3.80	\$ 510.00	\$ 1,938.00	Other - circulating	Trading	FMM and MYOB debtor review, discuss with staff re post-appointment debtors, PODs, invoice generation and debtor schedule review and update			
40470344	23752	Chee, Jonathan	Director	10/04/2019	1.20	\$ 510.00	\$ 612.00	Accounting	Creditors	Commitment schedule review and update, internal discussion about payments			
40470942	22223	Hatfield, Christopher	Senior Director	10/04/2019	6.40	\$ 450.00	\$ 2,880.00	Investigations	Investbg	Identify all MYOB data including MYO and BOX database files and program installation files. Assess the most recent instance of MYOB data for restoration. Prepare an MYOB virtual environment for database restore. Conduct additional remote data capture of revised MYOB database.			
40521460	25306	Warwick, Kathryn	Sr Managing Dir	10/04/2019	3.00	\$ 625.00	\$ 1,875.00	Finalisation	Admin	Finalisation			
40490806	27661	Beaumont, Robert	Sr. Consult I	10/04/2019	1.10	\$ 380.00	\$ 418.00	Unsecured - general correspondence	Creditors	Telephone and email correspondence with pre-appointment trade creditors regarding outstanding amounts and completion of proofs of debt. Discussions with Catherine Jaques regarding winding up application and standard creditor message moving forward.			
40490810	27661	Beaumont, Robert	Sr. Consult I	10/04/2019	1.70	\$ 380.00	\$ 646.00	Meetings, reports, circulars and COI	Creditors	Finalising minutes for First Meeting of Creditors, Discussions with Ian Morton regarding annotations and comments to include. Subsequent meeting with Joseph Hansell regarding same. Confer with Catherine Jaques to confirm lodgement with ASIC.			
40487884	18948	O'Brien, Patrick	Managing Dir	10/04/2019	7.60	\$ 580.00	\$ 4,408.00	Secured - PPSA specific	Assets	Care and preservation of the assets and relocation of assets to Gordon Brothers.	\$ 4,408.00		Further work undertaken in finalising relocation of assets.
40747493	18909	Tallud, Gerald	Associate II	10/04/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing payments and wages, Reconciliation of bank account details. Processing and uploading into online banking. Organise for Ross Blakeley, Administrator, to authorise.			
40747495	18909	Tallud, Gerald	Associate II	10/04/2019	0.50	\$ 280.00	\$ 140.00	Accounting	Admin	Reviewing payments. Processing and uploading into online banking. Organise for Ross Blakeley, Administrator, to authorise.			
40747519	18909	Tallud, Gerald	Associate II	11/04/2019	0.60	\$ 280.00	\$ 168.00	Accounting	Admin	Reviewing payments. Obtaining payment confirmation and reviewing information. Provided to the accountant.			
40747523	18909	Tallud, Gerald	Associate II	11/04/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing invoices and processing payments. Uploading into online banking and organise to authorise.			
40747556	18909	Tallud, Gerald	Associate II	11/04/2019	0.50	\$ 280.00	\$ 140.00	Accounting	Admin	Reviewing invoices and processing payments. Uploading into online banking and organise to authorise.			
40487907	18948	O'Brien, Patrick	Managing Dir	11/04/2019	4.00	\$ 580.00	\$ 2,320.00	Secured - PPSA specific	Assets	Attended site and finalised relocation of assets to Gordon Brothers yard	\$ 2,320.00		Further work undertaken in finalising relocation of assets.
40490577	23752	Chee, Jonathan	Director	11/04/2019	3.60	\$ 510.00	\$ 1,836.00	Matter oversight and administration	Trading	Internal admin, accounting and commitment schedule			
40490749	23752	Chee, Jonathan	Director	11/04/2019	4.00	\$ 510.00	\$ 2,040.00	Unsecured - general correspondence	Trading	Creditor corro via email and phone, commitment schedule, creditor review			
40489277	27637	Macreadie, James	Associate II	11/04/2019	1.50	\$ 280.00	\$ 420.00	Secured - PPSA general	Creditors	Correspondence with secured creditors re progress of administration and updating spreadsheet			
40535143	26934	Jaques, Catherine	Consultant II	11/04/2019	1.00	\$ 360.00	\$ 360.00	Trade on - management & accounting	Trade on	Liase with Melbourne RE. contractor payments, PODS and paperwork			
40535160	26934	Jaques, Catherine	Consultant II	11/04/2019	0.50	\$ 360.00	\$ 180.00	Matter oversight and administration	Admin	Telconference with FTI team regarding appointment of PCI as Liquidators, status of sites, statutory documents and strategy moving forward			
40487873	18948	O'Brien, Patrick	Managing Dir	11/04/2019	0.60	\$ 580.00	\$ 348.00	Trade on - management & accounting	Trade on	Accounting and trade on issues			

Index Number	Timekeeper Number	Timekeeper Name	Title	Date	Bill Hours	Bill Rate	Billable Amount	Activity Description	Task	Narrative	Reclassification
40535246	26934	Jaqucs, Catherine	Consultant II	11/04/2019	0.20	\$ 360.00	\$ 72.00	Trade on - management & accounting	Trade on	Source details of accounts required for closing down VA accounts, provide information to James RE: same	
40535256	26934	Jaqucs, Catherine	Consultant II	11/04/2019	1.00	\$ 360.00	\$ 360.00	Statutory compliance	Creditors	Liases with JH and Melbourne RE: minutes from first creditors meeting, made changes suggested by JH. Form 501.1 and upload onto ASIC portal	
40521350	25306	Warwick, Kathryn	Sr Managing Dir	11/04/2019	4.00	\$ 625.00	\$ 2,500.00	Finalisation	Admin	Meeting with Liquidator, hr transition to Liquidator, 3hrs	
40460910	24143	Harrell, Joseph	Sr Managing Dir	11/04/2019	0.40	\$ 625.00	\$ 250.00	Meeting, reports, records and COI	Admin	Meeting with Liquidators.	
40460924	24143	Harrell, Joseph	Sr Managing Dir	11/04/2019	0.50	\$ 625.00	\$ 312.50	General enquiries and correspondence	Creditors	Minutes of meeting.	
40469988	28048	Mazzone, James	Sr. Consult I	11/04/2019	3.00	\$ 380.00	\$ 1,140.00	Debtors	Trade on	Discussion with team regarding next step.	
40469997	28048	Mazzone, James	Sr. Consult I	11/04/2019	0.50	\$ 380.00	\$ 190.00	General enquiries and correspondence	Trade on	Review of separation certificates and discussed with Jonathan Chee.	
40470027	28048	Mazzone, James	Sr. Consult I	11/04/2019	0.60	\$ 380.00	\$ 228.00	Unsecured - general correspondence	Creditors	Reviewed and strategid for accounts to be cancelled.	
40470053	28048	Mazzone, James	Sr. Consult I	11/04/2019	0.30	\$ 380.00	\$ 114.00	Unsecured - general correspondence	Admin	Various calls from creditors.	
40529854	26934	Jaqucs, Catherine	Director	12/04/2019	3.00	\$ 510.00	\$ 1,530.00	Other - circulating	Trading	Discussed with liquidator, deal with IH and RW	
40529864	26934	Jaqucs, Catherine	Consultant II	12/04/2019	2.00	\$ 360.00	\$ 720.00	Accounting	Admin	MX05 payment and receipts vouchers for processing, correspondence back and forth with Melbourne RE: wages calculations	
40529872	26934	Jaqucs, Catherine	Consultant II	12/04/2019	0.20	\$ 360.00	\$ 72.00	Unsecured - general correspondence	Creditors	Telstra change of ownership	
40529884	26934	Jaqucs, Catherine	Consultant II	12/04/2019	0.50	\$ 360.00	\$ 180.00	Unsecured - general correspondence	Creditors	Server manage query from the liquidators, discussing with Chris H the same	
40470934	26934	Jaqucs, Catherine	Consultant II	12/04/2019	2.60	\$ 360.00	\$ 936.00	Trade on - management & accounting	Trade on	Discussing with POB outstanding invoices, calls from trade on suppliers RE: unpaid invoices, later enquires with James, Mazzone of Melbourne, discuss with JC comment schedule and provide information regarding same, various calls from DTW Transport RE: status of outstanding invoices	
40490428	18941	Fobbs, Dow	Managing Dir	12/04/2019	0.20	\$ 580.00	\$ 116.00	Matter oversight and administration	Assets	Amend letter to liquidator for Kate Warwick	
40470933	22223	Hatfield, Christopher	Senior Director	12/04/2019	0.50	\$ 450.00	\$ 225.00	Investigations	Investig	Further attempts to access MYOB database using multiple passwords, Prepare a copy of the MYOB environment for collection or analysis.	
40534091	18948	O'Brien, Patrick	Managing Dir	12/04/2019	4.80	\$ 580.00	\$ 2,784.00	Trade on - management & accounting	Trade on	Closing out and settling trade on issues, and taking calls from suppliers from the trade on period	
40521454	25306	Warwick, Kathryn	Sr Managing Dir	12/04/2019	3.10	\$ 625.00	\$ 1,937.50	Finalisation	Admin	Finalisation, correspondence with Liquidator	
40406087	24143	Harrell, Joseph	Sr Managing Dir	12/04/2019	2.50	\$ 625.00	\$ 1,562.50	Matter oversight and administration	Admin	Handover.	
40488044	27194	Furman, Joshua	Associate I	12/04/2019	0.40	\$ 260.00	\$ 104.00	Debtors	Assets	Reformatting debtor schedule tables for RW	
40490940	27861	Beaumont, Robert	Sr. Consult I	12/04/2019	0.40	\$ 300.00	\$ 152.00	Unsecured - general correspondence	Trading	Finalisation, correspondence with Liquidator	
40516442	21814	Allen, Maxine	Consultant I	12/04/2019	0.70	\$ 315.00	\$ 220.50	Debtors	Assets	Email correspondence with Bill Kelly (Caley) regarding Administrators costs incurred and final invoice. Discussed with James Macredie.	
40747536	18909	Tallid, Gerald	Associate II	12/04/2019	0.30	\$ 280.00	\$ 84.00	Matter oversight and administration	Admin	Review of debtors and discussion with Senior Manager regarding current balance and way forward	
40516529	21814	Allen, Maxine	Consultant I	12/04/2019	0.80	\$ 315.00	\$ 252.00	Unsecured dividend/adjudications	Creditors	Obtaining proforma: and reviewing information. Provided to the accountant.	
40574762	27861	Beaumont, Robert	Sr. Consult I	12/04/2019	0.70	\$ 300.00	\$ 210.00	Secured - PPSR specific	Creditors	Phone conversation with DTW Transport regarding payment of invoice. Subsequent emails and phone calls regarding same. Followed up status of payment internally	
40575795	18948	O'Brien, Patrick	Managing Dir	12/04/2019	4.70	\$ 580.00	\$ 2,726.00	Trade on - management & accounting	Trade on	Telephone and email correspondence with PPSR holders in relation to cessation of administration and appointment of liquidators. Discuss close out issues and tasks with James Macredie and Catherine Jaqucs.	
40571430	27194	Furman, Joshua	Associate I	12/04/2019	0.40	\$ 260.00	\$ 104.00	Debtors	Assets	Various queries from trade on suppliers in relation to the payment of trade on services and queries in relation to timing of payments and delays in making payment	
40534705	23732	Chee, Jonathan	Director	12/04/2019	1.70	\$ 510.00	\$ 867.00	Matter oversight and administration	Admin	Reformatting debtor schedule tables for RW	
40534159	18924	Harrell, Joseph	Senior Director	12/04/2019	0.60	\$ 570.00	\$ 342.00	Debtors	Assets	Internal admin, post appointment tasks re debtors, lien, asset V trading	
40534164	18924	Harrell, Joseph	Senior Director	12/04/2019	0.60	\$ 570.00	\$ 342.00	Finalisation	Trading	Update to debtors schedule. Review of response from Liquidator.	
40539222	26934	Jaqucs, Catherine	Consultant II	12/04/2019	1.50	\$ 360.00	\$ 540.00	Trade on - management & accounting	Trade on	Review and approve liabilities. Dealing with queries from suppliers.	
40539236	26934	Jaqucs, Catherine	Consultant II	12/04/2019	0.70	\$ 360.00	\$ 252.00	Trade on - management & accounting	Trade on	Various phone calls from trade on suppliers chasing payment, forwarding emails onto Melbourne RE: same	
40531450	25306	Warwick, Kathryn	Sr Managing Dir	12/04/2019	0.50	\$ 625.00	\$ 312.50	Finalisation	Admin	Provide Telstra with additional information required for change of ownership, email to James	
40535340	26934	Jaqucs, Catherine	Consultant II	12/04/2019	0.30	\$ 360.00	\$ 108.00	Matter oversight and administration	Admin	Mazzone regarding Telstra	
40535131	26934	Jaqucs, Catherine	Consultant II	12/04/2019	1.00	\$ 360.00	\$ 360.00	Trade on - management & accounting	Trade on	Response to liquidator, finalisation	
40534718	23732	Chee, Jonathan	Director	12/04/2019	2.40	\$ 510.00	\$ 1,224.00	Matter oversight and administration	Admin	Call from Terry regarding separation certificates, forward information onto Melbourne to action	
40572434	18924	Harrell, Joseph	Senior Director	12/04/2019	0.50	\$ 570.00	\$ 285.00	Trade on - management & accounting	Admin	Receive enquires from trade on creditors regarding outstanding invoices, forward enquires onto Melbourne, receive enquires from Melbourne regarding information required RE: trade on creditors	
40534274	18924	Harrell, Joseph	Senior Director	12/04/2019	3.50	\$ 570.00	\$ 1,995.00	Debtors	Assets	Internal admin, post appointment tasks re debtors, lien, asset V trading, Westpac	
40575807	18948	O'Brien, Patrick	Managing Dir	12/04/2019	1.10	\$ 580.00	\$ 638.00	Secured - PPSA specific	Assets	Further review of trade on liabilities and approval. Review of separation certificates. Call with employee regarding expenses.	
40575810	18948	O'Brien, Patrick	Managing Dir	12/04/2019	3.60	\$ 580.00	\$ 2,088.00	Trade on - management & accounting	Trade on	Drafting of letter to Liquidator acting out position. Preparation of supplementary tables to add to letter. Sending letter to B Wilkins and call with J Harrell regarding the letter.	
40516387	21814	Allen, Maxine	Consultant I	12/04/2019	1.20	\$ 315.00	\$ 378.00	Accounting	Admin	Update to Melbourne office in relation to the status of the missing / stolen vehicles and loads and contact details in relation to the parties holding the assets.	
40534286	18924	Harrell, Joseph	Senior Director	12/04/2019	0.30	\$ 570.00	\$ 171.00	Trade on - management & accounting	Trade on	Various queries from employees and trade on creditors in relation to the separation certificates and timing of payments to trade on creditors.	
40512619	26048	Mazzone, James	Sr. Consult I	12/04/2019	1.20	\$ 380.00	\$ 456.00	General correspondence	Employees	Data entry for wages paid during administration period the administration period for entry into MYOB	
40527205	26048	Mazzone, James	Sr. Consult I	12/04/2019	0.60	\$ 380.00	\$ 228.00	Trade on - management & accounting	Trade on	Review of cash flow and trade on liabilities.	
40514712	27861	Beaumont, Robert	Sr. Consult I	12/04/2019	0.50	\$ 380.00	\$ 190.00	General enquiries and correspondence	Trade on	Reviewed employee information and completed separation certificates.	
40516433	21814	Allen, Maxine	Consultant I	12/04/2019	1.20	\$ 315.00	\$ 378.00	Debtors	Assets	Review of cash flow and trade on liabilities.	
40702337	27772	Greenway, Lynne	Associate I	12/04/2019	2.50	\$ 185.00	\$ 462.50	Matter oversight and administration	Trading	Reviewed employee information and completed separation certificates.	
										Phone call with Jonathan regarding status of debtors. Conversation with Ian Morton regarding same. Reconciliation of debtor ledgers to obtain a complete ledger.	
										Worked on the WTS cash flow, attempting to reconcile and understand it, make updates etc.	
											\$ 183.00 Work undertaken to reformat debtor schedules to be provided to liquidator to facilitate collection.

Index Number	Timekeeper Number	Timekeeper Name	Title	Date	Bill Hours	Bill Rate	Billable Amount	Activity Description	Task	Narrative	Recategorisation
40702333	2772	Greenway, Jayme	Associate I	17/04/2019	4.00	\$ 165.00	\$ 740.00	Debtors	Assets	Scanning, naming and saving hundreds of WITS Holdings documents collected on site by James Mazzone.	
40702363	2772	Greenway, Jayme	Associate I	17/04/2019	2.00	\$ 165.00	\$ 370.00	Master oversight and administration	Admin	Worked through the payroll activity for WITS, determining whether superannuation and tax was correctly paid.	
40575803	18948	Orben, Patrick	Managing Dir	17/04/2019	1.80	\$ 580.00	\$ 1,044.00	General correspondence	Employees	Various queries from employees in relation to their separation certificates and period of employment.	
40575806	18948	Orben, Patrick	Managing Dir	17/04/2019	1.40	\$ 580.00	\$ 812.00	Secured - PPSA specific	Assets	Received and dealt with query from the RMS in relation to the dating restriction placed over the removable assets of the company.	Dealing with issue regarding attempted transfer of vehicle out of control of secured creditor.
40574733	27661	Baumann, Robert	Sr. Consult I	17/04/2019	0.70	\$ 380.00	\$ 266.00	Finalisation	Admin	Progressing and finalising allocation of key documents to file date. Reviewing key schedules and information from trade-up period, discuss matter with Jonathan Cree and Catherine Deagen.	
40534281	18924	Meron, Ian	Senior Director	17/04/2019	1.80	\$ 570.00	\$ 1,026.00	Debtors	Assets	Teleconference to discuss finalisation of letter to liquidator. Updating letter with supporting schedules and finalisation of letter.	
40534291	18924	Meron, Ian	Senior Director	17/04/2019	1.30	\$ 570.00	\$ 741.00	Debtors	Assets	Calls with J Harrell and further call with J Warwick to discuss debtors. Review and reconciliation of ledger.	\$ 370.50 Work undertaken to reconcile debtor schedules to be provided to liquidator to facilitate collection under agreement.
40534292	18924	Meron, Ian	Senior Director	17/04/2019	0.20	\$ 570.00	\$ 114.00	Finalisation	Admin	Preparation of information to the liquidators.	
40572547	28046	Mazzone, James	Sr. Consult I	17/04/2019	0.80	\$ 380.00	\$ 304.00	Debtors	Assets	Reviewed debtors and completed summary of position.	\$ -52.00 Work undertaken to reconcile debtor schedules to be provided to liquidator to facilitate collection under agreement.
40572851	28046	Mazzone, James	Sr. Consult I	17/04/2019	0.50	\$ 380.00	\$ 190.00	General correspondence and correspondence	Employees	Enquiries from employees, prepared separation certificates.	
40572856	28046	Mazzone, James	Sr. Consult I	17/04/2019	0.60	\$ 380.00	\$ 228.00	General correspondence and correspondence	Trade on	Calls with trustee on creditors and updated file.	
40534731	23752	Chen, Jianhan	Director	17/04/2019	2.40	\$ 510.00	\$ 1,224.00	Master oversight and administration	Trade on	Post appointment tasks, due re debtors, share v trading costs	
40534000	27555	Saxe, Jessica	Admin I	17/04/2019	1.00	\$ 155.00	\$ 155.00	Master oversight and administration	Trade on	Add employees into MYOB	
40535256	24143	Harrell, Joseph	Sr. Managing Dir	17/04/2019	4.00	\$ 380.00	\$ 1,520.00	Other - PPSA specific	Trading	Debtor issues.	
40574689	27661	Baumann, Robert	Sr. Consult I	17/04/2019	0.40	\$ 380.00	\$ 152.00	Secured - PPSA specific	Creditors	Debtors PPSA schedule maintained with James Mazzone. Review enquiries from registered parties, circulate correspondence by emails where necessary.	
40535175	26934	Jaque, Catherine	Consultant II	17/04/2019	0.30	\$ 380.00	\$ 100.00	Trade on - management & accounting	Trade on	Email to Tabara	
40534269	18924	Meron, Ian	Senior Director	17/04/2019	0.60	\$ 570.00	\$ 342.00	Trade on - management & accounting	Employees	Dealing with queries from employees.	
40535192	24143	Harrell, Joseph	Sr. Managing Dir	17/04/2019	0.50	\$ 623.00	\$ 312.00	Master oversight and administration	Admin	Meeting with John Meehuizen regarding WITS Handover.	
40535230	26934	Jaque, Catherine	Consultant II	17/04/2019	0.30	\$ 380.00	\$ 180.00	Trade on - management & accounting	Trade on	Answering trade on queries from Melbourne RE, outstanding invoices	
40574710	27661	Baumann, Robert	Sr. Consult I	18/04/2019	0.90	\$ 380.00	\$ 342.00	Secured - PPSA specific	Creditors	Email correspondence with David Garrity (Macquarie Leasing) regarding PPSA claim. Review PPSA schedule maintained for administration. Subsequent telephone and email correspondence with Roy Barnes (Macquarie) regarding same.	
40535807	24143	Harrell, Joseph	Sr. Managing Dir	18/04/2019	1.00	\$ 623.00	\$ 623.00	Debtors	Trading	Debtors.	
40535825	18924	Meron, Ian	Senior Director	18/04/2019	0.40	\$ 623.00	\$ 250.00	General operations and correspondence	Trade on	Call with Westpac and drafting email on debtors.	
40534154	18924	Meron, Ian	Senior Director	18/04/2019	0.80	\$ 570.00	\$ 456.00	Debtors	Trading	Payments.	
40534156	18924	Meron, Ian	Senior Director	18/04/2019	0.30	\$ 570.00	\$ 171.00	Debtors	Trading	Call with J Harrell and review of emails. Discussion on pending invoices.	
40575912	18948	Orben, Patrick	Managing Dir	18/04/2019	1.20	\$ 580.00	\$ 696.00	Secured - PPSA specific	Assets	Various emails and phone calls in relation to the costs of securing truck and trailer of Steve Harrop on the last weekend of trade and costs of doing so.	\$ 696.00 Work undertaken relating to securing trucks and trailers.
40572844	28046	Mazzone, James	Sr. Consult I	18/04/2019	2.00	\$ 380.00	\$ 760.00	Debtors	Trading	Reviewed debtor invoices. Printed and collated invoices in support of claims.	
40534369	23395	Warwick, Kathryn	Sr. Managing Dir	18/04/2019	4.00	\$ 623.00	\$ 2,500.00	Investigations	Investig	Scanning, naming and saving thousands of WITS Holdings documents collected on site by James Mazzone.	
40534361	23395	Warwick, Kathryn	Sr. Managing Dir	18/04/2019	3.00	\$ 623.00	\$ 1,875.00	Inventory	Trading	Scanning, naming and saving thousands of WITS Holdings documents collected on site by James Mazzone.	
40702351	27772	Greenway, Jayme	Associate I	23/04/2019	7.50	\$ 185.00	\$ 1,387.50	Debtors	Assets	Scanning, naming and sending employee pay slips.	\$ 46.25 Payroll - See index number 40463783 for the rationale for payroll allocation.
40732361	18939	Talbot, Gerald	Associate I	23/04/2019	0.50	\$ 185.00	\$ 92.50	General correspondence	Admin	Outstanding bank statement and reviewing information. Reviewing receipts and payments. Provided to the accountant.	
40732351	27772	Greenway, Jayme	Associate I	23/04/2019	8.00	\$ 185.00	\$ 1,480.00	Accounting	Assets	Outstanding bank statement and reviewing information. Reviewing receipts and payments. Provided to the accountant.	
40531920	18939	Talbot, Gerald	Associate II	23/04/2019	0.50	\$ 280.00	\$ 140.00	Accounting	Admin	Reviewed debtor invoices and summarised position. Collated information in support of claims.	
40518240	28046	Mazzone, James	Sr. Consult I	23/04/2019	2.00	\$ 380.00	\$ 760.00	Trade on - management & accounting	Trade on	Reviewed debtor invoices and summarised position. Collated information in support of claims.	
40518242	28046	Mazzone, James	Sr. Consult I	23/04/2019	1.00	\$ 380.00	\$ 380.00	General operations and correspondence	Trade on	Various enquiries from subcontractors following up payment. Reviewed cash flow.	
40533814	18924	Meron, Ian	Senior Director	23/04/2019	1.80	\$ 570.00	\$ 1,026.00	Debtors	Assets	Meeting with K Warwick to discuss lien. Preparation of outcome statement and further discussion.	
40514122	27661	Baumann, Robert	Sr. Consult I	23/04/2019	0.30	\$ 380.00	\$ 114.00	Unsecured - general correspondence	Creditors	Discussion with J Mazzone on collection of debtor balances.	
40519552	18948	Orben, Patrick	Managing Dir	23/04/2019	1.80	\$ 580.00	\$ 1,044.00	Secured - PPSA specific	Assets	Email correspondence with Kenal Seder (Loscorno) regarding collection of pallets from NSW site.	
40519532	18948	Orben, Patrick	Managing Dir	23/04/2019	0.80	\$ 580.00	\$ 464.00	General correspondence	Employees	Listed with GB and Capital in relation to the return of the missing trailer which total care had been holding from.	\$ 522.00 Work undertaken in recovery of missing trailer.
40519732	18948	Orben, Patrick	Managing Dir	23/04/2019	1.90	\$ 580.00	\$ 1,102.00	Trade on - management & accounting	Trade on	Queries from employees in relation to the separation certificates which had not been provided.	
40518939	18948	Orben, Patrick	Managing Dir	24/04/2019	1.30	\$ 580.00	\$ 754.00	Trade on - management & accounting	Trade on	Attending to queries from trade on creditors in relation to the outstanding payments owed to them.	
40513825	18924	Meron, Ian	Senior Director	24/04/2019	0.20	\$ 570.00	\$ 114.00	Debtors	Trading	Queries from trade on creditors and issued with Melbourne in relation to same.	
40513819	18924	Meron, Ian	Senior Director	24/04/2019	0.30	\$ 570.00	\$ 171.00	Debtors	Trading	Discussion on debtors with James Mazzone.	
40513825	18924	Meron, Ian	Senior Director	24/04/2019	0.30	\$ 570.00	\$ 171.00	Debtors	Trading	Review and approval of trade on liabilities.	
40514600	21814	Alan, Maxine	Senior Director	24/04/2019	1.80	\$ 315.00	\$ 567.00	Debtors	Assets	Review of advice from Minter Ellison and review of letter to liquidator.	
40514605	21814	Alan, Maxine	Consultant I	24/04/2019	3.20	\$ 315.00	\$ 1,008.00	Accounting	Trading	Assisted with preparation and sending of debtor letters.	
40518210	28046	Mazzone, James	Sr. Consult I	24/04/2019	3.70	\$ 380.00	\$ 1,406.00	Trade on - management & accounting	Trade on	Data entry for wages paid during administration period the administration period for entry into MYOB.	\$ 504.00
40566728	25306	Warwick, Kathryn	Sr. Managing Dir	24/04/2019	1.00	\$ 623.00	\$ 623.00	Investigations	Investig	Printed and collated documents in support of the voluntary administrator liabilities. Arranged for invoices to be issued via post.	
40514111	27661	Baumann, Robert	Sr. Consult I	24/04/2019	0.30	\$ 380.00	\$ 114.00	Unsecured - general correspondence	Creditors	Email correspondence with James Mazzone regarding pre-appointment and post-appointment creditor payments.	
40702332	2772	Greenway, Jayme	Associate I	24/04/2019	2.00	\$ 185.00	\$ 370.00	Debtors	Trading	Organising debtor invoices and assisting with the mail out of said invoices.	
40702571	2772	Greenway, Jayme	Associate I	24/04/2019	4.60	\$ 185.00	\$ 851.00	Debtors	Assets	Scanning, naming and saving thousands of WITS Holdings documents collected on site by James Mazzone.	
40702574	2772	Greenway, Jayme	Associate I	26/04/2019	0.70	\$ 185.00	\$ 129.50	Debtors	Assets	Finalised debtor invoices and invoices to be sent out.	
40518238	28046	Mazzone, James	Sr. Consult I	28/04/2019	0.50	\$ 380.00	\$ 190.00	Trade on - management & accounting	Trade on	Reviewed debtor position re VA period.	

Considered that 50% relates trading with the remainder charged to Lien 1 on the basis that staff remained employed to recover vehicles.

Index Number	Timekeeper Name	Timekeeper	Title	Date	Bill Hours	Bill Rate	Bill Amount	Billable Amount	Activity Description	Task	Narrative	Recategorisation
40615009	22223	Harfield, Christopher	Senior Director	28/04/2019	0.70	\$ 450.00	\$ 315.00	\$ 315.00	Investigations	Investing	Prepare a matter update to detail all data sources, and tasks related to this matter in preparation for a hand-over to liquidators.	
40613989	18924	Morton, Ian	Senior Director	28/04/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Trade on - management & accounting	Trade on	Review and approve payments.	
40619887	26283	Batten, Richard	Consultant I	28/04/2019	0.30	\$ 315.00	\$ 94.50	\$ 94.50	Trade on - management & accounting	Trading	Call Margee Taid Care Transport re outstanding post apt invoices and return of capital held by total care	
40619750	18988	O'Brien, Patrick	Managing Dir	28/04/2019	1.40	\$ 580.00	\$ 812.00	\$ 812.00	Trade on - management & accounting	Trade on	Queries from trade on creditors in relation to payment for works performed.	
40620148	26283	Batten, Richard	Consultant I	29/04/2019	0.20	\$ 315.00	\$ 63.00	\$ 63.00	Trade on - management & accounting	Trading	Call Margee Taid Care Transport re outstanding post apt invoices and return of capital held by total care	
40619467	18924	Morton, Ian	Senior Director	29/04/2019	0.50	\$ 570.00	\$ 285.00	\$ 285.00	Finalisation	Admin	Meeting with M Data to discuss handover of documents. Attempting for copying of files and provision to liquidator.	
40616589	18924	Morton, Ian	Senior Director	29/04/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Debtors	Assets	Meeting to discuss debtors, handover of files and reconciliation emails.	\$ 171.00
40619887	18924	Morton, Ian	Senior Director	29/04/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Debtors	Trading	Review and discuss debtor receipts.	
40617719	21814	Allen, Maxine	Consultant I	29/04/2019	3.80	\$ 315.00	\$ 1,197.00	\$ 1,197.00	General operations and correspondence	Trade on	Phone calls from subcontractors. Data entry for MYOB transaction listing. Confirming calculations with PAYG table and super calculations. Determining reason for discrepancies.	
40618454	18924	Morton, Ian	Senior Director	29/04/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Trade on - management & accounting	Trade on	Review and signing of tax payments.	
40616404	26334	Jacobs, Catherine	Consultant II	29/04/2019	0.20	\$ 380.00	\$ 72.00	\$ 72.00	Accounting	Trade on	Email to James Mizzone RE: query about cheque deposit, phone call with Madde regarding same	
40687702	18988	O'Brien, Patrick	Managing Dir	29/04/2019	1.20	\$ 580.00	\$ 696.00	\$ 696.00	Trade on - management & accounting	Trade on	Internal discussions in relation to the status of the appointment, and leased with staff regarding the separation certificate and the return of various ransom loads.	
40687796	26048	Mizzone, James	St. Consult I	29/04/2019	2.50	\$ 380.00	\$ 950.00	\$ 950.00	Trade on - management & accounting	Trade on	Completed reconciliation for debtor invoices and collated information in support. Discussion with Ian.	\$ 500.00
40687918	26048	Mizzone, James	St. Consult I	29/04/2019	1.30	\$ 380.00	\$ 494.00	\$ 494.00	General operations and correspondence	Trade on	Reviewed records in respect to VA trading debtor assets and organised listing and sending of the same.	
40687883	26048	Mizzone, James	St. Consult I	29/04/2019	1.20	\$ 380.00	\$ 456.00	\$ 456.00	Trade on - management & accounting	Trade on	Reviewed cashflow and updated. Prepared payment vouchers.	
40723547	22223	Harfield, Christopher	Senior Director	30/04/2019	1.30	\$ 450.00	\$ 585.00	\$ 585.00	Investigations	Investing	Prepare a copy of the data for the liquidator.	
40687910	26048	Mizzone, James	St. Consult I	30/04/2019	0.90	\$ 380.00	\$ 342.00	\$ 342.00	Trade on - management & accounting	Trade on	Reviewed debtor information and updated reconciliation. Reviewed correspondence.	\$ 342.00
40687753	18988	O'Brien, Patrick	Managing Dir	30/04/2019	0.80	\$ 500.00	\$ 400.00	\$ 400.00	General correspondence	Trade on	Query from James Harde re relation to the ransom loads, and provided same to Melbourne office.	\$ 232.00
40702980	27772	Greenway, Jaynee	Associate I	30/04/2019	0.50	\$ 185.00	\$ 92.50	\$ 92.50	Debtors	Trading	Retrieving particular debtors invoices from MYOB Account Right, saving them on file and pinning copies to be sent out.	
40617152	21814	Allen, Maxine	Consultant I	30/04/2019	2.20	\$ 315.00	\$ 693.00	\$ 693.00	General operations and correspondence	Trade on	Phone calls from subcontractors. Data entry for MYOB transaction listing. Confirming calculations with PAYG table and super calculations. Determining reason for discrepancies.	
40617189	21814	Allen, Maxine	Consultant I	30/04/2019	0.70	\$ 315.00	\$ 220.50	\$ 220.50	General operations and correspondence	Trade on	Collated information in relation to missing trailers.	\$ 220.50
40687299	26283	Batten, Richard	Consultant I	30/04/2019	0.40	\$ 315.00	\$ 126.00	\$ 126.00	Trade on - management & accounting	Trade on	Reviewing Total Care Transport corp, email re payment of invoices and resending of Capital Ltd	
40687593	18924	Morton, Ian	Senior Director	30/04/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Trade on - management & accounting	Trade on	Call with P O'Brien to discuss payment of subcontractors and review of email from subcontractor.	
40687601	18924	Morton, Ian	Senior Director	30/04/2019	1.10	\$ 570.00	\$ 627.00	\$ 627.00	Trade on - management & accounting	Trade on	Meeting with J Greenway to discuss payments following meeting with K Warwick and update of schedule.	
40687608	18924	Morton, Ian	Senior Director	30/04/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Finalisation	Admin	Calls and emails with C Harfield to discuss image of documents to send to liquidators.	
40687614	18924	Morton, Ian	Senior Director	30/04/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Debtors	Trading	Discussion with J Mizzone on debtors.	
40687633	18924	Morton, Ian	Senior Director	30/04/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Debtors	Assets	Call with B Watkins to discuss lien.	
40687635	18924	Morton, Ian	Senior Director	30/04/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Debtors	Trading	Dialing and sending email to Barkwest following call.	
40687656	18924	Morton, Ian	Senior Director	30/04/2019	0.90	\$ 570.00	\$ 513.00	\$ 513.00	Debtors	Assets	Dialing and sending email to Barkwest following call.	
40788001	18924	Morton, Ian	Senior Director	01/05/2019	-0.20	\$ 570.00	\$ -114.00	\$ -114.00	Debtors	Admin	Investigation into James Harde delivery discrepancies and effect on debtors. Review and discuss email on other lost loads with R Batten.	\$ 26.50
40786043	18924	Morton, Ian	Senior Director	01/05/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Debtors	Trading	Discussion with J Mizzone on debtors.	
40786051	18924	Morton, Ian	Senior Director	01/05/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Finalisation	Admin	Call and emails with C Harfield to discuss image of documents to send to liquidators.	
40786200	18924	Morton, Ian	Senior Director	01/05/2019	-0.20	\$ 570.00	\$ -114.00	\$ -114.00	Finalisation	Admin	Reversal - Calls and emails with C Harfield to discuss image of documents to send to liquidators.	
40786317	18924	Morton, Ian	Senior Director	01/05/2019	0.90	\$ 570.00	\$ 513.00	\$ 513.00	Trade on - management & accounting	Trade on	Investigation into James Harde delivery discrepancies and effect on debtors. Review and discuss email on other lost loads with R Batten.	
40786407	18924	Morton, Ian	Senior Director	01/05/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Debtors	Trading	Dialing and sending email to Barkwest following call.	
40786430	18924	Morton, Ian	Senior Director	01/05/2019	1.10	\$ 570.00	\$ 627.00	\$ 627.00	Trade on - management & accounting	Trade on	Meeting with J Greenway to discuss payments following meeting with K Warwick to discuss liabilities and update of commitment schedule. Follow-up meeting with K Warwick to discuss findings.	
40786484	18924	Morton, Ian	Senior Director	01/05/2019	-0.90	\$ 570.00	\$ -513.00	\$ -513.00	Trade on - management & accounting	Trade on	Reversal - Investigation into James Harde delivery discrepancies and effect on debtors.	
40786488	18924	Morton, Ian	Senior Director	01/05/2019	-0.20	\$ 570.00	\$ -114.00	\$ -114.00	Debtors	Trading	Reversal - Discussion with J Mizzone on debtors.	
40786705	18924	Morton, Ian	Senior Director	01/05/2019	-0.30	\$ 570.00	\$ -171.00	\$ -171.00	Debtors	Trading	Reversal - Dialing and sending email to Barkwest following call.	
40786739	18924	Morton, Ian	Senior Director	01/05/2019	-1.10	\$ 570.00	\$ -627.00	\$ -627.00	Trade on - management & accounting	Trade on	Reversal - Meeting with J Greenway to discuss payments following meeting with K Warwick.	
40786757	18924	Morton, Ian	Senior Director	01/05/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Trade on - management & accounting	Trade on	Call with P O'Brien to discuss payment of subcontractors and review of email from subcontractor.	
40786867	18924	Morton, Ian	Senior Director	01/05/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Debtors	Assets	Call with B Watkins to discuss lien.	
40786877	18924	Morton, Ian	Senior Director	01/05/2019	-0.20	\$ 570.00	\$ -114.00	\$ -114.00	Trade on - management & accounting	Trade on	Reversal - Call with P O'Brien to discuss payment of subcontractors and review of email from subcontractor.	
40788002	27772	Greenway, Jaynee	Associate I	01/05/2019	0.20	\$ 185.00	\$ 37.00	\$ 37.00	Debtors	Trading	Prepared debtors letter and invoice to be sent.	
40720513	18924	Morton, Ian	Senior Director	01/05/2019	0.70	\$ 570.00	\$ 399.00	\$ 399.00	Debtors	Trading	Dealing with queries from creditors, discussion on missing loads and communicating same.	
40737600	26048	Mizzone, James	St. Consult I	01/05/2019	0.50	\$ 380.00	\$ 190.00	\$ 190.00	Trade on - management & accounting	Trade on	Reviewed receipts and discussion on same.	
40739036	21814	Allen, Maxine	Consultant I	01/05/2019	1.20	\$ 315.00	\$ 378.00	\$ 378.00	Trade on - employees	Trade on	Reviewed trade on debtor position and cash flow summary.	
40737627	26048	Mizzone, James	St. Consult I	02/05/2019	1.40	\$ 380.00	\$ 532.00	\$ 532.00	Trade on - management & accounting	Trade on	Data entry in MYOB and file note of calculation of wages.	
40739095	21814	Allen, Maxine	Consultant I	02/05/2019	3.40	\$ 315.00	\$ 1,071.00	\$ 1,071.00	Trade on - employees	Trade on	Reviewed debtor position and cash flow. Reviewed status of payments. Discuss status with Kate and Ian.	
											Data entry for MYOB including filenote of calculations. Discussion with senior staff regarding the matter.	

Recategorisation

Call of information regarding missing trailers to be provided to Liquidator to facilitate recovery.

Call of information regarding missing trailers to be provided to Liquidator to with respect to impact on debtors.

Index Number	Timekeeper Name	Timekeeper Title	Date	Bill Hours	Bill Rate	Billable Amount	Activity Description	Task	Narrative	Reconciliation
40723348	18909 Talud, Gerald	Associate II	02/05/2019	0.10	\$ 280.00	\$ 28.00	Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the accountant.	
40723348	18909 Talud, Gerald	Associate II	02/05/2019	0.50	\$ 280.00	\$ 140.00	Accounting	Admin	Reviewing process and processing payments. Updating into online banking and organise for Kate and Paul to approve.	70.00 50% of time charged relating to payment of suppliers and subcontractors relating to recovery of assets, with the balance charged to trading.
40723359	18909 Talud, Gerald	Associate II	02/05/2019	0.50	\$ 280.00	\$ 140.00	Accounting	Admin	Reviewing the Obtaining bank statement and reviewing receipts and payments. Bank reconciliation.	
40720544	18924 Merton, Ian	Senior Director	02/05/2019	0.40	\$ 570.00	\$ 228.00	Trade on - management & accounting	Trade on	Review and discuss payment of creditors.	
40740389	18948 O'Brien, Patrick	Managing Dir	02/05/2019	1.20	\$ 580.00	\$ 696.00	General operations and correspondence	Trade on	Various phone calls and emails from trade on creditors requesting information and updates in relation to payments for works performed.	
40739959	23306 Wraywick, Keshlyn	Sr Managing Dir	02/05/2019	0.50	\$ 625.00	\$ 312.50	Investigations	Investig	Review phone calls and emails from trade on creditors requesting information and updates in relation to payments for works performed.	
40739861	23306 Wraywick, Keshlyn	Sr Managing Dir	02/05/2019	1.00	\$ 625.00	\$ 625.00	Debtors	Trading	Debtors	
40714777	18989 Greenway, Jayme	Associate I	02/05/2019	0.90	\$ 185.00	\$ 166.50	Matter oversight and administration	Admin	Completed a bill register for WTS VA period using invoices supplied by liquidator.	83.25 50% of time charged relating to telis incurred relating to recovery of assets, with the balance charged to trading.
40740387	18948 O'Brien, Patrick	Managing Dir	02/05/2019	1.20	\$ 580.00	\$ 696.00	Matter oversight and administration	Trade on	Phone calls, emails and text messages from various trade on creditors in relation to the payment of their outstanding amounts and timing in relation to same.	
40720739	26934 Jaques, Catherine	Consultant II	02/05/2019	0.20	\$ 360.00	\$ 72.00	Secured - GSA creditor	Creditors	Doublecheck with James Macrae details regarding Thom Business Finance in response to email received from liquidators representative.	
40720923	18924 Merton, Ian	Senior Director	02/05/2019	1.20	\$ 570.00	\$ 684.00	Debtors	Assets	Arranging for and meeting with liquidators representative.	342.00 Meeting with liquidator's representative to discuss debtors.
40720928	18924 Merton, Ian	Senior Director	02/05/2019	0.30	\$ 570.00	\$ 171.00	Trade on - management & accounting	Trading	Discuss and payment of creditor balances.	
40721451	27051 Beaman, Robert	Sr, Consult I	02/05/2019	0.20	\$ 380.00	\$ 76.00	General operations and correspondence	Trade on	Discuss correspondence circulated for telis with James Macrae.	
40723380	18909 Talud, Gerald	Associate II	02/05/2019	0.50	\$ 280.00	\$ 140.00	Accounting	Admin	Obtaining bank statement and reviewing information. Reviewing wages payment. Obtaining details and provided to the accountant.	38.00 Tdis - See index 40714777 for rationale on allocation of toll.
40723382	18909 Talud, Gerald	Associate II	02/05/2019	0.10	\$ 280.00	\$ 28.00	Accounting	Admin	Obtaining payment confirmation and reviewing information. Provided to the accountant.	
40723339	18909 Talud, Gerald	Associate II	02/05/2019	0.10	\$ 280.00	\$ 28.00	Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the accountant.	
40721628	28048 Mazzone, James	Sr, Consult I	02/05/2019	4.00	\$ 380.00	\$ 1,520.00	Trade on - management & accounting	Trade on	Reviewed debtors and cash flow. Discussions with Ian, Kate and Ross. Reviewed payments.	
40723088	21814 Allan, Maime	Consultant I	02/05/2019	4.50	\$ 315.00	\$ 1,417.50	Trade on - employees	Trade on	Data entry for MYOB including filenote of calculations. Discussion with senior staff regarding the matter.	
40717123	21814 Allan, Maime	Consultant I	02/05/2019	2.50	\$ 315.00	\$ 787.50	Trade on - employees	Trade on	Data entry for MYOB including filenote of calculations. Discussion with senior staff regarding the matter.	
4072164	18924 Merton, Ian	Senior Director	02/05/2019	0.40	\$ 570.00	\$ 228.00	Debtors	Assets	Update on debtor collection.	114.00 Update on debtor collections and provision to liquidator.
40721735	18924 Merton, Ian	Senior Director	02/05/2019	0.30	\$ 570.00	\$ 171.00	Trade on - management & accounting	Trade on	Reviewed cash flow for payments to subcontractors.	
4072083	28048 Mazzone, James	Sr, Consult I	02/05/2019	4.20	\$ 360.00	\$ 1,512.00	Trade on - management & accounting	Trade on	Reviewed cash flow position. Completed reconciliation. Review with Ian and Kate.	
40739833	23306 Wraywick, Keshlyn	Sr Managing Dir	02/05/2019	2.00	\$ 625.00	\$ 1,250.00	Debtors	Trading	Reconciliation of debtors	
40782824	18909 Talud, Gerald	Associate II	02/05/2019	0.20	\$ 280.00	\$ 56.00	Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the accountant.	
4078277	18909 Talud, Gerald	Associate II	02/05/2019	0.20	\$ 280.00	\$ 56.00	Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the accountant.	
4078247	18909 Talud, Gerald	Associate II	02/05/2019	0.50	\$ 280.00	\$ 140.00	Accounting	Admin	Reviewing wages. Reconciliation of employees details.	70.00 Payroll - See index number 40663783 for the rationale for payroll allocation.
4078251	18909 Talud, Gerald	Associate II	02/05/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing wages. Reconciliation of employees details.	140.00 Payroll - See index number 40663783 for the rationale for payroll allocation.
40721821	18924 Merton, Ian	Senior Director	02/05/2019	0.30	\$ 570.00	\$ 171.00	Finanzation	Admin	Arranging delivery of records to liquidator.	
40721970	18924 Merton, Ian	Senior Director	02/05/2019	1.30	\$ 380.00	\$ 494.00	General correspondence	Admin	Reviewed and compiled documents to be provided to the liquidator.	
4072161	18924 Merton, Ian	Senior Director	02/05/2019	0.80	\$ 570.00	\$ 456.00	Debtors	Assets	Review of time records to separate non-circulating and circulating assets.	140.00 Suppliers and subcontractors - See index number 40723383 for rationale for allocation of suppliers and subcontractors.
4078122	18909 Talud, Gerald	Associate II	02/05/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing invoices and processing payments. Uploading into online banking and organise to approve.	
4072170	18924 Merton, Ian	Senior Director	02/05/2019	0.30	\$ 570.00	\$ 171.00	Trade on - management & accounting	Trade on	Update to cash flow and issues with ATCO.	
40758013	28048 Mazzone, James	Sr, Consult I	02/05/2019	1.40	\$ 380.00	\$ 532.00	Trade on - management & accounting	Trade on	Reviewed cash flow and reconciliation position.	
40757527	24143 Hensal, Joseph	Sr Managing Dir	02/05/2019	0.50	\$ 625.00	\$ 312.50	Matter oversight and administration	Admin	Discussion with Ross Blakeley & Katie Warwick.	
4072527	18924 Merton, Ian	Senior Director	02/05/2019	5.00	\$ 375.00	\$ 2,850.00	Debtors	Assets	Categorisation of assets into non-circulating and circulating on time to 10 April and further time to early May. Preparation and sending to Minter Ellison. Review of Minter's advice.	
4071735	21814 Allan, Maime	Consultant I	02/05/2019	0.40	\$ 315.00	\$ 126.00	Trade on - employees	Trading	Data entry for MYOB including filenote of calculations. Discussion with senior staff regarding the matter.	
40758001	28048 Mazzone, James	Sr, Consult I	02/05/2019	0.70	\$ 380.00	\$ 266.00	General correspondence	Admin	Prepared file note re ceasing to trade.	
40851174	26934 Jaques, Catherine	Consultant II	02/05/2019	0.30	\$ 360.00	\$ 108.00	General correspondence	Admin	Respond to email from James Mazzone regarding WTS - Subcontractor Discount Transport services. Investigate same	
40782812	18909 Talud, Gerald	Associate II	02/05/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing wages payments and employee details. Reconciliation with the payment vouchers.	140.00 Payroll - See index number 40663783 for the rationale for payroll allocation.
40782829	18909 Talud, Gerald	Associate II	02/05/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing wages payments and employee details. Reconciliation with the payment vouchers.	140.00 Payroll - See index number 40663783 for the rationale for payroll allocation.
40782829	18909 Talud, Gerald	Associate II	02/05/2019	0.60	\$ 280.00	\$ 168.00	Accounting	Admin	Provided to the accountant for missing details.	
40782850	18909 Talud, Gerald	Associate II	02/05/2019	0.50	\$ 280.00	\$ 140.00	Matter oversight and administration	Admin	Reviewing wages payments and employee details. Reconciliation with the payment vouchers.	84.00 Payroll - See index number 40663783 for the rationale for payroll allocation.
4078283	18909 Talud, Gerald	Associate II	02/05/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing wages. Reconciliation of employees details.	
4078286	18909 Talud, Gerald	Associate II	02/05/2019	1.00	\$ 280.00	\$ 280.00	Accounting	Admin	Reviewing receipts and payments, obtaining receipts and payments detailed by account.	
40647913	26934 Jaques, Catherine	Consultant II	02/05/2019	0.30	\$ 360.00	\$ 108.00	Unsecured - general correspondence	Trading	Discussed with manager in charged. Updated prepared form 5052.	
40722582	18924 Merton, Ian	Senior Director	02/05/2019	0.20	\$ 570.00	\$ 114.00	Debtors	Trading	Email received from James Mazzone regarding MinterTRANS Australia - outstanding rental invoices & current rental trailer	
40722615	18924 Merton, Ian	Senior Director	02/05/2019	1.60	\$ 570.00	\$ 912.00	Debtors	Trading	Obtaining and reviewing update on debtor collection.	
40778160	18909 Talud, Gerald	Associate II	02/05/2019	0.60	\$ 280.00	\$ 168.00	Statutory compliance	Assets	Calls with Minter Ellison and update of schedule regarding statutory and equitable lien.	
40778170	18909 Talud, Gerald	Associate II	02/05/2019	1.30	\$ 280.00	\$ 364.00	Statutory compliance	Admin	Updated prepared form 5052.	
40778180	18909 Talud, Gerald	Associate II	02/05/2019	0.60	\$ 280.00	\$ 168.00	Accounting	Trading	Reviewing wages payments and employee details. Reconciliation with the payment vouchers.	
40758073	28048 Mazzone, James	Sr, Consult I	02/05/2019	0.50	\$ 380.00	\$ 190.00	Accounting	Admin	Provided to the accountant for missing details.	
40758074	28048 Mazzone, James	Sr, Consult I	02/05/2019	0.30	\$ 380.00	\$ 114.00	Accounting	Admin	Reviewed annual return.	
41041253	18948 O'Brien, Patrick	Managing Dir	02/05/2019	1.70	\$ 580.00	\$ 986.00	Trade on - management & accounting	Trade on	Reviewed cash flow and reconciliation.	
41041253	18948 O'Brien, Patrick	Managing Dir	02/05/2019	1.30	\$ 580.00	\$ 754.00	Trade on - management & accounting	Assets	Review of records to identify the missing trailers and locations which were still being held carson.	754.00 Further work on missing trailers to be provided to liquidator.
40778189	18909 Talud, Gerald	Associate II	10/05/2019	1.00	\$ 280.00	\$ 280.00	Statutory compliance	Admin	Empirical tortform manager in charged. Updated prepared form 5052.	
40778173	18909 Talud, Gerald	Associate II	10/05/2019	1.00	\$ 280.00	\$ 280.00	Statutory compliance	Admin	Empirical tortform manager in charged. Updated prepared form 5052.	
40778189	18909 Talud, Gerald	Associate II	10/05/2019	1.30	\$ 280.00	\$ 364.00	Statutory compliance	Admin	Updated prepared form 5052.	



Index Number	Timekeeper Name	Timekeeper Title	Date	Bill Hours	Bill Rate	Bill Rate Amount	Billable Amount	Activity Description	Task	Narrative	Recategorisation
41001398	28934	Jayne, Catherine	27/05/2019	0.20	\$ 380.00	\$ 76.00		Water oversight and administration	Admin	Discuss email from Jayne with MOG	
410010719	18924	Morton, Ian	27/05/2019	1.30	\$ 570.00	\$ 661.50		Finalisation	Admin	Review of emails and picking into folder for delivery to PCI Partners. Review and discuss email from PCI Partners. Review of A/E Training invoices and categorising them. Ascertain details of them.	
41010704	18924	Morton, Ian	28/05/2019	1.50	\$ 570.00	\$ 855.00		Finalisation	Admin	Review of query in relation to the trade on of the business and T18s from the Sydney depot.	
41041054	18948	O'Brien, Patrick	28/05/2019	0.60	\$ 500.00	\$ 300.00		Trade on - management & accounting	Trade on		
41010654	18924	Morton, Ian	28/05/2019	0.10	\$ 570.00	\$ 57.00		Finalisation	Trade on	Review of proposed BASS.	
41013556	28048	Mazzoni, James	28/05/2019	0.40	\$ 380.00	\$ 152.00		Accounting	Admin	Prepared email requesting advice regarding BASS.	
40908086	28924	Jayne, Catherine	28/05/2019	3.20	\$ 380.00	\$ 1,152.00		Water oversight and administration	Admin	WITTS responds to email from Jayne regarding T18sra invoice, doublechecked emails for same	
40931196	28924	Jayne, Catherine	28/05/2019	0.20	\$ 380.00	\$ 76.00		Water oversight and administration	Trading		
40939388	24143	Harsell, Joseph	28/05/2019	0.30	\$ 625.00	\$ 187.50		Water oversight and administration	Admin	Discussion with Kate Warwick regarding next steps.	
41013541	28048	Mazzoni, James	28/05/2019	1.50	\$ 380.00	\$ 570.00		Trade on - management & accounting	Trade on	Reviewed summary of low accounts. Discussion with Ian Morton re structure of letter. Prepared letter.	\$ 295.00
41042076	27661	Baumann, Robert	28/05/2019	0.50	\$ 380.00	\$ 190.00		Matter oversight and administration	Admin	Finalising transfer of emails as requested by Ian Morton.	
41010709	18924	Morton, Ian	28/05/2019	0.50	\$ 380.00	\$ 190.00		Finalisation	Trade on	Review and amend letters to PCI Partners. Review of response to Liquidator regarding debtors. Review of query regarding T18 Z.	
41013555	28048	Mazzoni, James	28/05/2019	0.40	\$ 380.00	\$ 152.00		Statutory compliance	Admin	Completed emails for PCI.	
41010519	18924	Morton, Ian	28/05/2019	0.10	\$ 380.00	\$ 38.00		Matter oversight and administration	Admin	Discussion with Joe Harsell regarding emails.	
41002589	27661	Baumann, Robert	30/05/2019	0.30	\$ 380.00	\$ 114.00		Matter oversight and administration	Admin	Finalising transfer of emails as requested by Ian Morton.	
41010888	18924	Morton, Ian	30/05/2019	2.80	\$ 570.00	\$ 1,596.00		Finalisation	Trading	Update with J Mazzone on ATO finalisation.	
41010947	18924	Morton, Ian	30/05/2019	2.80	\$ 570.00	\$ 1,596.00		Finalisation	Trading	Call with Minter Ellison regarding lien. Review of time records to categorise for response to Liquidator. Update to schedules to be appended to letter to Liquidator. Delegation of work to James Greenaway regarding invoicing.	
41041055	18948	O'Brien, Patrick	30/05/2019	4.00	\$ 580.00	\$ 2,320.00		General correspondence	Trade on	Extracting emails as per the request from the liquidators to file and recorded same for transfer to Fidler.	
41013544	28948	Mazzoni, James	30/05/2019	0.40	\$ 380.00	\$ 152.00		Trade on - management & accounting	Trade on	Reviewed position on insurance.	
41013546	28048	Mazzoni, James	30/05/2019	0.30	\$ 380.00	\$ 114.00		Accounting	Trading	Call with the ATO to discuss the status of the BAS claim.	\$ 76.00
41013520	28048	Mazzoni, James	30/05/2019	1.60	\$ 380.00	\$ 608.00		Trade on - management & accounting	Trade on	Reviewed summary of payroll tax. Reviewed application forms. Updated.	\$ 304.00
41013537	28048	Mazzoni, James	30/05/2019	0.60	\$ 380.00	\$ 228.00		Trade on - management & accounting	Trade on	Reviewed super reconciliation. Updated draft letter.	\$ 114.00
41010689	18924	Morton, Ian	30/05/2019	0.30	\$ 570.00	\$ 171.00		Finalisation	Admin	Collection of emails for provision to Liquidator.	
41040889	18948	O'Brien, Patrick	31/05/2019	2.00	\$ 580.00	\$ 1,160.00		General correspondence	Trade on	Copy and transfer emails from back up to ledger as requested by Liquidator.	
41041035	18948	O'Brien, Patrick	31/05/2019	0.90	\$ 580.00	\$ 522.00		General correspondence	Trade on	Gather information in relation to Cater email regarding the trade on and draft response for same.	\$ 261.00
41042887	27661	Baumann, Robert	31/05/2019	0.30	\$ 380.00	\$ 114.00		Matter oversight and administration	Admin	Finalising transfer of emails as requested by Ian Morton.	
41010731	18924	Morton, Ian	31/05/2019	1.50	\$ 570.00	\$ 855.00		Finalisation	Assets	Update to schedules for Minter Ellison and discussion regarding categorisations of certain items. Call with Cater regarding outstanding debt.	
41039530	23386	Warwick, Kathryn	31/05/2019	1.40	\$ 625.00	\$ 875.00		Investigations	Investig	Phone call to ATO. Discussed confirmation of appointment and registration of GST/PAYG.	
41092888	18909	Talud, Gerald	03/06/2019	0.30	\$ 280.00	\$ 84.00		Statutory compliance	Admin	Created new account name/code in MYOB. Informed accountant for processing payment.	
41092748	18909	Talud, Gerald	03/06/2019	0.10	\$ 280.00	\$ 28.00		Accounting	Admin		
41092753	18909	Talud, Gerald	03/06/2019	0.30	\$ 280.00	\$ 84.00		Statutory compliance	Admin	Phone call to ATO. Discussed future reporting of GST/PAYG. Requested to reactive registration of GST/PAYG. Requested to reissue BAS form.	\$ 513.00
41116751	18924	Morton, Ian	03/06/2019	1.80	\$ 570.00	\$ 1,026.00		Finalisation	Admin	Review of outstanding liabilities. Drafting email to Webpak. Drafting email to Cater. Discussions regarding Cater.	
41116835	18924	Morton, Ian	03/06/2019	1.50	\$ 570.00	\$ 855.00		Finalisation	Trade on	Update schedules for letter to PCI.	
41388923	28283	Batten, Richard	03/06/2019	2.00	\$ 315.00	\$ 630.00		Other - non-circulating	Assets	Calling amercours for Lien claim.	
41116877	18924	Morton, Ian	04/06/2019	1.50	\$ 570.00	\$ 855.00		Finalisation	Trade on	Obtaining amercours for Lien claim.	
41116924	18924	Morton, Ian	05/06/2019	0.80	\$ 570.00	\$ 456.00		Finalisation	Trade on	Meeting with K Warwick and update to schedules for letter to Liquidator.	
41128919	28048	Mazzoni, James	05/06/2019	0.40	\$ 380.00	\$ 152.00		General correspondence	Admin	Update to schedules for letter to PCI.	
41128984	28048	Mazzoni, James	06/06/2019	0.50	\$ 380.00	\$ 190.00		Trade on - management & accounting	Trade on	Called emails in respect to debtors.	
41116880	18924	Morton, Ian	06/06/2019	3.60	\$ 570.00	\$ 2,052.00		Finalisation	Trade on	Reviewed cashflow/reconciliation and payments. Updated. Numerous calls with Minters. Update to schedules to determine quantum of equitable and statutory liens.	
41127759	23386	Warwick, Kathryn	08/06/2019	2.50	\$ 625.00	\$ 1,562.50		Investigations	Investig	Lien, discussions with Minters.	
41386933	28283	Batten, Richard	08/06/2019	0.60	\$ 315.00	\$ 189.00		Other - non-circulating	Assets	Calling amercours for Lien claim.	
41116724	18924	Morton, Ian	07/06/2019	3.20	\$ 570.00	\$ 1,824.00		Finalisation	Admin	Review and reallocate time records and finalisation of schedules.	
41155503	18909	Talud, Gerald	11/06/2019	0.10	\$ 280.00	\$ 28.00		Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the accountant.	\$ 95.00
4115420	28048	Mazzoni, James	11/06/2019	0.50	\$ 380.00	\$ 190.00		Trade on - management & accounting	Trade on	Reviewed payroll tax summary and completed covering letters to state departments.	
41156641	18909	Talud, Gerald	13/06/2019	0.10	\$ 280.00	\$ 28.00		Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the accountant.	
41157578	18909	Talud, Gerald	14/06/2019	0.10	\$ 280.00	\$ 28.00		Accounting	Admin	Obtaining bank statement and reviewing information. Provided to the accountant.	
41153471	28048	Mazzoni, James	14/06/2019	0.40	\$ 380.00	\$ 152.00		Trade on - management & accounting	Trade on	Reviewed payroll tax applications. Prepared and issued email.	\$ 76.00
41153488	28048	Mazzoni, James	14/06/2019	0.50	\$ 380.00	\$ 190.00		Trade on - management & accounting	Trade on	Reviewed superannuation reconciliation.	\$ 95.00
41318927	27772	Greenway, Jaynee	17/06/2019	0.10	\$ 185.00	\$ 18.50		Matter oversight and administration	Trading	Reviewed letter regarding WITTS Holdings to the Department of Human Services.	
41207538	18924	Morton, Ian	18/06/2019	1.20	\$ 315.00	\$ 378.00		General correspondence	Trading	Allocated employee payments to employees.	
41224778	21814	Allen, Marlene	18/06/2019	2.00	\$ 570.00	\$ 1,140.00		Finalisation	Admin	Preparation of response to PCI Partners.	
41224374	28048	Mazzoni, James	19/06/2019	0.30	\$ 380.00	\$ 114.00		Matter oversight and administration	Trade on	Reviewed PAYG payment summaries.	
41207519	21814	Allen, Marlene	19/06/2019	0.80	\$ 315.00	\$ 252.00		Matter oversight and administration	Trading	Meeting with Senior Director and Senior Consultant regarding information request. Prepared payroll reports in respect of same.	\$ 57.00
41224202	28048	Mazzoni, James	19/06/2019	0.60	\$ 380.00	\$ 228.00		General operations and correspondence	Trade on	Discussion with Senior Director and Consultant. Reviewed documents and supplied same.	
41224737	18924	Morton, Ian	20/06/2019	2.40	\$ 570.00	\$ 1,368.00		Finalisation	Admin	Preparation from detailed response to remaining queries from Liquidator.	

Index Number	Timekeeper Name	Title	Date	Hours	Bill Rate	Bill Rate Amount	Billable Amount	Activity Description	Task	Narrative	Recategorisation
41224742	18924	Senior Director	21/08/2019	0.20	\$ 370.00	\$ 74.00	\$ 142.00	Part and equipment	Admin		
41224743	28048	Mazzone, James	21/08/2019	0.40	\$ 570.00	\$ 228.00	\$ 152.00	Trade on - management & accounting	Trade on	Review and response reporting drafting restriction.	
41275089	18924	Senior Director	24/08/2019	0.10	\$ 570.00	\$ 57.00	\$ 57.00	Finalisation	Admin	Reviewed full summary and payroll summaries.	
41308628	28048	Mazzone, James	24/08/2019	0.30	\$ 380.00	\$ 114.00	\$ 114.00	Trade on - management & accounting	Trade on	Reviewed payroll tax liability requirement Summarised position. Updated letters.	
41309628	28048	Mazzone, James	25/08/2019	1.40	\$ 380.00	\$ 532.00	\$ 532.00	Investigation	Trading	Reviewed summary of costs, Reviewed invoices, Updated costs sheet, Discussion with Senior Director, Reviewed payments.	\$ 57.00
41318644	18924	Senior Director	25/08/2019	0.50	\$ 570.00	\$ 285.00	\$ 285.00	Finalisation	Trading	Arranging payments, Processing payments and updating into online banking. Arranged for cross subvoters.	
41318644	18924	Senior Director	25/08/2019	0.80	\$ 280.00	\$ 224.00	\$ 224.00	Accounting	Trading	Reviewed payment vouchers, Provided to the accountant.	
41316121	18909	Associate II	25/08/2019	0.10	\$ 280.00	\$ 28.00	\$ 28.00	Accounting	Admin	Obtaining bank statement and reviewing information, Provided to the accountant.	
41255535	24143	Senior Director	25/08/2019	0.50	\$ 625.00	\$ 312.50	\$ 312.50	Finalisation	Admin	Discussion regarding client with Kate Wynick.	
41275768	18924	Senior Director	27/08/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Accounting	Trading	Obtaining payment confirmations and reviewing information, Posted payments into MYOB, Sorting and filing.	
41316157	18909	Associate II	27/08/2019	0.30	\$ 280.00	\$ 84.00	\$ 84.00	Accounting	Trading	Obtaining payment confirmations and reviewing information, Posted payments into MYOB, Sorting and filing.	
41342428	18924	Senior Director	28/08/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Finalisation	Admin	Arranging payment of Cash and sending confirmation.	\$ 57.00
41404720	18909	Associate II	01/07/2019	0.80	\$ 280.00	\$ 224.00	\$ 224.00	Pre-payment of entitlements	Admin	Reviewed employee details, Obtained PAYG payment summaries.	
41425048	28048	Mazzone, James	01/07/2019	0.30	\$ 380.00	\$ 114.00	\$ 112.00	Trade on - management & accounting	Trade on	Completed reconciliation of debit receipts.	\$ 112.00
41425048	28048	Mazzone, James	01/07/2019	0.40	\$ 380.00	\$ 152.00	\$ 152.00	Trade on - employees	Trade on	Reviewed and updated PAYG summaries.	
41367693	28048	Mazzone, James	02/07/2019	1.00	\$ 624.00	\$ 624.00	\$ 624.00	Material oversight and administration	Admin	Meeting with liquidator.	\$ 76.00
41318621	18924	Senior Director	02/07/2019	0.40	\$ 570.00	\$ 228.00	\$ 228.00	Finalisation	Admin	Updating and sending response to liquidator queries.	
41327274	18924	Senior Director	03/07/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Finalisation	Admin	Updating and send information for liquidator.	
41425048	28048	Mazzone, James	04/07/2019	0.60	\$ 315.00	\$ 189.00	\$ 189.00	Material oversight and administration	Admin	Called arrears for Senior Consultant.	
41425048	28048	Mazzone, James	04/07/2019	4.20	\$ 380.00	\$ 1,596.00	\$ 1,596.00	Trade on - management & accounting	Trade on	Discussion with Administrator, Reviewed care and preservation costs, Updated schedules, Updated presentations, Collected information.	
41425739	28048	Mazzone, James	04/07/2019	0.50	\$ 380.00	\$ 190.00	\$ 190.00	General operations and correspondence	Trade on	Updated request from liquidator, Completed reconciliation, Collected information, Prepared email and issued.	
41425815	28048	Mazzone, James	05/07/2019	0.40	\$ 380.00	\$ 152.00	\$ 152.00	Trade on - management & accounting	Trade on	Reviewed additional IOL notices, Summarised position.	
41425815	28048	Mazzone, James	05/07/2019	1.50	\$ 380.00	\$ 570.00	\$ 570.00	Trade on - management & accounting	Trade on	Discussion with receiver, Call with solicitor, Reviewed report and completed changes.	\$ 76.00
41426002	28048	Mazzone, James	05/07/2019	0.50	\$ 380.00	\$ 190.00	\$ 190.00	Trade on - employees	Trade on	Reviewed and updated PAYG summaries, Arranged sending.	\$ 95.00
41489731	28048	Mazzone, James	08/07/2019	0.30	\$ 380.00	\$ 114.00	\$ 114.00	General operations and correspondence	Trade on	Reviewed and updated presentation to Vespco.	
41489731	28048	Mazzone, James	08/07/2019	0.30	\$ 380.00	\$ 114.00	\$ 114.00	Trade on - employees	Trade on	Arranging sending on PAYG summaries.	
41425832	18909	Associate II	08/07/2019	0.20	\$ 280.00	\$ 56.00	\$ 56.00	Accounting	Admin	Obtaining bank statement and reviewing information, Bank reconciliation.	\$ 57.00
41425832	18909	Associate II	08/07/2019	0.20	\$ 280.00	\$ 56.00	\$ 56.00	Accounting	Trading	Reviewing receipt vouchers, Posting into MYOB.	
41489735	28048	Mazzone, James	10/07/2019	0.20	\$ 380.00	\$ 76.00	\$ 76.00	Statutory compliance	Trading	Preparation of BAS.	
41489735	28048	Mazzone, James	10/07/2019	0.20	\$ 380.00	\$ 76.00	\$ 76.00	Trade on - management & accounting	Trading	Reviewed and updated cashflow.	
41547231	28048	Mazzone, James	16/07/2019	0.70	\$ 380.00	\$ 266.00	\$ 266.00	Accounting	Trading	Reviewed BAS and made comments.	
41547231	28048	Mazzone, James	17/07/2019	0.30	\$ 380.00	\$ 114.00	\$ 114.00	Trade on - management & accounting	Trading	Completed summary of outstanding costs.	
41530989	18909	Associate II	17/07/2019	0.50	\$ 280.00	\$ 140.00	\$ 140.00	Statutory compliance	Trading	Updated prepared BAS.	
41530989	18909	Associate II	17/07/2019	0.30	\$ 380.00	\$ 114.00	\$ 114.00	Statutory compliance	Trading	Reviewed BAS.	
41501240	28048	Mazzone, James	22/07/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Accounting	Trading	Reviewed and discuss BAS return.	
41621063	18924	Senior Director	22/07/2019	0.60	\$ 625.00	\$ 375.00	\$ 375.00	Finalisation	Admin	Finalisation	
41621063	18924	Senior Director	22/07/2019	0.40	\$ 280.00	\$ 112.00	\$ 112.00	Statutory compliance	Admin	Updated prepared BAS.	
41832874	18909	Associate II	25/07/2019	0.50	\$ 280.00	\$ 140.00	\$ 140.00	Accounting	Trading	Reviewing employee details and entries in MYOB in preparation for STP submission.	
41721797	18909	Associate II	25/07/2019	0.20	\$ 280.00	\$ 56.00	\$ 56.00	Accounting	Trading	Reviewing employee details entered in MYOB in preparation of STP lodgement.	
41832727	18909	Associate II	28/07/2019	0.10	\$ 280.00	\$ 28.00	\$ 28.00	Statutory compliance	Trading	Lodgement of BAS.	
41832727	18909	Associate II	28/07/2019	0.10	\$ 280.00	\$ 28.00	\$ 28.00	Statutory compliance	Trading	Updating internal list, Sorting and filing lodged BAS form.	
41791919	18924	Senior Director	06/08/2019	0.10	\$ 570.00	\$ 57.00	\$ 57.00	Debtors	Assets	Review of email from liquidator.	
41660753	27772	Associate I	06/08/2019	0.60	\$ 185.00	\$ 111.00	\$ 111.00	Material oversight and administration	Admin	Review of email from liquidator.	\$ 55.50
41792571	24143	Senior Director	07/08/2019	0.70	\$ 625.00	\$ 437.50	\$ 437.50	Finalisation	Admin	Review of email from J Harzell and drafting email to PCI Partners.	
41791905	18924	Senior Director	07/08/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Debtors	Assets	Reviewing of email on debtor collections.	\$ 57.00
41793075	18924	Senior Director	08/08/2019	0.10	\$ 570.00	\$ 57.00	\$ 57.00	Debtors	Assets	Reviewing employee details, wages and entitlements, Reviewed employees allocation to their entitlements.	
41935697	18909	Associate II	12/08/2019	0.40	\$ 280.00	\$ 112.00	\$ 112.00	Accounting	Employees	Reviewing employees details, wages and entitlements, Reviewed employees allocation to their entitlements.	
4183932	24143	Senior Director	12/08/2019	0.40	\$ 625.00	\$ 250.00	\$ 250.00	Debtors	Assets	Email regarding transfer & proceedings.	
41861885	28048	Mazzone, James	13/08/2019	0.50	\$ 380.00	\$ 190.00	\$ 190.00	Trade on - management & accounting	Assets	Reviewed single batch payroll report.	
41909984	18909	Associate II	13/08/2019	1.00	\$ 280.00	\$ 280.00	\$ 280.00	Statutory compliance	Trading	Reviewed employee details and MYOB entries, Obtaining reports and provided to the accountant to review and sign off.	
41860391	18924	Senior Director	13/08/2019	0.10	\$ 570.00	\$ 57.00	\$ 57.00	Material oversight and administration	Admin	Review of email from liquidator.	
41860391	18924	Senior Director	13/08/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Material oversight and administration	Admin	WITS catch up call.	
41860391	18924	Senior Director	14/08/2019	1.70	\$ 380.00	\$ 646.00	\$ 646.00	Trade on - management & accounting	Admin	Further discussion with Senior Director and costs position, (0.5) Completed costs summary, (0.5) Review of response to S Michell email and sending to B Walsh.	
41860394	24143	Senior Director	14/08/2019	1.30	\$ 570.00	\$ 741.00	\$ 741.00	Material oversight and administration	Admin	Discussion and review regarding PCI position.	
41864355	18924	Senior Director	14/08/2019	0.50	\$ 625.00	\$ 312.50	\$ 312.50	Debtors	Assets	Reviewed obtained reports from MYOB regarding employees wages and entitlements, Lodgement of Single Touch Payroll, Amended errors and resubmitted.	
41909959	18909	Associate II	14/08/2019	1.00	\$ 280.00	\$ 280.00	\$ 280.00	Statutory compliance	Trading	Review of WIP to isolate time specific to trucks and trailers.	
41860397	18924	Senior Director	15/08/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Material oversight and administration	Admin	Call with Brandon Watkins and preparation of response to liquidator.	
41860900	18924	Senior Director	16/08/2019	2.20	\$ 570.00	\$ 1,254.00	\$ 1,254.00	Material oversight and administration	Admin	Reviewed cash book and file.	
41861883	28048	Mazzone, James	16/08/2019	3.10	\$ 380.00	\$ 1,178.00	\$ 1,178.00	Accounting	Trading	Updated to later to PCI Partners.	
41959073	18924	Senior Director	19/08/2019	0.30	\$ 570.00	\$ 171.00	\$ 171.00	Material oversight and administration	Admin	Reviewed cash book.	
41934730	28048	Mazzone, James	19/08/2019	1.30	\$ 380.00	\$ 496.00	\$ 496.00	Accounting	Trading	Reviewed and approving liability payments.	
41959250	18924	Senior Director	20/08/2019	0.20	\$ 570.00	\$ 114.00	\$ 114.00	Material oversight and administration	Trading	Obtaining lodgement receipt on lodged STP and reviewing information.	
41934938	18909	Associate II	22/08/2019	0.20	\$ 280.00	\$ 56.00	\$ 56.00	Statutory compliance	Trading	Reviewed costs position and raised payments.	
41979569	28048	Mazzone, James	22/08/2019	0.50	\$ 380.00	\$ 190.00	\$ 190.00	Trade on - management & accounting	Trading	Processing BAS summary and uploaded into Chrome River FTI Consulting to process.	
42022366	18909	Associate II	28/08/2019	0.20	\$ 280.00	\$ 56.00	\$ 56.00	Accounting	Trading	Phone call to ATO, Queries regarding BAS liability and discuss on FTI raising BAS liability on behalf of the client WITS Holdings. Requested to update BAS form address, File note and provided to James, Ian and Katie.	
42021426	18909	Associate II	28/08/2019	0.40	\$ 280.00	\$ 112.00	\$ 112.00	Statutory compliance	Trading		

Index Number	Timekeeper Number	Timekeeper Name	Title	Date	Hours	Bill Rate	Billable Amount	Activity Description	Task	Narrative	Recategorisation
4192972	2884	Mazzone, James	St. Counsel I	20/09/2019	0.20	\$ 380.00	\$ 76.00	Trade on - management & accounting	Trade on	Reviewed invoices and collated documents, prepared email.	
4212527	18924	Morton, Ian	Senior Director	02/09/2019	0.10	\$ 570.00	\$ 57.00	Trade on - employees	Creditors	Sorting payment of superannuation.	\$ 28.50
4216345	18924	Morton, Ian	Senior Director	08/09/2019	0.10	\$ 570.00	\$ 57.00	Unsecured - general correspondence	Creditors	Review and respond to Pickles query.	\$ 57.00
4218903	2884	Mazzone, James	St. Counsel I	10/09/2019	0.50	\$ 380.00	\$ 190.00	Trade on - management & accounting	Trade on	Reviewed superannuation position. Reviewed cash flow and updated.	\$ 55.00
4218981	18924	Morton, Ian	Associate II	11/09/2019	0.10	\$ 280.00	\$ 28.00	Accounting	Training	Reviewed statement of account received from ATC. Forwarded to Tracey Runnold for processing payment. Provided the statement to James Mazzone.	
4223878	18924	Morton, Ian	Senior Director	17/09/2019	0.20	\$ 570.00	\$ 114.00	Unsecured - general correspondence	Trading	Review and approve email to creditor.	
4223879	25306	Warwick, Kathryn	St. Managing Dir	17/09/2019	2.00	\$ 625.00	\$ 1,250.00	Investigations	Investig	Meeting with PEGY General re OIG claim, Ian, Brenden Walters and prep	
4223881	24143	Harwell, Joseph	St. Managing Dir	17/09/2019	0.60	\$ 625.00	\$ 375.00	Master oversight and administration	Admin	Meeting with PEGY regarding applications.	
4224057	18924	Morton, Ian	Associate II	17/09/2019	0.10	\$ 280.00	\$ 28.00	Accounting	Admin	Obtaining bank statement, bank reconciliation.	\$ 28.50
42238270	18924	Morton, Ian	Senior Director	18/09/2019	0.10	\$ 570.00	\$ 57.00	Accounting	Admin	Payment of superannuation.	
42244695	2884	Mazzone, James	St. Counsel I	19/09/2019	0.40	\$ 380.00	\$ 152.00	Trade on - management & accounting	Trade on	Discussion with Senior Director.	
42237383	18924	Morton, Ian	Senior Director	19/09/2019	0.50	\$ 570.00	\$ 285.00	Accounting	Admin	Meeting with K Warwick and further meeting with J Mazzone to discuss further requests for information.	
42316701	18924	Morton, Ian	Senior Director	26/09/2019	0.10	\$ 570.00	\$ 57.00	Debtors	Assets	Email to PCl regarding debtor collection.	\$ 57.00
42354691	18924	Morton, Ian	Senior Director	30/09/2019	0.20	\$ 570.00	\$ 114.00	Master oversight and administration	Admin	Update on fee application.	\$ 18,931.00
			<b>Total</b>		<b>479.30</b>		<b>\$ 214,584.50</b>				<b>\$ 4,339.25</b>

Update to PCl on debtor collection.

Payroll - See index number 40463783 for the rationale for payroll allocation.

Dealing with query from Pickles regarding valuation.

Payroll - See index number 40463783 for the rationale for payroll allocation.

Payroll - See index number 40463783 for the rationale for payroll allocation.

Payroll - See index number 40463783 for the rationale for payroll allocation.

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

**Plaintiffs**

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

**Defendants**

**CERTIFICATE IDENTIFYING EXHIBIT**

---

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

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Reference BRW 1248222

Brendon Watkins

(brendon.watkins@minterellison.com)

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This is the exhibit marked '-6' now produced and shown to **KATHRYN WARWICK** at the time of swearing her affidavit on 2/12/19



before me



**Exhibit 'KW-6'**

**Table detailing the costs and expenses of the  
administration**

**ANDREW ROBERT BISSET**  
of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)

## Appendix B

EL Expenses - 28 March 2019 - 16 October 2019				
EL Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
ACN 615 484 639 Pty Ltd - Steve Campbell and Paul Wilker	\$17,001	\$0	\$17,001	Salary for the CEO and CFO of the Company who assisted in the coordination of the recovery of the trucks and the debtor book employed outside of the Company.
Administrators' Disbursements	\$4,894	\$0	\$4,894	Services purchased by FTI site team in relation to securing fleet.
Air-Ride Rentals	\$7,154	\$0	\$7,154	Rent for NSW premises used for delivery of fleet and collection of debtors.
Ape Trading	\$6,188	\$0	\$6,188	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction
Ben Bailey	\$780	\$0	\$780	Cost incurred in reconciliation of factored debtor book.
Caltex	\$66,131	\$0	\$66,131	Fuel for trucks to facilitate delivery back to the premises and collection by the agent.
Christopher Spiteri	\$1,708	\$0	\$1,708	Purchase of fuel and miscellaneous parts for company car subject to Westpac's security.
CS Asset Holdings	\$886	\$0	\$886	Costs incurred in delivering truck from Adelaide to VIC site.
DTW Transport Pty Ltd	\$1,361	\$0	\$1,361	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key
ELT Recycling Australia Pty Ltd	\$3,103	\$0	\$3,103	Rent for VIC premises used for delivery of fleet and collection of debtors.
KJS Mobile Transport Pty Ltd	\$3,368	\$0	\$3,368	Payment made to recover truck held to ransom.
L&S Trucking	\$2,267	\$0	\$2,267	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key
Lomi Pty Ltd T/A The Lomi Trust	\$4,900	\$0	\$4,900	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction
Mansell Heavy Towing / Transport Welding Engineering	\$1,320	\$0	\$1,320	Costs incurred in recovery of broken down prime mover from QLD.
MC Security	\$50,322	\$0	\$50,322	24 hour security services provided at the VIC and NSW sites. Subcontractors, employees and creditors were seeking to take possession of Company assets in lieu of payment.
Motor Vehicle Insurance and Premium	\$29,096	\$0	\$29,096	Insurance for vehicles.
Net wages paid on 10 April 2019	\$52,789	\$0	\$52,789	Salaries for week following cessation of trading to recover assets.
Net wages paid on 3 April 2019	\$16,330	\$0	\$16,330	Portion of salaries for first week regarding bringing debtors up to date, chasing debtors and
PAYG	\$23,313	\$0	\$23,313	PAYG calculated for the above.
Payroll tax - NSW		\$2,315	\$2,315	Actual NSW payroll tax for salaries.
Payroll tax - QLD	\$10,285	\$101	\$101	Actual QLD payroll tax for salaries.
Payroll tax - VIC*		\$2,557	\$2,557	Actual VIC payroll tax for salaries not received and this remains an estimate.
Pickles Valuation	\$11,000	\$0	\$11,000	Valuation costs on fleet.
Peter Theodorou	\$2,750	\$0	\$2,750	Responsible for debtor reconciliation and collection.
Road Tolls	\$10,510	\$3,339	\$3,339	Road tolls in respect to organising the collection of trailers to both VIC and NSW sites.
Samantha Hitige	\$1,260	\$0	\$1,260	Responsible for debtor reconciliation and collection.
Superannuation	\$7,988	\$7,130	\$7,130	Superannuation calculated from wages.
Workers Compensation - NSW*		\$2,393	\$2,393	NSW workers compensation liability based on salaries not received and this remains an estimate.
Workers Compensation - QLD	\$4,488	\$100	\$100	QLD workers compensation liability based on salaries.
Workers Compensation - VIC		\$4,556	\$4,556	VIC workers compensation liability based on salaries.
<b>Total EL Expenses</b>	<b>\$341,191</b>	<b>\$22,491</b>	<b>\$330,411</b>	
Less: Equitable Lien Advance	(\$150,000)		(\$150,000)	
<b>EL Expenses</b>	<b>\$191,191</b>		<b>\$180,411</b>	

**SL Expenses - 28 March 2019 - 16 October 2019**

SL Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
EL Expenses Carried Forward	\$191,191	\$22,491	\$180,411	
Administrators' Disbursements	\$11,420	\$0	\$11,420	Services purchased by FTI site team in relation to securing fleet.
APE Trading	\$5,130	\$0	\$5,130	Load planning and logistics
Caltex	\$38,506	\$0	\$38,506	Estimated fuel for deliveries to customers.
Central Coast Group Training	\$682	\$0	\$682	Labour hire.
Chahal	\$5,046	\$0	\$5,046	Hire of fleet.
CS Asset Holdings	\$21,021	\$0	\$21,021	Provision of delivery services.
Cubtrans	\$1,571	\$0	\$1,571	Hire of fleet.
Dexter River Haulage Pty Ltd	\$1,650	\$0	\$1,650	Transport of trailer.
Dylan's Interior Services	\$231	\$0	\$231	Cleaning.
Discount Transport Services Pty Ltd	\$502	\$0	\$502	Provision of delivery services.
DTW Transport Pty Ltd	\$1,448	\$0	\$1,448	Labour hire.
Indo Aus Transport	\$10,890	\$0	\$10,890	Provision of delivery services.
Business Insurances	\$4,247	\$0	\$4,247	Public liability, industrial special risks, transport operators, marine transit, business practises
Karstens	\$3,483	\$0	\$3,483	Room hire for creditors' meetings in VIC and NSW
Lomi Pty Ltd T/A The Lomi Trust	\$5,225	\$0	\$5,225	Load planning and logistics
L&S Trucking	\$2,525	\$0	\$2,525	Labour hire.
Minter Ellison - Legal Fees	\$40,318	\$0	\$40,318	Legal fees incurred in connection with the administration
Net wages paid on 3 April 2019	\$38,104	\$0	\$38,104	Salaries relating to trading.
PAYG	\$12,852	\$0	\$12,852	PAYG based on salaries.
Payroll tax - NSW		\$1,276	\$1,276	Actual NSW payroll tax for salaries.
Payroll tax - QLD	\$5,670	\$56	\$56	Actual QLD payroll tax for salaries.
Payroll tax - VIC*		\$1,439	\$1,439	Actual VIC payroll tax for salaries not received and this remains an estimate.
Peter Crane	\$330	\$0	\$330	Provision of Office 365 Maintenance
Road Tolls	\$1,500	\$3,339	\$3,339	Road tolls in respect to organising the collection of trailers to both VIC and NSW sites.
Roadstar Trucking	\$10,945	\$0	\$10,945	Provision of delivery services.
Rustic Africa Thatch	\$2,610	\$0	\$2,610	Labour hire.
SRK Transport	\$42,491	\$0	\$42,491	Provision of delivery services.
Superannuation	\$4,436	\$4,011	\$4,011	Superannuation calculated from wages.
Telephone	\$5,500	\$653	\$653	Telephone costs.
Tikis 2	\$4,036	\$0	\$4,036	Provision of delivery services.
Thorn Equipment Finance	\$944	\$0	\$944	Rental of fleet management software.
Total Care Transport Pty Ltd	\$11,935	\$0	\$11,935	Provision of delivery services.
Utilities	\$2,200	\$0	\$0	
Westside Transport & Logistics Pty Ltd	\$4,254	\$0	\$4,254	Labour hire.
Workers Compensation - NSW*		\$1,346	\$1,346	NSW workers compensation liability based on salaries not received and this remains an estimate.
Workers Compensation - QLD	\$2,524	\$56	\$56	QLD workers compensation liability based on salaries.
Workers Compensation - VIC		\$2,563	\$2,563	VIC workers compensation liability based on salaries.
<b>Total SL Expenses</b>	<b>\$495,418</b>	<b>\$37,229</b>	<b>\$477,546</b>	

QM Expenses - 10 April 2019 - 16 October 2019

QM Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
Minter Ellison - Legal Fees	\$41,605	\$34,181	\$75,786	Legal fees incurred in connection with the administration
<b>Total QM Expenses</b>	<b>\$41,605</b>	<b>\$34,181</b>	<b>\$75,786</b>	

\* = Estimates

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

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**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

**Plaintiffs**

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

**Defendants**

**CERTIFICATE IDENTIFYING EXHIBIT**

---

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

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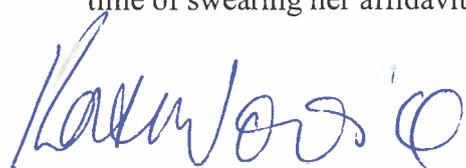
Reference BRW 1248222

Brendon Watkins

(brendon.watkins@minterellison.com)

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This is the exhibit marked 'KW-7' now produced and shown to **KATHRYN WARWICK** at the  
time of swearing her affidavit on 2/12/19



before me



**Exhibit 'KW-7'**

**Letter from the Administrators' solicitors to the  
Liquidator dated 7 June 2019**

**ANDREW ROBERT BISSET**

of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)



# MinterEllison

7 June 2019

## BY EMAIL

S J Michell  
Liquidator  
PCI Partners  
Level 8, 179 Queens Street  
MELBOURNE VIC 3000

Dear Mr Michell

### **Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)**

#### 1. Background

- 1.1 We act for Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators (**Administrators**) of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) (**Company**).
- 1.2 The Administrators were in office from 28 March 2019 until 10 April 2019. The administration ended by operation of s 435C(3)(g) of the *Corporations Act 2001 (Cth)* (**Act**) when the Company was wound up by order of the Supreme Court of Victoria and Mr Stephen Michell of PCI Partners was appointed liquidator of the Company (**Liquidator**).
- 1.3 Westpac Banking Corporation ABN 33 007 457 141 (**Westpac**) holds a number of securities which secure a number of facilities as detailed under in section 2 below.
- 1.4 The Liquidator acknowledges that the Administrators assert an equitable lien under the *Re Universal* principle (**Equitable Lien**) for costs, expenses and remuneration incurred in gathering, preserving or realising assets that are subject to Westpac's fixed asset security, totalling \$296,881 being:
  - (a) \$191,191 on account of costs and expenses (**EL Expenses**); and
  - (b) \$105,690 on account of remuneration (**EL Remuneration**).
- 1.5 For the avoidance of doubt, the amount claimed in this letter under the Equitable Lien has already been reduced by \$150,000 (**Equitable Lien Advance**) due to this amount being paid (as an advance secured by Westpac's existing securities) to the Administrators by Westpac to defray preservation costs, at the commencement of the administration.
- 1.6 The Liquidator acknowledges that the Administrators also assert a statutory lien under s 443F of the *Act* (**Statutory Lien**) for all of their costs, expenses and remuneration incurred in connection with the administration for the period of their appointment, and otherwise assert an entitlement to recover their costs, expenses and remuneration for the period after their appointment was terminated (where fees and costs have been incurred in the performance or exercise of their residual functions, powers and duties as Administrators) on the basis of:
  - (a) a *quantum meruit* assessment, recognising the benefit to the Company of the work that was undertaken; or



- (b) the recognised power of the courts to make orders approving post-appointment remuneration (and by extension, post-appointment costs and expenses) under s 90-15 of schedule 2 to the *Act* (being the statutory successor to the former s 447A of the *Act*).
- 1.7 As at the date of this letter, the total amount claimed is \$902,579, being:
- (a) in respect of the Statutory Lien, \$495,417 on account of costs and expenses during the administration period (**SL Expenses**), and \$308,053 on account of remuneration for the administration period (**SL Remuneration**) (collectively the **SL Amount**); and
- (b) in respect of the quantum meruit claim, \$41,605 on account of costs and expenses after the administration terminated (**QM Expenses**), and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (collectively the **QM Amount**).
- 1.8 Please note that the amounts claimed in respect of the QM Expenses and QM Remuneration have been capped to the end of May 2019. If the arrangements proposed in this letter are not accepted by you, the Administrators reserve their rights to claim additional amounts incurred after the relevant dates.
- 1.9 The amounts secured by the Statutory Lien are secured against all assets of the Company. However, the Statutory Lien is subordinate to any perfected security interest over non-circulating assets, or a 'retention of title' security that is properly perfected on the PPSR.
- 1.10 For the avoidance of doubt, the amounts secured by the Statutory Lien include:
- (a) the \$296,881 that is otherwise also claimed under the Equitable Lien; and
- (b) an amount advanced by Westpac to the Company for the purpose of paying employee entitlements, being \$165,000 (**s 560 Loan**), recognising that the Administrators remain personally liable for this amount under s 443A of the *Act*.
- We haven't included the earlier Equitable Lien Advance in this number.
- 1.11 The Administrators' acknowledge that to the extent:
- (a) Westpac is able to recover the s 560 Loan in the manner set out in this letter; or
- (b) the amount secured by the Equitable Lien is paid out;
- there will be a dollar-for-dollar reduction in the amount secured by the Statutory Lien.
- 1.12 Attached to this letter are 6 annexures providing details of the calculations supporting the amounts claimed in paragraphs 1.4 and 1.7. More particularly:
- (a) Annexure A summarises the 'headline' amounts claimed;
- (b) Annexure B provides further detail of the EL Expenses, SL Expenses and QM Expenses;
- (c) Annexure C provides further detail of the EL Remuneration;
- (d) Annexure D provides further detail of the SL Remuneration; and
- (e) Annexure E provides further detail of the QM Remuneration.
- 1.13 In working through Annexure C and Annexure D (the Annexures relating to EL Remuneration and SL Remuneration), you will notice there are a number of time entries with mixed attribution. These are shaded in blue and green and have been apportioned in accordance with the legend in the respective Annexures.
- 1.14 The Administrators acknowledge that their remuneration is subject to approval by the creditors of the Company or the court.
- 1.15 With this background in mind, the Administrators and Liquidator seek to agree (in the terms set out in this letter) how funds realised from various asset classes will be distributed to satisfy the Administrators' claim to remuneration, costs and expenses and the Liquidator's costs, expenses and remuneration, having regard to Westpac's rights and any priority entitlements afforded to employees under the *Act*.

- 1.16 To this end, we have recognised the following 6 asset pools:
- (a) realisations from the collection of 'accepted debts' (**Accepted Debts**) under Westpac's Invoice Finance Facility (**IFA**);
  - (b) non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
  - (c) circulating asset realisations held by the Administrators (**Administrator Realisations**);
  - (d) debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
  - (e) other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and
  - (f) non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditor. The Administrators do not seek reimbursement from this asset pool, and we do not otherwise propose to deal with this asset pool in this letter.

## 2. Westpac's security and payment entitlements

2.1 Westpac has extended the following facilities to the Company:

- (a) the IFA;
- (b) Equipment Finance Facilities covered by a Business Finance Agreement dated on or about 18 March 2016 (**WITS EFs**);
- (c) Temporary Overdraft Facility;
- (d) the s 560 Loan; and
- (e) the Equitable Lien Advance.

2.2 Westpac also extended a Corporate Credit Card Facility to the WITS Group, however, we have not seen the facility documentation for this facility and accordingly, cannot determine which entity in the WITS Group is the relevant borrowing entity. We do not otherwise propose to deal with this facility in this letter.

2.3 Subject to the specific waterfalls noted in respect of each asset pool in sections 3 to 7 below, Westpac is entitled to be repaid in the following manner from the following asset pools:

- (a) from the Accepted Debts, any amount owing under the IFA;
- (b) from the Westpac Fixed Assets (subject to the Administrators' having a first claim to extent of their Equitable Lien), any amount owing under the WITS EFs, Temporary Overdraft Facility, s 560 Loan and Equitable Lien Advance;
- (c) to the extent there is a surplus under either paragraph (a) or (b), that surplus can be used to satisfy any deficiency in the other paragraph, applying either contractual or statutory set off;
- (d) to the extent any amounts still remain owing to Westpac under any facility:
  - (i) if the shortfall is in respect of the s 560 Loan, the Administrators will satisfy this as and when their Statutory Lien is satisfied; and
  - (ii) the shortfall will otherwise be recovered from the Liquidation Proceeds, subject to:
    - (A) the Administrators' entitlement to recover costs, expenses and remuneration;
    - (B) the Liquidator's entitlement to costs, expenses and remuneration; and
    - (C) employee entitlements under s 556(e)-(h) of the Act.



### **3. Waterfall for distributions from the Accepted Debts**

3.1 Realisations from the Accepted Debts are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG Capital Pty Ltd ACN 162 084 237 (**CFMG**) where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) otherwise to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (c) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (d) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **4. Waterfall for distributions from the Westpac Fixed Assets**

4.1 Realisations from the Westpac Fixed Assets are to be paid in the following manner and order:

- (a) to the Administrators in satisfaction of their EL Expenses;
- (b) to the Administrators in satisfaction of their EL Remuneration
- (c) ranking equally with paragraph (b), a 10% collection fee (being 10% of the total realisations from the Westpac Fixed Assets) payable to the Liquidator;
- (d) to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (e) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (f) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **5. Waterfall for distributions from the Administrator Realisations**

5.1 The Administrator Realisations are to be paid in the following manner and order:

- (a) to the Administrators in reduction of the SL Amount and the QM Amount; and
- (b) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **6. Waterfall for distributions from the Administration Debtors**

6.1 Realisations from the Administration Debtors are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of the SL Amount and the QM Amount; and
- (c) if a surplus remains, to the Liquidator for his costs, expense and remuneration.

### **7. Waterfall for distributions from the Liquidation Proceeds**

7.1 Realisations from the Liquidation Proceeds are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of their SL Expenses and QM Expenses;
- (c) to the Administrators in satisfaction of their SL Remuneration and QM Remuneration;
- (d) ranking equally with (c), a 10% collection fee (being 10% of the total realisations from the Liquidation Proceeds) payable to the Liquidator;
- (e) to the Liquidator for his costs, expenses and remuneration;

- (f) to employees under s 556(e) – (h) of the Act;
- (g) to Westpac in accordance with paragraph 2.3(d)(ii) above; and
- (h) otherwise in accordance with the Act.

**8. Parties to cooperate in relation to approval of Administrators' remuneration**

- 8.1 In relation to the amounts secured by the Equitable and Statutory Liens and the QM Amount, the Administrators will provide the Liquidator with:
- (a) in respect of costs and expenses (and to the extent not already provided via the Annexures), a brief commentary on the nature and reason for the cost or expense and, where applicable, copies of relevant invoices or documentary evidence; and
  - (b) in respect of remuneration, a compliant remuneration report.
- 8.2 Subject to the Administrators complying with paragraph 8.1, the Liquidator will:
- (a) assist in securing creditor approval for the Administrators' remuneration; and
  - (b) at the earliest possible opportunity, put a resolution to the creditors for that purpose.
- 8.3 To the extent the Administrators' remuneration is not approved by the creditors, the Administrators reserve their rights to make an application to court for a remuneration determination (including, for the avoidance of doubt, seeking orders that the Administrators are entitled to be paid for work that was undertaken after their appointment, and extending the Statutory Lien for that purpose under s 90-15 of the Act).

**9. Other matters**

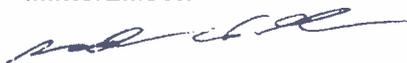
- 9.1 Where any party receives a payment that is not in accordance with the regime set out in this letter, that party will account for that payment to the party who is entitled to it in accordance with the terms of this letter.
- 9.2 CFMG has been appointed by the Liquidator to collect outstanding books debts. The Liquidator will ensure that CFMG provides weekly reconciliations identifying payments received on account of:
- (a) Accepted Debts (to be dealt with under section 3 above);
  - (b) Administration Debtors (to be dealt with under section 6 above); and
  - (c) other book debts (to be dealt with under section 7 above).

If you have any questions regarding what is proposed, please let us know at your earliest convenience.

Could you otherwise confirm your acceptance of the arrangements as set out in this letter by return correspondence.

Yours faithfully

**MinterEllison**



Contact: Ned Marlow-Weir T: +61 3 8608 2765  
ned.marlow-weir@minterellison.com  
Partner: Brendon Watkins T: +61 3 8608 2022  
OUR REF: BRW NZM 1248222

**ANNEXURE A - SUMMARY OF COSTS, EXPENSES AND REMUNERATION INCURRED BY THE ADMINISTRATORS**

**WITS Holdings Pty Ltd - In Liquidation**

**Claimed pursuant to Equitable Lien (being the period between 28 March 2019 and 9 April 2019)**

**Annexure**

EL Remuneration	C		\$105,690
EL Expenses	B	\$341,191	
Less: Equitable Lien Advance		(\$150,000)	
Subtotal EL Expenses			\$ 191,191
<b>Total</b>			<b>\$296,881</b>

**Claimed pursuant to Statutory Lien (being the period between 28 March 2019 and 9 April 2019)**

EL Remuneration	C	\$105,690	
Other Remuneration	D	\$202,364	
<b>SL Remuneration</b>			<b>\$308,053</b>
EL Expenses	B	\$191,191	
Other Expenses	B	\$304,226	
<b>SL Expenses</b>			<b>\$495,417</b>
<b>Total</b>			<b>\$803,471</b>

**Claimed pursuant to Quantum Meruit**

QM Remuneration (for the period between 10 April 2019 to 24 May 2019)	E		\$57,504
QM Expenses (for the period between 10 April 2019 to 29 May 2019)	B		\$41,605
<b>Total</b>			<b>\$99,108</b>

**ANNEXURE B - ADDITIONAL DETAIL SUPPORTING EL EXPENSES, SL EXPENSES AND QM EXPENSES**
**EL Expenses - 28 March 2019 - 9 April 2019**

EL Expenses	Gross Amount	Description
ACN 615 484 639 Pty Ltd - Steve Campbell and Paul Wilken	\$17,001	Salary for the CEO and CFO of the Company who assisted in the coordination of the recovery of the trucks and the debtor book employed outside of the Company.
Administrators' Disbursements	\$4,894	Services purchased by FTI site team in relation to securing fleet.
Air-Ride Rentals	\$7,154	Rent for NSW premises used for delivery of fleet and collection of debtors.
Ape Trading	\$6,188	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction house.
Ben Bailey	\$780	Cost incurred in reconciliation of factored debtor book.
Caltex	\$66,131	Fuel for trucks to facilitate delivery back to the premises and collection by the agent.
Christopher Spiteri	\$1,708	Purchase of fuel and miscellaneous parts for company car subject to Westpac's security.
CS Asset Holdings	\$886	Costs incurred in delivering truck from Adelaide to VIC site.
DTW Transport Pty Ltd	\$1,361	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key customers.
ELT Recycling Australia Pty Ltd	\$3,103	Rent for VIC premises used for delivery of fleet and collection of debtors.
KJS Mobile Transport Pty Ltd	\$3,368	Payment made to recover truck held to ransom.
L&S Trucking	\$2,267	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key customers.
Lomi Pty Ltd T/A The Lomi Trust	\$4,900	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction house.
Mansell Heavy Towing / Transport Welding Engineering	\$1,320	Costs incurred in recovery of broken down prime mover from QLD.
MC Security	\$50,322	24 hour security services provided at the VIC and NSW sites. Subcontractors, employees and creditors were seeking to take possession of Company assets in lieu of payment.
Motor Vehicle Insurance and Premium	\$29,096	Insurance for vehicles.
Net wages paid on 10 April 2019	\$52,789	Salaries for week following cessation of trading to recover assets.
Net wages paid on 3 April 2019	\$16,330	Portion of salaries for first week regarding bringing debtors up to date, chasing debtors and recovering assets.
PAYG	\$23,313	PAYG calculated for the above.
Payroll tax*	\$10,285	Estimated payroll tax for salaries.
Pickles Valuation	\$11,000	Valuation costs on fleet.
Peter Theodorou	\$2,750	Responsible for debtor reconciliation and collection.
Road Tolls*	\$10,510	Provision for road tolls in respect to organising the collection of trailers to both VIC and NSW sites.
Samantha Hitige	\$1,260	Responsible for debtor reconciliation and collection.
Superannuation	\$7,988	Superannuation calculated from wages.
Workers Comp Insurance	\$4,488	Estimated workers compensation based on salaries.
<b>Subtotal EL Expenses</b>	<b>\$341,191</b>	
Less: Equitable Lien Advance	(\$150,000)	
<b>EL Expenses</b>	<b>\$191,191</b>	

**SL Expenses - 28 March 2019 - 9 April 2019**

SL Expenses	Gross Amount	Description
EL Expenses Carried Forward	\$191,191	
Administrators' Disbursements	\$11,420	Services purchased by FTI site team in relation to securing fleet.
APE Trading	\$5,130	Load planning and logistics
Caltex	\$38,506	Estimated fuel for deliveries to customers.
Central Coast Group Training	\$682	Labour hire.
Chahal	\$5,046	Hire of fleet.
CS Asset Holdings	\$21,021	Provision of delivery services.
Cubtrans	\$1,571	Hire of fleet.
Dexter River Haulage Pty Ltd	\$1,650	Transport of trailer.
Dylan's Interior Services	\$231	Cleaning.
Discount Transport Services Pty Ltd	\$502	Provision of delivery services.
DTW Transport Pty Ltd	\$1,448	Labour hire.
Indo Aus Transport	\$10,890	Provision of delivery services.
Business Insurances	\$4,247	Public liability, industrial special risks, transport operators, marine transit, business practises
Karstens	\$3,483	Room hire for creditors' meetings in VIC and NSW

Lomi Pty Ltd T/A The Lomi Trust	\$5,225	Load planning and logistics
L&S Trucking	\$2,525	Labour hire.
MinterEllison - Legal Fees	\$40,318	Legal fees incurred in connection with the adminstraion
Net wages paid on 3 April 2019	\$38,104	Salaries relating to trading.
PAYG	\$12,852	PAYG based on salaries.
Payroll tax*	\$5,670	Payroll tax based on salaries.
Peter Crane	\$330	Provision of Office 365 Maintenance
Road Tolls*	\$1,500	Estimate of road tolls.
Roadstar Trucking	\$10,945	Provision of delivery services.
Rustic Africa Thatch	\$2,610	Labour hire.
SRK Transport	\$42,491	Provision of delivery services.
Superannuation*	\$4,436	Superannuation calculated from wages.
Telephone*	\$5,500	Estimate of telephone costs
Tikis 2	\$4,036	Provision of delivery services.
Thorn Equipment Finance	\$944	Rental of fleet management software.
Total Care Transport Pty Ltd	\$11,935	Provision of delivery services.
Utilities*	\$2,200	Estimate of utilities costs.
Westside Transport & Logistics Pty Ltd	\$4,254	Labour hire.
Workers Comp Insurance	\$2,524	Estimated workers compensation based on salaries.
<b>Total SL Expenses</b>	<b>\$495,418</b>	

**QM Expenses - 10 April 2019 - 29 May 2019**

QM Expenses	Gross Amount	Description
MinterEllison - Legal Fees	\$41,605	Legal fees incurred in connection with the adminstraion
<b>Total QM Expenses</b>	<b>\$41,605</b>	

\* = amount is estimate only

ANNEXURE C - ADDITIONAL DETAIL SUPPORTING EL REMUNERATION

Thpr Name	Title	Date	Work Hrs	Work Bats	Invoice#	Cost	Activity Description	Narrative	Categorisation	Rationale
James Mazzone	Sr. Consultant I	28/3/19	0.80	360.00	342.00	360.00	200.00 Investigations	Conducted and reviewed searches with ASIC and PPSR. Summarised position.	W	Relates To Identification Of Non-Circulating Assets
Richard Batten	Consultant I	28/3/19	1.00	260.00	260.00	200.00 Secured - PPSA specific	Notification to Westpac, sending appointment docs to Westpac, 400B Notice	W	W	Specifically Relating To No Assets
Jonathan Chee	Director	28/3/19	2.00	510.00	1,020.00	1,020.00 Plant and equipment	Security care, plant and equipment review, interview with staff	W	W	Relates Specifically To Plant And Equipment
Ian Moran	Senior Director	28/3/19	0.80	570.00	455.00	455.00 Trade on - management & accounting	Emails and telephone calls with operations manager, appointee and lawyers regarding ransom amounts	W	W	Relates To Trucks And Trailers
Ian Moran	Senior Director	28/3/19	0.40	570.00	228.00	228.00 Trade on - management & accounting	Arranging for site security.	W	W	Relates To Trucks And Trailers
Michael McCreadie	Sr Managing Dir	29/3/19	1.00	625.00	625.00	625.00 Sale of business	Preparation and review of sale flyer together with preview of advertisement	W	W	Would Relate To Sale Of No Assets
Richard Batten	Consultant I	29/3/19	0.90	200.00	234.00	234.00 Trade on - management & accounting	BusinessCall Kelsey Mads highway re. ads	W	W	Would Relate To Sale Of No Assets
Jonathan Chee	Director	29/3/19	1.60	510.00	816.00	816.00 Plant and equipment	Security care, plant and equipment review, interview with staff	W	W	Relates Specifically To Plant And Equipment
Joseph Hansell	Sr Managing Dir	1/4/19	3.50	625.00	2,187.50	2,187.50 Care & preservation - GSA creditor	Discussion with Mel Lanson of Westpac regarding care & preservation costs. Drafting email regarding care & preservation costs.	W	W	Relates To Plant And Equipment And Debtors
Joseph Hansell	Sr Managing Dir	1/4/19	0.40	625.00	250.00	250.00 General operations and correspondence	Discussion with Director regarding update of Westpac.	W	W	Relates To Plant And Equipment And Debtors
Ian Moran	Senior Director	1/4/19	0.70	570.00	399.00	399.00 Secured - GSA creditor	Review of valuation, redaction and forward to Slaters and Grays following discussions.	W	W	Relates To Plant And Equipment
Robert Beaumont	Sr. Consultant I	1/4/19	1.20	380.00	455.00	455.00 Secured - PPSA general	Preparing PPSR schedule for vehicle registrations, liaison with James Mazzone and instruction provided to James Macrae regarding updates to schedule.	W	W	Relates To Plant And Equipment
Ross Blakely	Sr Managing Dir	2/4/19	0.50	625.00	312.50	312.50 Inventory	Discussions and emails re. securing trucks and trailers	W	W	Relates To Plant And Equipment
Ian Moran	Senior Director	2/4/19	2.50	570.00	1,425.00	1,425.00 Secured - GSA creditor	Calls with agents and subsequent emails regarding submissions for sale of assets.	W	W	Relates To Plant And Equipment
Richard Batten	Consultant I	3/4/19	0.30	315.00	94.50	94.50 Plant and equipment	Call Joanne Skide re offer on trailers	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	3/4/19	5.70	590.00	3,305.00	3,305.00 Care & preservation - GSA creditor	Attended Wetherill Park and continued working with Operations staff to have trucks returned to the yard, and trailers returned to their homes. Networked and continued to close down operations.	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	3/4/19	3.70	580.00	2,145.00	2,145.00 Care & preservation - GSA creditor	Commitment to secure the fleet assets secured by Westpac in the Brisbane and Sydney yards of Gordon Brothers	W	W	Relates To Plant And Equipment
Joseph Hansell	Sr Managing Dir	3/4/19	3.00	625.00	1,875.00	1,875.00 Care & preservation - GSA creditor	Care and Preservation. Discussion with Westpac and email. Discussion with Sales agents.	W	W	Relates To Plant And Equipment
Jonathan Chee	Director	3/4/19	3.40	510.00	1,734.00	1,734.00 Plant and equipment	Security care, plant and equipment review, interview with staff, security of assets with Gordon Brothers and Grays	W	W	Relates To Plant And Equipment
Catherine Jaques	Consultant II	3/4/19	1.00	360.00	360.00	360.00 Plant and equipment	Discussions regarding scheduling and movement of prime movers/trailers, particularly returning prime movers and trailers to home base, organising transportation for employees regarding same	W	W	Relates To Plant And Equipment
James Mazzone	Sr. Consultant I	4/4/19	4.70	380.00	1,785.00	1,785.00 Other - non-circulating	Reviewed asset register. Organised asset collection. i.e. calls with agent, coordinating with staff on location of assets, identified available assets and confirmed collection.	W	W	Relates To Plant And Equipment
Richard Batten	Consultant I	4/4/19	0.20	315.00	63.00	63.00 Trade on - management & accounting	Email AI Security re ongoing services and invoices	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	4/4/19	4.50	580.00	2,610.00	2,610.00 Care & preservation - GSA creditor	Worked with Operations Staff to facilitate the return of all trucks and loads to respective yards and discussed with staff the arrangements to relocate the prime movers and trailers to Gordon Brothers.	W	W	Relates To Plant And Equipment
Joseph Hansell	Sr Managing Dir	4/4/19	4.30	625.00	2,687.50	2,687.50 Care & preservation - GSA creditor	Care and preservation cost. Discussions regarding assets with Westpac and sales agents. Review/Agent proposal. Email to Westpac regarding same.	W	W	Relates To Plant And Equipment
Ross Blakely	Sr Managing Dir	4/4/19	0.50	625.00	312.50	312.50 Inventory	Analysis of outcome and crisis from fleet buyers	W	W	Relates To Plant And Equipment
Jonathan Chee	Director	4/4/19	2.70	510.00	1,377.00	1,377.00 Plant and equipment	Security care, plant and equipment review, interview with staff, security of assets with Gordon Brothers and Grays	W	W	Relates To Plant And Equipment
Robert Beaumont	Sr. Consultant I	4/4/19	0.70	380.00	266.00	266.00 Secured - PPSA general	Grays PPSR schedule for vehicle VIN numbers, website lookup of vehicles and corresponding insurance.	W	W	Relates To Plant And Equipment
Catherine Jaques	Consultant II	4/4/19	0.50	360.00	160.00	160.00 Plant and equipment	Discussions with James Mazzone and corresponding with Joseph Hansell regarding same.	W	W	Relates To Plant And Equipment
James Mazzone	Consultant II	4/4/19	1.30	360.00	468.00	468.00 Plant and equipment	Meeting with police, Pat and Mick regarding truck stolen by creditor	W	W	Relates To Plant And Equipment
Jonathan Chee	Sr. Consultant I	5/4/19	2.50	380.00	950.00	950.00 Other - non-circulating	Various discussions with Mick regarding location of prime movers and trailers	W	W	Relates To Plant And Equipment
Richard Batten	Consultant I	5/4/19	0.30	315.00	94.50	94.50 Plant and equipment	Review of asset register. Organised asset collection. i.e. calls with agent, coordinating with staff on location of assets, identified available assets and confirmed collection.	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	5/4/19	3.60	580.00	2,088.00	2,088.00 Care & preservation - GSA creditor	Call John Williamson re offer on trailer	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	5/4/19	1.60	580.00	928.00	928.00 Care & preservation - GSA creditor	Review of the PPSR schedule and liaison with the operations staff in relation to the parking up then relocation of the fleet to Glenedenning throughout the day.	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	5/4/19	0.90	580.00	522.00	522.00 Care & preservation - GSA creditor	Oversew the start of the relocation of the fleet to Glenedenning throughout the day.	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	5/4/19	1.00	580.00	500.00	500.00 General operations and correspondence	Phone call with Matt Aubrey of Gordon Brothers in relation to the relocation of the fleet from Wetherill Park to Glenedenning	W	W	Relates To Plant And Equipment
Joseph Hansell	Sr Managing Dir	5/4/19	3.00	625.00	1,875.00	1,875.00 Care & preservation - GSA creditor	Liaised with Ops staff to bring in the final loads and send final drivers home.	W	W	Relates To Plant And Equipment
Ross Blakely	Sr Managing Dir	5/4/19	0.50	625.00	312.50	312.50 Inventory	Care and Preservation. Discussion with Westpac and email. Discussion with Sales agents.	W	W	Relates To Plant And Equipment
Jonathan Chee	Director	5/4/19	1.80	510.00	918.00	918.00 Plant and equipment	Discussions with co-appointee and staff re submissions from agents and collection of trucks and trailers	W	W	Relates To Plant And Equipment
Robert Beaumont	Sr. Consultant I	5/4/19	0.70	380.00	266.00	266.00 Secured - PPSA general	Security care, plant and equipment review, interview with staff, security of assets with Gordon Brothers and Grays	W	W	Relates To Plant And Equipment
Catherine Jaques	Consultant II	5/4/19	0.20	360.00	72.00	72.00 Plant and equipment	Investigate queries received from Westpac in relation to existing PPSR registrations, discussed security with James Macrae. Confer with Joseph Hansell.	W	W	Relates To Plant And Equipment
Joseph Hansell	Sr Managing Dir	8/4/19	2.00	625.00	1,250.00	1,250.00 Care & preservation - GSA creditor	Call with Glenn of Hartwigs Aubrey repairs RE. Invoice to pay regarding lien over prime mover	W	W	Relates To Plant And Equipment
James Macrae	Associate II	8/4/19	0.50	280.00	140.00	140.00 General operations and correspondence	Care and preservation email to the Bank Westpac Email to the sale agents	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	8/4/19	5.00	580.00	2,500.00	2,500.00 Secured - PPSA specific	Drafting letter to RMS re asset secure	W	W	Relates To Plant And Equipment
Jonathan Chee	Director	8/4/19	1.20	510.00	612.00	612.00 Plant and equipment	Engaged with the staff and Gordon Brothers in relation to the securing and relocation of the assets from VP to Glenedenning. Worked with Mick Bain and Peter Ghama to get remaining equipment off site and the control of Gordon Brothers.	W	W	Relates To Plant And Equipment
Ian Moran	Senior Director	8/4/19	0.20	570.00	114.00	114.00 Secured - GSA creditor	Various phone calls with Gordon Brothers re collection of forklifts, eight unseen val re misc items, email conro re security of physical assets	W	W	Relates To Plant And Equipment
Kathryn Warwick	Sr Managing Dir	9/4/19	1.00	625.00	625.00	625.00 Inventory	Review of emails regarding agent choice for sale of assets.	W	W	Relates To Plant And Equipment
Patrick O'Brien	Managing Dir	9/4/19	4.30	580.00	2,494.00	2,494.00 Secured - PPSA specific	Strategy re asset realisations, trucks and trailers	W	W	Relates To Plant And Equipment
Jonathan Chee	Director	9/4/19	0.90	510.00	459.00	459.00 Plant and equipment	Travelled to site and met with staff in relation to the securing of the assets of the company. Engaged with Gordon Brothers and staff regarding the relocation of the assets and removal of final items from the site to the GB yard.	W	W	Relates To Plant And Equipment
Ian Moran	Senior Director	28/3/19	0.50	570.00	285.00	285.00 Debtors	Various phone calls with Gordon Brothers re asset status, racking issues, eight unseen val re misc items, email conro re security of physical assets	W	W	Relates To Plant And Equipment
Richard Batten	Consultant I	29/3/19	1.10	280.00	286.00	286.00 Debtors	Review of updated debtors ledger and discussing same.	O	O	Relates To Debtors
Jonathan Chee	Director	1/4/19	4.00	510.00	2,040.00	2,040.00 Other - circulating	Reviewing debtor ledger and discussions debtors with associate	O	O	Relates To Debtors
Jonathan Chee	Director	2/4/19	2.40	510.00	1,224.00	1,224.00 Other - circulating	Debtor review, interview with staff re process, review myob ledger	O	O	Relates To Debtors
Catherine Jaques	Consultant II	2/4/19	0.50	360.00	180.00	180.00 Debtors	Debtor review, interview with staff re process, review myob ledger	O	O	Relates To Debtors
Richard Batten	Consultant I	3/4/19	0.40	315.00	126.00	126.00 Debtors	PODS	O	O	Relates To Debtors
							Call Consultant re reconciling debtors	O	O	Relates To Debtors







Jonathan Chee	Director	4/4/19	3.40	510.00	1,734.00	1,734.00	General correspondence	Employee termination, queries and coro	Relates To Trading
Robert Beaumont	Sr. Consultant I	4/4/19	1.50	380.00	570.00	570.00	General correspondence	Meeting on site with employees regarding cessation of trading. Discussions with various employees regarding outstanding entitlements.	Relates To Trading
Catherine Jaques	Consultant II	4/4/19	1.50	360.00	540.00	540.00	Travel	Travel to and from client site	Relates To Trading
Catherine Jaques	Consultant II	4/4/19	1.00	360.00	360.00	360.00	Trade on - management & accounting	Email to Cathie RE: cancellation of fuel cards; maintaining schedule RE: same	Relates To Trading
Catherine Jaques	Consultant II	4/4/19	4.40	350.00	1,584.00	1,584.00	Trade on - employees	Teleconference with employees regarding their termination; enquiries related with POB and other matters. Work with passing employee details to Richard Batten	Relates To Trading
Richard Batten	Consultant I	5/4/19	0.30	315.00	94.50	94.50	Trade on - employees	Call Sarah EML re: workforce policy/EML initial circular to creditors	Relates To Trading
Richard Batten	Consultant I	5/4/19	0.20	315.00	63.00	63.00	Plant and equipment	Call Consultant re: termination letters	Relates To Trading
Richard Batten	Consultant I	5/4/19	0.50	315.00	157.50	157.50	Trade on - employees	Drafting individual notice letters	Relates To Trading
Richard Batten	Consultant I	5/4/19	0.20	315.00	63.00	63.00	Trade on - employees	Call Consultant re: letter to suppliers	Relates To Trading
Joseph Hansell	Sr. Managing Dir	5/4/19	3.00	625.00	1,875.00	1,875.00	General operations and correspondence	Trading issues/Discussion with appointees/Voages.	Relates To Trading
Jonathan Chee	Director	5/4/19	2.80	510.00	1,326.00	1,326.00	General correspondence	Employee termination, queries and coro	Relates To Trading
Catherine Jaques	Consultant II	5/4/19	0.20	360.00	72.00	72.00	Matter oversight and administration	Email to James RE: follow up on electricity account	Relates To Trading
Catherine Jaques	Consultant II	5/4/19	1.80	360.00	648.00	648.00	Trade on - management & accounting	Updating commitment schedule	Relates To Trading
Catherine Jaques	Consultant II	5/4/19	1.50	360.00	540.00	540.00	Travel	Travel to and from client site	Relates To Trading
Catherine Jaques	Consultant II	5/4/19	4.00	360.00	1,440.00	1,440.00	Trade on - employees	Collecting timesheets required for employee payroll; sorting through invoices and timesheets; resolving issues with employees	Relates To Trading
Catherine Jaques	Consultant II	5/4/19	0.50	360.00	180.00	180.00	Unsecured - general correspondence	Discussions with Telsira RE: continuation and cancellation of various services; gathering information RE: same; and transfer of ownership form	Relates To Trading
Jonathan Chee	Director	6/4/19	2.40	510.00	1,224.00	1,224.00	Accounting	Cashflow and commitments schedule	Relates To Trading
Maxine Allan	Consultant I	7/4/19	0.40	315.00	126.00	126.00	Trade on - management & accounting	Sent trading update to all suppliers.	Relates To Trading
Maxine Allan	Consultant I	7/4/19	1.40	315.00	441.00	441.00	General correspondence	Sent termination letters to employees	Relates To Trading
Joseph Hansell	Sr. Managing Dir	8/4/19	0.60	625.00	375.00	375.00	Trade on - management & accounting	Trading issues Discussion with team regarding trading issues	Relates To Trading
Ian Morion	Senior Director	8/4/19	0.20	570.00	114.00	114.00	Trade on - management & accounting	Review of emails regarding close down of sites.	Relates To Trading
Robert Beaumont	Sr. Consultant I	8/4/19	0.40	380.00	152.00	152.00	Unsecured - general correspondence	Email correspondence with Larysa Flyak (Cathie) regarding Administrators costs incurred and final invoice.	Relates To Trading
Jaymee Greenway	Associate	8/4/19	2.00	165.00	370.00	370.00	Meetings, reports, circulars and COI	Worked on updating creditor listing, commitment schedule, saving invoices and supporting documents and mentioning WTS Holdings mailbox.	Relates To Trading
Joseph Hansell	Sr. Managing Dir	9/4/19	0.70	625.00	437.50	437.50	Trade on - management & accounting	Reviewed WTS Holdings mailbox.	Relates To Trading
James Mazzone	Sr. Consultant I	9/4/19	0.50	380.00	190.00	190.00	General operations and correspondence	Reviewed commitment schedule.	Relates To Trading
James Mazzone	Sr. Consultant I	9/4/19	0.40	380.00	152.00	152.00	General operations and correspondence	Reviewed and updated employee separation certificates.	Relates To Trading
Robert Beaumont	Sr. Consultant I	9/4/19	0.70	380.00	266.00	266.00	General operations and correspondence	Coordinating cancellation of fuel cards. Liaising with Jonathan Chee and Catherine Jaques regarding same.	Relates To Trading
Robert Beaumont	Sr. Consultant I	9/4/19	0.30	380.00	114.00	114.00	General correspondence	Prepare new account form for Liberty OneStreet. Discussed with Patrick O'Brien.	Relates To Trading
Jonathan Chee	Director	9/4/19	2.20	510.00	1,122.00	1,122.00	General operations and correspondence	Review commitment schedule, disc with Jaymee re payment run, identify subcontractors that require POO prior to payment	Relates To Trading And Debtors
Ian Morion	Senior Director	9/4/19	0.40	570.00	228.00	228.00	Trade on - management & accounting	Update call with J Chee regarding close out of trading.	Relates To Trading
Jaymee Greenway	Associate	9/4/19	1.50	185.00	277.50	277.50	Matter oversight and administration	Time spent with Jonathan Chee to work on cash flow/commitment schedule, discuss payroll and plans for the following day.	Relates To Trading
James Mazzone	Sr. Consultant I	28/3/19	1.90	380.00	722.00	722.00	Unsecured - general correspondence	Received and followed up creditor enquiries via email and phone.	Relates To Trading
James Mazzone	Sr. Consultant I	28/3/19	1.00	380.00	380.00	380.00	Trade on - management & accounting	Reviewed and prepared documents and checklists for trade on management.	Relates To Trading
James Mazzone	Sr. Consultant I	28/3/19	0.30	360.00	114.00	114.00	Matter oversight and administration	Reviewed and updated file checklist.	Relates To Trading
James Mazzone	Sr. Consultant I	28/3/19	0.50	380.00	190.00	190.00	Statutory compliance	Attended to statutory judgments.	Relates To Trading
James Mazzone	Sr. Consultant I	28/3/19	1.80	380.00	684.00	684.00	General correspondence	Reviewed, updated and prepared general correspondence to third parties.	Relates To Trading
Richard Batten	Consultant I	28/3/19	0.30	260.00	78.00	78.00	Trade on - management & accounting	Reviewing Puma fuels winding up application	Relates To Trading
Richard Batten	Consultant I	28/3/19	2.50	260.00	650.00	650.00	Investigations	Drafting day one letters. Lits to ATO, Lits to NSW/QC/D (SROs, Department of Transport and Sheriffs), notice to substantial secured party, lit to suppliers, ROCAP, lit to accountant.	Relates To Trading
Gerald Tallid	Associate II	28/3/19	0.50	280.00	140.00	140.00	Accounting	Reviewing appointment details. Completing account opening forms. Contacted Bankwest. Email to/from accountants.	Relates To Trading
Gerald Tallid	Associate II	28/3/19	0.10	280.00	28.00	28.00	Accounting	Obtaining bank account details and provided to the accountants.	Relates To Trading
Jonathan Chee	Director	28/3/19	1.20	510.00	612.00	612.00	General correspondence	Matter review and general coro	Relates To Trading
Ian Morion	Senior Director	28/3/19	0.30	570.00	171.00	171.00	General correspondence	Review of day one letters.	Relates To Trading
Ian Morion	Senior Director	28/3/19	0.20	570.00	114.00	114.00	Matter oversight and administration	Review and acceptance of appointment documents.	Relates To Trading
Catherine Jaques	Consultant II	28/3/19	2.50	315.00	787.50	787.50	Unsecured - general correspondence	Queries from unsecured creditors regarding VA process/strategy/payment of invoices	Relates To Trading
Michael McCreadie	Sr. Managing Dir	29/3/19	1.00	625.00	625.00	625.00	Matter oversight and administration	Call to discuss way forward and where Director is at.	Relates To Trading
James Mazzone	Sr. Consultant I	29/3/19	2.90	380.00	1,102.00	1,102.00	Unsecured - general correspondence	Received and followed up various creditor enquiries via telephone and email.	Relates To Trading
James Mazzone	Sr. Consultant I	29/3/19	2.50	380.00	950.00	950.00	Meetings, reports, circulars and COI	Reviewed file and prepared first report to creditors. Prepared relevant notices.	Relates To Trading
James Mazzone	Sr. Consultant I	29/3/19	1.00	380.00	380.00	380.00	Statutory compliance	Prepared for first meeting of creditors including organising meeting venue and scheduling meeting dates.	Relates To Trading
James Mazzone	Sr. Consultant I	29/3/19	2.10	380.00	798.00	798.00	Statutory compliance	Reviewed file, discussed with appointees and prepared DIRR1.	Relates To Trading
Jaymee Greenway	Associate	29/3/19	0.20	185.00	37.00	37.00	Unsecured - general correspondence	Correspondence to creditors.	Relates To Trading
Richard Batten	Consultant I	29/3/19	1.30	260.00	338.00	338.00	Unsecured - general correspondence	Creating and updating creditors listing	Relates To Trading
Richard Batten	Consultant I	29/3/19	1.00	260.00	260.00	260.00	Trade on - employees	Creating and updating Employee listing	Relates To Trading
Richard Batten	Consultant I	29/3/19	0.60	260.00	156.00	156.00	Investigations	Bank statement review	Relates To Trading
Patrick O'Brien	Managing Dir	29/3/19	3.70	570.00	2,109.00	2,109.00	General operations and correspondence	Letter to Chambers and Partners re: books and records. Letter to Pter Alderman re: books and records. Sending letter to accountant and lawyer	Relates To Trading
Catherine Jaques	Consultant II	29/3/19	2.50	315.00	787.50	787.50	Unsecured - general correspondence	Engaging with various unsecured creditors at Wehrill Park, meeting with subbies and employees..	Relates To Trading
Catherine Jaques	Consultant II	29/3/19	2.00	315.00	630.00	630.00	Trade on - employees	Queries from subcontractors regarding payment, explain VA process and address queries	Relates To Trading
Ross Blakeley	Sr. Managing Dir	1/4/19	1.00	625.00	625.00	625.00	Meetings, reports, circulars and COI	Employee queries regarding status of VA/company strategy moving forward/entitlements	Relates To Trading
Grace Tupe	EMPLOYEE	1/4/19	0.80	185.00	148.00	148.00	General correspondence	Review, amend and sign lodgment notices and initial creditor report	Relates To Trading
Jaymee Greenway	Associate	1/4/19	3.00	185.00	555.00	555.00	Unsecured - general correspondence	Assisted with circular to creditors with Mel Hamlett	Relates To Trading
James Mazzone	Sr. Consultant I	1/4/19	1.50	380.00	570.00	570.00	Unsecured - general correspondence	Various calls from creditors regarding outstanding claims and correspondence to the same.	Relates To Trading
James Mazzone	Sr. Consultant I	1/4/19	1.00	380.00	380.00	380.00	Statutory compliance	Reviewed changes to DIRR with Ross Blakeley. Updated DIRR1.	Relates To Trading

James Mazzone	St. Consult I	1/4/19	2.00	300.00	760.00	760.00	Meetings - reports, circulars and COI	Reviewed first report and updated changes. Completed relevant judgements for the first meeting. Assisted with sending report.	0
James Mazzone	St. Consult I	1/4/19	0.80	300.00	304.00	304.00	Meetings - reports, circulars and COI	Prepared meeting documents. Reviewed meeting venue booking.	0
Richard Bailten	Consultant I	1/4/19	0.70	315.00	220.50	220.50	Trade on - management & accounting	Calls from suppliers/subcontractors	0
Richard Bailten	Consultant I	1/4/19	2.00	315.00	630.00	630.00	Meetings - reports, circulars and COI	Creating/reviewing merge sheet for email circular to creditors/Sending/mailing initial circular to creditors	0
Maxine Allan	Consultant I	1/4/19	2.00	315.00	630.00	630.00	Meetings - reports, circulars and COI	Sent out report to creditors to all secured, unsecured and priority creditors	0
Richard Bailten	Consultant I	1/4/19	1.30	315.00	409.50	409.50	Meetings - reports, circulars and COI	Sending/mailing initial circular to creditors	0
Joseph Hansell	Sr Managing Dir	1/4/19	0.40	625.00	250.00	250.00	Statutory compliance	Dealing with statutory issues.	0
Ian Morion	Senior Director	1/4/19	0.50	570.00	205.00	205.00	Secured - PPSA specific	Call with B Watkins regarding claim from Puma and winding-up application. Follow-up email to learn.	0
Ian Morion	Senior Director	1/4/19	0.20	570.00	114.00	114.00	Unsecured - general correspondence	Review of messages from creditors and allocating to for call responses.	0
Jonathan Chee	Director	1/4/19	1.20	510.00	612.00	612.00	General correspondence	Matter review and general correspondence	0
Ian Morion	Senior Director	1/4/19	2.00	570.00	1,653.00	1,653.00	Meetings - reports, circulars and COI	Preparing second report to creditors.	0
Jonathan Chee	Director	1/4/19	1.40	510.00	714.00	714.00	Unsecured - general correspondence	Creditor and subcontractor corre in person and by phone	0
Robert Beaumont	Sr. Consult I	1/4/19	1.10	380.00	418.00	418.00	Meetings - reports, circulars and COI	Coordinating first meeting of creditors with James Mazzone and Melanie Hamlett. Enquires and quotes with various venues, lease with learn to ascertain creditor quantum.	0
Catherine Jaques	Consultant II	1/4/19	2.50	360.00	900.00	900.00	Unsecured - general correspondence	Queries from unsecured creditors regarding payment of invoices, explain to unsecured creditors the VA process.	0
Catherine Jaques	Consultant II	1/4/19	0.50	360.00	180.00	180.00	Unsecured - general correspondence	Sent to Jaymee creditor details to enter into MYOB and to send day one letters to egas and powerdirect	0
Catherine Jaques	Consultant II	1/4/19	2.50	360.00	900.00	900.00	Trade on - employees	Address queries and concerns from employees regarding future employment/status of business/employee entitlements	0
Ross Blakeley	Sr Managing Dir	2/4/19	0.20	625.00	125.00	125.00	General correspondence	Review draft letter to employees	0
Jaymee Greenway	Associate	2/4/19	0.30	185.00	55.50	55.50	Unsecured - general correspondence	Correspondence with unsecured creditors regarding the return of POD forms, supporting documents etc.	0
James Mazzone	Sr. Consult I	2/4/19	1.40	390.00	532.00	532.00	Unsecured - general correspondence	Various creditor calls and correspondence.	0
James Mazzone	Sr. Consult I	2/4/19	0.60	390.00	226.00	226.00	Unsecured - general correspondence	Calls with solicitor and accountant regarding winding up applications. Reviewed winding up application, prepared and issued emails.	0
Richard Bailten	Consultant I	2/4/19	0.80	315.00	252.00	252.00	Unsecured - general correspondence	Call day night roadways to creditors meeting Call AIG security re - ongoing services and outstanding invoices/Call subcontractor re payment	0
Joseph Hansell	Sr Managing Dir	2/4/19	1.00	625.00	625.00	625.00	Unsecured - general correspondence	Review and update DIR/RI.	0
Ian Morion	Senior Director	2/4/19	0.40	570.00	220.00	220.00	Meetings - reports, circulars and COI	Matter review and general correspondence	0
Jonathan Chee	Director	2/4/19	1.10	510.00	551.00	551.00	General correspondence	Preparation of meeting presentation.	0
Ian Morion	Senior Director	2/4/19	1.50	570.00	655.00	655.00	Meetings - reports, circulars and COI	Creditor and subcontractor corre in person and by phone	0
Jonathan Chee	Director	2/4/19	1.80	510.00	916.00	916.00	Unsecured - general correspondence	Call with Minter Ellison to discuss debt due to Puma and winding up petition.	0
Ian Morion	Senior Director	2/4/19	0.20	570.00	114.00	114.00	Secured - PPSA specific	Preparing second meeting to creditors.	0
Ian Morion	Senior Director	2/4/19	0.60	570.00	342.00	342.00	Meetings - reports, circulars and COI	Coordinating first meeting of creditors with James Mazzone and Melanie Hamlett. Consider quotes and available venues suitable.	0
Robert Beaumont	Sr. Consult I	2/4/19	0.70	390.00	265.00	265.00	Meetings - reports, circulars and COI	Reviewing appointment details and bank account details. Provided to the accountant.	0
Gerald Tallid	Associate II	2/4/19	0.10	200.00	20.00	20.00	Accounting	Contacted Bankwest regarding account name.	0
Gerald Tallid	Associate II	2/4/19	0.10	280.00	26.00	26.00	Accounting	Contacted Bankwest regarding bank account. Set up appointees as signatories of the account. Reviewing and updating banking details.	0
Gerald Tallid	Associate II	2/4/19	0.40	280.00	112.00	112.00	Accounting	Call with Grant Fowler to discuss DOCA/Documenting calls with Grant Fowler/Call with Grant Fowler, Michael Raphael and David Beatty to discuss way forward w	0
Michael McCreadie	Sr Managing Dir	2/4/19	3.00	625.00	1,875.00	1,875.00	Matter oversight and administration	Address multiple queries from employees	0
Catherine Jaques	Consultant II	2/4/19	2.00	360.00	720.00	720.00	Trade on - employees	Queries from unsecured creditors regarding payment of invoices, explain to unsecured creditors the VA process	0
Catherine Jaques	Consultant II	2/4/19	3.00	360.00	1,080.00	1,080.00	Unsecured - general correspondence	Call and emails with solicitor regarding winding up application.	0
James Mazzone	Sr. Consult I	3/4/19	0.50	390.00	190.00	190.00	Unsecured - general correspondence	Various calls and correspondence with creditors.	0
Jonathan Chee	Director	3/4/19	1.60	510.00	816.00	816.00	General correspondence	Matter review and general correspondence	0
Jonathan Chee	Director	3/4/19	2.00	510.00	1,020.00	1,020.00	Unsecured - general correspondence	Creditor and subcontractor corre in person and by phone	0
Gerald Tallid	Associate II	3/4/19	0.30	280.00	84.00	84.00	Accounting	Monitoring and obtaining bank statement. Reviewing information and provided to the accountants.	0
Catherine Jaques	Consultant II	3/4/19	0.30	360.00	108.00	108.00	Unsecured - general correspondence	Uppal C Enterprises - email to Jaymee Greenway regarding same, queries to James Mazzone regarding first meeting and dial in details	0
Catherine Jaques	Consultant II	3/4/19	1.00	360.00	360.00	360.00	Unsecured - general correspondence	Queries from unsecured creditors regarding payment of invoices, explain to unsecured creditors the VA process	0
Catherine Jaques	Consultant II	3/4/19	3.00	360.00	1,080.00	1,080.00	Trade on - employees	Answer queries from employee drivers regarding the future of the business	0
Catherine Jaques	Consultant II	3/4/19	0.30	360.00	108.00	108.00	Matter oversight and administration	Liaise with Chris H of Tech regarding data backup on site	0
Jaymee Greenway	Associate	4/4/19	0.30	185.00	55.50	55.50	Unsecured - general correspondence	Correspondence with unsecured creditors regarding the return of POD forms, supporting documents etc.	0
James Mazzone	Sr. Consult I	4/4/19	1.50	390.00	570.00	570.00	Unsecured - general correspondence	Various calls and emails with creditors regarding status of administration and outstanding debt.	0
Richard Bailten	Consultant I	4/4/19	0.20	315.00	63.00	63.00	Meetings - reports, circulars and COI	Discussions regarding DOCA proposal.	0
Richard Bailten	Consultant I	4/4/19	0.50	315.00	157.50	157.50	Trade on - management & accounting	Employee entitlements and terminations.	0
Richard Bailten	Consultant I	4/4/19	0.20	315.00	63.00	63.00	Unsecured - general correspondence	Answering calls on VA holidays and following up enquires relating to creditors claims	0
Gerald Tallid	Associate II	4/4/19	0.10	280.00	28.00	28.00	Accounting	Review potential DOCA scenario	0
Joseph Hansell	Sr Managing Dir	4/4/19	0.50	625.00	312.50	312.50	Sale of business	Matter review and general correspondence	0
Joseph Hansell	Sr Managing Dir	4/4/19	1.00	625.00	625.00	625.00	Pre-appointment entitlements	Creditor and subcontractor corre in person and by phone	0
James Maccreadie	Associate II	4/4/19	2.00	200.00	560.00	560.00	General operations and correspondence	Reviewing PPSR schedule and email and telephone correspondence with AP Eggers and Chep regarding property on site. Assessing documentation received and consider validity of security. Correspond with James Maccreadie regarding same.	0
Ross Blakeley	Sr Managing Dir	4/4/19	0.50	625.00	312.50	312.50	Investigations	Review potential DOCA scenario	0
Jonathan Chee	Director	4/4/19	1.00	510.00	510.00	510.00	General correspondence	Matter review and general correspondence	0
Robert Beaumont	Sr. Consult I	4/4/19	1.50	360.00	570.00	570.00	Secured - PPSA general	Reviewing PPSR schedule and email and telephone correspondence with AP Eggers and Chep regarding property on site. Assessing documentation received and consider validity of security. Correspond with James Maccreadie regarding same.	0
Robert Beaumont	Sr. Consult I	4/4/19	1.00	360.00	360.00	360.00	Secured - PPSA general	Email correspondence with Sandra Tadros (Chep) to facilitate collection of pallets from NSW and VIC sites. Liaison with James Mazzone and Jonathan Chee to ascertain quantum of pallets at VIC site.	0

Robert Beaumont	Sr. Consult I	4/4/19	0.50	380.00	150.00	190.00	Secured - PPSA general	Email correspondence with Mary Mudge (Eiga) regarding PPS registration held with the Company. Review and update PPSR schedule. Discussed with James MacCreadie.
Michael McCreadie	Sr Managing Dir	4/4/19	1.00	625.00	625.00	625.00	Matter oversight and administration	Discussion with Ross. Drew about DCCA process and then include Grant in discussion.
Catherine Jaques	Consultant II	4/4/19	0.50	360.00	180.00	180.00	Unsecured - general correspondence	Queries from unsecured creditors regarding payment of invoices; explain to unsecured creditors the VA process
Jaynee Greenway	Associate	5/4/19	0.80	185.00	148.00	148.00	Meetings, reports, circulars and COI	Preparing documents for First Creditors meetings.
Jaynee Greenway	Associate	5/4/19	0.30	185.00	55.50	55.50	Unsecured - general correspondence	Correspondence with unsecured creditors regarding the return of POD forms, supporting documents etc.
James Mazzone	Sr. Consult I	5/4/19	0.80	380.00	304.00	304.00	Unsecured - general correspondence	Various calls and enquiries with creditors regarding status of administrations and status of their claims.
James Mazzone	Sr. Consult I	5/4/19	4.50	380.00	1,710.00	1,710.00	Investigations	Discussion with Drew Forbes. Obtained reports from MYOB. Completed solvency review and provided comments on the same. Reviewed probate review summary and provided comments on the same. Completed aged payables analysis for purpose of insolvent trading c
Richard Batten	Consultant I	5/4/19	0.70	315.00	220.50	220.50	Meetings, reports, circulars and COI	Preparing meeting pack/Drafting meeting presentation/creating meeting physical files
Richard Batten	Consultant I	5/4/19	3.70	315.00	1,165.50	1,165.50	Meetings, reports, circulars and COI	Call grant lawyer re: telstra services
Richard Batten	Consultant I	5/4/19	0.20	315.00	63.00	63.00	Trade on - employees	Call David Plummer re FECCal/Daren Dickson re: separation costs
Richard Batten	Consultant I	5/4/19	0.50	315.00	157.50	157.50	Accounting	Reviewing appointment details. Set up bank account into MYOB and chart of accounts.
Gerald Tallid	Associate II	5/4/19	0.30	280.00	84.00	84.00	Secured - PPSA general	Updating PPSR master spreadsheet as per responses received
James MacCreadie	Associate II	5/4/19	1.00	280.00	280.00	280.00	General operations and correspondence	Answering calls on VA hotline and following up enquiries relating to creditors claims
James MacCreadie	Associate II	5/4/19	2.00	280.00	560.00	560.00	Investigations	Discussions and instructions to staff/discussions with co-appointee
Ross Blakeley	Sr Managing Dir	5/4/19	1.50	625.00	937.50	937.50	Unsecured - general correspondence	Creditor and subcontractor coro in person and by phone
Jonathan Chee	Director	5/4/19	1.00	510.00	510.00	510.00	General correspondence	Matter review and general coro
Jonathan Chee	Director	5/4/19	1.20	510.00	612.00	612.00	General correspondence	Email correspondence with Jonathan Chee and Sandra Tudos (Chp) in relation to collection of pallets at VIC and NSW sites. Telephone and email correspondence with Branko Kistic (Chp) regarding same. Liaise with Patrick O'Brien regarding same.
Robert Beaumont	Sr. Consult I	5/4/19	0.90	380.00	342.00	342.00	Unsecured - general correspondence	Email and telephone correspondence with Mark Tucker (former employee) regarding first meeting of creditors, outstanding superannuation and possible liquidation scenario. Discussed with James Mazzone.
Robert Beaumont	Sr. Consult I	5/4/19	0.70	380.00	266.00	266.00	General correspondence	Discuss assets without PPSR registrations with James MacCreadie. Review Cubran claim for asset.
Robert Beaumont	Sr. Consult I	5/4/19	0.30	380.00	114.00	114.00	Secured - PPSA general	Discussions with James MacCreadie regarding PPSA updates. Review PPSR schedule, assess Enquiries received to date.
Robert Beaumont	Sr. Consult I	5/4/19	0.60	380.00	228.00	228.00	Secured - PPSA general	Email correspondence with Kyra Taylor (Thom Group) regarding PPSR registration. Review validity of security.
Robert Beaumont	Sr. Consult I	5/4/19	0.40	380.00	152.00	152.00	Secured - PPSA general	Telephone and email correspondence with various trade creditors regarding status of administration, possible return to creditors and other miscellaneous Enquiries. Discussed with James Mazzone regarding same. Peruse circulars issued.
Robert Beaumont	Sr. Consult I	5/4/19	0.80	380.00	304.00	304.00	Unsecured - general correspondence	Obtaining bank statement and reviewing information. Provided to the accountant.
Gerald Tallid	Associate II	5/4/19	0.10	280.00	28.00	28.00	Accounting	Update call with Kate and Jo/Estimated Statement of Position and recovery percentages from a DCCA vs liquidation/Review revised WTS Balance Sheet as prepared by Steven Campbell and ask questions via email after discussion.
Michael McCreadie	Sr Managing Dir	5/4/19	2.50	625.00	1,562.50	1,562.50	Matter oversight and administration	Queries from unsecured creditors regarding payment of invoices; explain to unsecured creditors the VA process
Catherine Jaques	Consultant II	5/4/19	0.50	360.00	180.00	180.00	Unsecured - general correspondence	Obtaining bank account details and provided to the accountants.
Gerald Tallid	Associate II	8/4/19	0.20	280.00	56.00	56.00	Accounting	Spoke to Maxine Allan, Consultant, regarding Westpac pre-appointment accounts. Obtaining relationship manager contact details and provided to Maxine.
Gerald Tallid	Associate II	8/4/19	0.10	280.00	28.00	28.00	Accounting	Reviewing initial information to Creditors. Uploaded into ATO business portal. Provided receipts to the accountants.
Gerald Tallid	Associate II	8/4/19	0.30	280.00	84.00	84.00	Statutory compliance	Obtaining proforma and reviewing information. Provided to the accountants.
Gerald Tallid	Associate II	8/4/19	0.20	280.00	56.00	56.00	Matter oversight and administration	Obtaining bank statement and reviewing information. Provided to the accountants.
Gerald Tallid	Associate II	8/4/19	0.20	280.00	56.00	56.00	Matter oversight and administration	Preparations for First Creditors meeting
Kathryn Wanwick	Sr Managing Dir	8/4/19	1.50	625.00	937.50	937.50	Meetings, reports, circulars and COI	Creditors meeting and application
Joseph Hansell	Sr Managing Dir	8/4/19	1.00	625.00	625.00	625.00	Meetings, reports, circulars and COI	Answering calls from VA hotline and following up on enquiries
James MacCreadie	Associate II	8/4/19	1.00	280.00	280.00	280.00	General correspondence	Phone calls and correspondence with statutory bodies (ATO and Vc SRO) re attendance to creditors meeting
James MacCreadie	Associate II	8/4/19	2.00	280.00	560.00	560.00	Meetings, reports, circulars and COI	Updating PPSR spreadsheet as responses received
James MacCreadie	Associate II	8/4/19	1.50	280.00	420.00	420.00	Secured - PPSA general	Prepared documents for the first meeting of creditors including powerpoint presentation, minutes, agenda, register and PODs/spokes. Discussion with appointees regarding meeting.
James Mazzone	Sr. Consult I	8/4/19	4.50	380.00	1,710.00	1,710.00	Meetings, reports, circulars and COI	Received various calls and issued/responded to various emails from creditors regarding outstanding claims and process during the administration.
James Mazzone	Sr. Consult I	8/4/19	2.00	380.00	760.00	760.00	Secured - PPSA general	Discussions with James MacCreadie regarding assessment of security registrations and validity of claims. Review and update PPSR schedule, confer with Patrick O'Brien regarding same.
Robert Beaumont	Sr. Consult I	8/4/19	0.90	380.00	342.00	342.00	Secured - PPSA general	Preparation of meeting file for first meeting of creditors, collate and peruse relevant documentation. Discussions with James Mazzone regarding collating of PODs and Proxies for meeting. Confer with James MacCreadie regarding follow up of same. Meeting wt
Robert Beaumont	Sr. Consult I	8/4/19	2.80	380.00	1,064.00	1,064.00	Meetings, reports, circulars and COI	Liaising with Patrick O'Brien regarding Mark Tucker (former employee) regarding outstanding entitlements and assets DCCA process/updates. Response to Mark Tucker regarding same.
Robert Beaumont	Sr. Consult I	8/4/19	0.50	380.00	190.00	190.00	Pre-appointment entitlements	Matter oversight and internal coro
Jonathan Chee	Director	8/4/19	0.90	510.00	459.00	459.00	Matter oversight and administration	Creditor coro regarding Admin process and likelihood of dividend
Jonathan Chee	Director	8/4/19	1.80	510.00	918.00	918.00	General correspondence	Review of emails regarding possible appointment of Liquidators.
Ian Morton	Senior Director	8/4/19	0.20	570.00	114.00	114.00	Matter oversight and administration	Meeting preparation including site visit
Simon Shelton	Managing Dir	8/4/19	2.10	580.00	1,218.00	1,218.00	Meetings, reports, circulars and COI	Preparing for First Creditors Meeting - included printing off PODs and supporting docs etc.
Jaynee Greenway	Associate	8/4/19	1.50	185.00	277.50	277.50	Meetings, reports, circulars and COI	Preparation and attendance at creditors meeting
Kathryn Wanwick	Sr Managing Dir	9/4/19	4.00	625.00	2,500.00	2,500.00	Meetings, reports, circulars and COI	Prepare and hold first creditors meeting
Joseph Hansell	Sr Managing Dir	9/4/19	2.50	625.00	1,562.50	1,562.50	Meetings, reports, circulars and COI	Answering calls from VA hotline and following up on enquiries
James MacCreadie	Associate II	9/4/19	1.00	280.00	280.00	280.00	General correspondence	Phone calls and correspondence with statutory bodies (ATO and Vc SRO) re attendance to creditors meeting
James MacCreadie	Associate II	9/4/19	1.00	280.00	280.00	280.00	Meetings, reports, circulars and COI	Updating PPSR spreadsheet as responses received
James MacCreadie	Associate II	9/4/19	1.60	280.00	448.00	448.00	Secured - PPSA general	First Creditors Meeting
James MacCreadie	Associate II	9/4/19	2.00	280.00	560.00	560.00	Meetings, reports, circulars and COI	Various calls and emails with creditors regarding outstanding claims and the administration.
James Mazzone	Sr. Consult I	9/4/19	1.10	380.00	418.00	418.00	General correspondence	



Catherine Jacques	Consultant II	29/3/19	1.00	315.00	315.00	210.00	Matter oversight and administration	Matter teleconference regarding status of matter, day one, issues on site, strategy moving forward, actions to undertake moving forward	W AND O	
James Mazzone	Sr. Consultant I	29/3/19	1.00	380.00	380.00	253.33	Matter oversight and administration	Reviewed file and prepared strategy review/calculated tasks.	W AND O	
James Mazzone	Sr. Consultant I	29/3/19	0.20	380.00	76.00	50.67	Matter oversight and administration	Meeting Ken Warwick to discuss file strategy.	W AND O	
James Mazzone	Sr. Consultant I	29/3/19	1.00	380.00	380.00	253.33	Trade on - management & accounting	Reviewed file, calls to OHS assessors. Discussed general requirements. Prepared email.	W AND O	
Catherine Jacques	Consultant II	29/3/19	1.00	315.00	315.00	210.00	Matter oversight and administration	Matter update regarding strategy and plan moving forward as well as tasks undertaken to date and site update	W AND O	
Maxine Albin	Consultant I	29/3/19	9.00	280.00	2,520.00	1680.00	General operations and correspondence	Attending on site, meeting with key employees regarding supplies, debtors and general operations. Dealing with reporting trading position.	W AND O	
Ross Blakeley	Sr. Managing Dir	1/4/19	1.50	625.00	937.50	625.00	Matter oversight and administration	Internal meetings and discussions regarding strategy and direction, and operational issues	W AND O	
Parick O'Brien	Managing Dir	1/4/19	1.00	580.00	580.00	386.67	General operations and correspondence	Internal FTI discussion in relation to strategy and way forward on operations.	W AND O	
Catherine Jacques	Consultant II	1/4/19	0.80	360.00	288.00	192.00	Matter oversight and administration	Matter catchup regarding strategy moving forward	W AND O	
Ross Blakeley	Sr. Managing Dir	2/4/19	2.30	625.00	1,437.50	958.33	Matter oversight and administration	Call with co-sponsors re: strategy and direction. Teleconference with team re: planning wind down strategy/reviewing and responding to email re: direction/strategy, and funding requirements. Review draft memorandums to landlords, lessors.	W AND O	
Drew Forbes	Managing Dir	5/4/19	5.50	580.00	3,190.00	2,126.67	Matter oversight and administration	Assessment of security position and estimated outcome to creditors. Determine level of funding required for DOCA. W AND O contribution. Lines with auctioneers secure submissions to sell equipment. Phone calls with FTI staff.	W AND O	
Maxine Albin	Consultant I	1/4/19	8.50	315.00	2,677.50	1,765.00	Trade on - management & accounting	Meeting with staff, conversation regarding debtors, phone calls with subcontractors and suppliers, meetings with subcontractors, liaising with accounts team to provide financial information as required. Conversation regarding status of debtors.	W AND O	Relates To Ongoing Trading And Debtors
Maxine Albin	Consultant I	3/4/19	10.00	315.00	3,150.00	2,100.00	Trade on - management & accounting	Attending on site, Discussions with staff regarding debtors, processes, reviewed wages, liaised with relevant staff to ensure payment, reviewed commitment schedule and updated. Drafted email to appointees regarding same.	W AND O	Relates To Debtors And Trading
Maxine Albin	Consultant I	4/4/19	8.40	315.00	2,646.00	1,764.00	Trade on - management & accounting	Attending on site, Discussions with staff regarding debtors, processes, reviewed wages, liaised with relevant staff to ensure payment, reviewed commitment schedule and updated. Drafted email to appointees regarding same.	W AND O	Relates To Trading And Debtors
Maxine Albin	Consultant I	5/4/19	10.00	315.00	3,150.00	2,100.00	Trade on - management & accounting	Attending on site, Discussions with staff regarding debtors, processes, reviewed wages, liaised with relevant staff to ensure payment, reviewed commitment schedule and updated. Drafted email to appointees regarding same.	W AND O	Relates To Trading And Debtors
Kathryn Warwick	Sr. Managing Dir	8/4/19	3.00	625.00	1,875.00	1,250.00	Investigations	Discussions with FTI staff re: debtors, cashflow, trading liabilities	W AND O	Relates To Trading And Debtors

Adjusted Total Time \$ 183,957.08

Time including GST \$ 202,363.79

Plus EL Remuneration Carried Forward \$ 105,689.56

SL Remuneration \$ 308,053.35

Key:

W = Time incurred relating to Westpac's Fixed Assets

O = Time incurred on other activities:

Split of time between Westpac and Other at a ratio of 50:50

Split of time between Westpac and Other at a ratio of 33:33:66.7

**ANNEXURE E - ADDITIONAL DETAIL SUPPORTING QM REMUNERATION**

**QM Remuneration - 10 April 2019 - 24 May 2019**

Tkpr Name	Title	Date	Bill Hrs	Bill Rate	Billable Amt	Task Desc	Narrative	Rationale
Jonathan Chee	Director	10/4/19	3.80	510.00	1,938.00	Assets	FMM and MYOB debtor review, discuss with staff re post-appointment debtors, PODs, invoice generation and debtor schedule review and update	
Catherine Jaques	Consultant II	10/4/19	0.30	360.00	108.00	Assets	Forward onto Jaymee post appointment proof of deliveries to assist with invoicing of post-appointment debtors	
Catherine Jaques	Consultant II	10/4/19	1.50	360.00	540.00	Investigations	Liaising with Chris H regarding backup of MYOB and company server; various phone calls and emails regarding same	
Ian Morton	Senior Director	10/4/19	0.20	570.00	114.00	Statutory/administration	Discussion with J Chee regarding debtor categorisation.	Relates To Debtors
Christopher Hatfield	Senior Director	10/4/19	6.40	450.00	2880	Investigations	Identify all MYOB data including MYO and BOX database files and program installation files; Assess the most recent instance of MYOB data for restoration; Prepare an MYOB virtual environment for database restore; Conduct additional remote data capture of r	
Robert Beaumont	Sr. Consult I	10/4/19	1.10	380.00	418.00	Creditors	Telephone and email correspondence with pre-appointment trade creditors regarding outstanding amounts and completion of proofs of debt. Discussions with Catherine Jaques regarding winding up application and standard creditor message moving forward.	
James Mazzone	Sr. Consult I	10/4/19	4.50	380.00	1,710.00	Assets	Reviewed unprocessed debtors with WMTS employees. Reviewed ledgers and collated information in support of claims.	Relates To Plant And Equipment
James Mazzone	Sr. Consult I	11/4/19	3.00	380.00	1,140.00	Assets	Reviewed debtor position with Kate Warwick, Jonathan Chee and Ian Morton. Completed summary of debtors and reconciliation and discussed with Jonathan Chee.	
Christopher Hatfield	Senior Director	12/4/19	0.50	450.00	225	Investigations	Further attempts to access MYOB database using multiple passwords; Prepare a copy of the MYOB environment for collection or analysis.	Relates To Trading
Patrick O'Brien	Managing Dir	11/4/19	4.00	580.00	2,320.00	Assets	Attended site and finalised relocation of assets to Gordon Brothers yard	Relates To Plant And Equipment
Joshua Furman	Associate	12/4/19	0.40	260.00	104.00	Assets	Reformatting debtor schedule tables for KW	Relates To Debtors
Joseph Hansell	Sr Managing Dir	11/4/19	1.80	625.00	1,125.00	Statutory/administration	Meeting with Liquidators.	
Jonathan Chee	Director	12/4/19	3.00	510.00	1,530.00	Assets	Debtor review and reconciliation, disc with IM and KW	Relates To Trading
Joseph Hansell	Sr Managing Dir	12/4/19	2.50	625.00	1,562.50	Statutory/administration	Handover.	Relates To Trading
Kathryn Warwick	Sr Managing Dir	11/4/19	4.00	625.00	2,500.00	Statutory/administration	Meeting with Liquidator, 1hr transition to Liquidator 3hrs	
Catherine Jaques	Consultant II	12/4/19	0.50	360.00	180.00	Creditors	Server image query from the liquidators; discussing with Chris H the same	Relates To Trading
Ian Morton	Senior Director	18/4/19	0.80	570.00	456.00	Assets	Call with Westpac and drafting email on debtors.	Relates To Debtors
Ian Morton	Senior Director	15/4/19	0.60	570.00	342.00	Assets	Update to debtors schedule. Review of response from Liquidator.	Relates To Debtors
Ian Morton	Senior Director	17/4/19	1.30	570.00	741.00	Assets	Calls with J Hansell and further call with J Hansell and K Warwick to discuss debtors. Review and reconciliation of ledger.	Relates To Debtors
Ian Morton	Senior Director	17/4/19	0.20	570.00	114.00	Statutory/administration	Provision of information to the Liquidators.	Relates To Trading
Kathryn Warwick	Sr Managing Dir	18/4/19	3.00	625.00	1,875.00	Assets	Assets	Relates To Trading
Jonathan Chee	Director	15/4/19	1.70	510.00	867.00	Statutory/administration	Internal admin, post appointment tasks re debtors, lien, asset v trading	Relates To Trading
Jonathan Chee	Director	16/4/19	2.40	510.00	1,224.00	Statutory/administration	Internal admin, post appointment tasks re debtors, lien, asset v trading, Westpac	
Jonathan Chee	Director	17/4/19	2.40	510.00	612.00	Statutory/administration	Post appointment tasks, disc re debtors, asset v trading costs	Relates To Trading
Joseph Hansell	Sr Managing Dir	17/4/19	0.50	625.00	312.50	Statutory/administration	Meeting with John Melhuish regarding WMTS Handover.	
Joseph Hansell	Sr Managing Dir	17/4/19	4.00	625.00	2,500.00	Assets	Debtor issues.	Relates To Debtors And Trading
Joseph Hansell	Sr Managing Dir	18/4/19	1.00	625.00	625.00	Assets	Debtors.	
Joshua Furman	Associate	15/4/19	0.40	260.00	104.00	Assets	Reformatting debtor schedule tables for KW	
James Mazzone	Sr. Consult I	17/4/19	0.80	380.00	304.00	Assets	Reviewed debtors and completed summary of position.	Relates To Debtors
James Mazzone	Sr. Consult I	18/4/19	2.00	380.00	760.00	Assets	Reviewed debtor invoices. Printed and collated invoices in support of claims.	Relates To Trading
Robert Beaumont	Sr. Consult I	17/4/19	0.70	380.00	266.00	Statutory/administration	Progressing and finalising allocation of key documents to file drive. Reviewing key schedules and information from trade-on period, discuss matter with Jonathan Chee and Catherine Jaques.	
Patrick O'Brien	Managing Dir	16/4/19	1.10	580.00	638.00	Assets	Update to Melbourne office in relation to the status of the missing / stolen trailers and loads and contact details in relation to the parties holding the assets.	Relates To Trading
Patrick O'Brien	Managing Dir	18/4/19	1.20	580.00	696.00	Assets	Various emails and phone calls in relation to the costs of securing truck and trailer of Steve Harragon on the last weekend of trade and costs of doing so.	
Ian Morton	Senior Director	24/4/19	0.20	570.00	114.00	Assets	Discussion on debtors with James Mazzone.	Relates To Trading
Christopher Hatfield	Senior Director	26/4/19	0.70	450.00	315	Investigations	Prepare a matter update to detail all data, sources, and tasks related to this matter in preparation for a hand-over to liquidators.	
Maxine Allan	Consultant I	24/4/19	1.80	315.00	567.00	Assets	Assisted with preparation and sending of debtor letters	
Maxine Allan	Consultant I	16/4/19	1.20	315.00	378.00	Assets	Phone call with appointee regarding status of debtors. Conversation with Ian Morton regarding same. Reconciliation of debtor ledgers to obtain a "complete" ledger.	
Maxine Allan	Consultant I	12/4/19	0.70	315.00	220.50	Assets	Review of debtors and discussion with Senior Manager regarding current balance and way forward.	Relates To Debtors And Trading
James Mazzone	Sr. Consult I	26/4/19	0.50	380.00	190.00	Operations/trade on	Reviewed debtor position re VA period.	
James Mazzone	Sr. Consult I	23/4/19	2.00	380.00	760.00	Operations/trade on	Reviewed debtor invoices and summarised position. Collated information in support of claims.	Relates To Trading

Tkpr Name	Title	Date	Bill Hrs	Bill Rate	Billable Amt	Task Desc	Narrative	Rationale
Ian Morton	Senior Director	29/4/19	0.50	570.00	285.00	Statutory/administration	Meeting with M Duta to discuss handover of documents. Arranging for copying of files and provision to Liquidator.	Relates To Debtors
Ian Morton	Senior Director	29/4/19	0.30	570.00	171.00	Assets	Meeting to discuss debtors, handover of files and reconciliation emails.	Relates To Payment Of Liabilities
Ian Morton	Senior Director	29/4/19	0.30	570.00	171.00	Assets	Review and discuss debtor receipts.	Relates To Payment Of Liabilities
Patrick O'Brien	Managing Dir	23/4/19	1.80	580.00	522.00	Assets	Liaised with GB and Capral in relation to the return of the missing trailer which total care had been holding ransom.	Relates To Payment Of Liabilities
Richard Batten	Consultant I	26/4/19	0.30	315.00	94.50	Creditors	Call Manjee Total Care Transport re: outstanding post appt invoices and return of capral load held by total care	Relates To Debtors
Richard Batten	Consultant I	29/4/19	0.20	315.00	63.00	Creditors	Call Manjee Total Care Transport re: outstanding post appt invoices and return of capral load held by total care	
Maxine Allan	Consultant I	30/4/19	0.70	315.00	220.50	Operations/trade on	Collated information I had regarding missing trailers.	
Richard Batten	Consultant I	30/4/19	0.40	315.00	126.00	Operations/trade on	Reviewing Total Care Transport corro, email re: payment of invoices and ransoming of Capral Load	
Ian Morton	Senior Director	30/4/19	0.20	570.00	114.00	Statutory/administration	Finalised debtors invoices and invoices to be sent out.	
Ian Morton	Senior Director	30/4/19	0.20	570.00	114.00	Assets	Discussion with J Mazzone on debtors.	
Ian Morton	Senior Director	30/4/19	0.90	570.00	513.00	Assets	Investigation into James Hardie delivery disappearances and effect on debtors.	
Patrick O'Brien	Managing Dir	29/4/19	1.20	580.00	696.00	Operations/trade on	Internal discussions in relation to the status of the appointment, and liaised with staff regarding the separation certificates and the return of various ransom loads.	
Patrick O'Brien	Managing Dir	30/4/19	0.80	580.00	464.00	Operations/trade on	Query from James Hardie in relation to the ransom loads and provided same to Melbourne office.	
James Mazzone	Sr. Consult I	29/4/19	2.50	380.00	950.00	Operations/trade on	Completed reconciliation for debtor invoices and collated information in support. Discussion with Ian.	
James Mazzone	Sr. Consult I	30/4/19	0.90	380.00	342.00	Operations/trade on	Reviewed debtor information and updated reconciliation. Reviewed correspondence.	
Jaymee Greenway	Associate	17/4/19	4.00	185.00	740.00	Assets	Scanning, naming and saving hundreds of WTS Holdings documents collected on site by James Mazzone.	
Jaymee Greenway	Associate	23/4/19	8.00	185.00	1,480.00	Assets	Scanning, naming and saving thousands of WTS Holdings documents collected on site by James Mazzone.	
Jaymee Greenway	Associate	24/4/19	2.00	185.00	370.00	Assets	Organising debtor invoices and assisting with the mail out of said invoices.	
Jaymee Greenway	Associate	18/4/19	7.50	185.00	1,387.50	Assets	Scanning, naming and saving thousands of WTS Holdings documents collected on site by James Mazzone.	
Jaymee Greenway	Associate	30/4/19	0.50	185.00	92.50	Assets	Retrieving particular debtors invoices from MYOB Account Right, saving them on file and printing copies to be sent out.	
Jaymee Greenway	Associate	24/4/19	4.60	185.00	851.00	Assets	Scanning, naming and saving thousands of WTS Holdings documents collected on site by James Mazzone.	
Jaymee Greenway	Associate	26/4/19	0.70	185.00	129.50	Assets	Finalised debtors invoices and invoices to be sent out.	
Christopher Hatfield	Senior Director	29/4/19	1.30	450.00	585	Investigations	Prepare a copy of the data for the liquidator.	
Christopher Hatfield	Senior Director	30/4/19	1.90	450.00	855	Investigations	Prepare a copy of the data for the liquidator.; delivery of data to liquidator.	
Ian Morton	Senior Director	1/5/19	0.20	570.00	114.00	Assets	Discussion with J Mazzone on debtors.	
Ian Morton	Senior Director	1/5/19	0.20	570.00	114.00	Statutory/administration	Call and emails with C Hatfield to discuss image of documents to send to liquidators.	
Ian Morton	Senior Director	1/5/19	-0.20	570.00	-114.00	Statutory/administration	Reversal - Calls and emails with C Hatfield to discuss image of documents to send to liquidators.	
Ian Morton	Senior Director	1/5/19	0.90	570.00	513.00	Operations/trade on	Investigation into James Hardie delivery disappearances and effect on debtors. Review and discuss email on other lost loads with R Batten.	
Ian Morton	Senior Director	1/5/19	-0.90	570.00	-513.00	Operations/trade on	Reversal - Investigation into James Hardie delivery disappearances and effect on debtors.	
Ian Morton	Senior Director	1/5/19	-0.20	570.00	-114.00	Assets	Reversal - Discussion with J Mazzone on debtors.	
Jaymee Greenway	Associate	1/5/19	0.20	185.00	37.00	Assets	Prepared debtors letter and invoices to be sent.	
Ian Morton	Senior Director	1/5/19	0.70	570.00	399.00	Operations/trade on	Dealing with queries from creditors, discussion on missing loads and communicating same. Review of receipts and discussion on same.	
James Mazzone	Sr. Consult I	1/5/19	0.50	380.00	190.00	Operations/trade on	Reviewed trade on debtor position and cash flow summary.	
Jaymee Greenway	Associate	2/5/19	0.90	185.00	166.50	Statutory/administration	Completed a toll register for WTS VA period using invoices supplied by liquidator.	
Kathryn Warwick	Sr Managing Dir	2/5/19	1.00	625.00	625.00	Assets	Debtors	
Ian Morton	Senior Director	3/5/19	1.20	570.00	684.00	Assets	Arranging for ad meeting with Liquidators representative.	
Kathryn Warwick	Sr Managing Dir	6/5/19	2.00	625.00	1,250.00	Assets	Reconciliation of debtors	
Ian Morton	Senior Director	6/5/19	0.40	570.00	228.00	Assets	Update on debtor collection.	
James Mazzone	Sr. Consult I	7/5/19	1.30	380.00	494.00	Statutory/administration	Reviewed and compiled documents to be provided to the liquidator.	
Ian Morton	Senior Director	7/5/19	0.30	570.00	171.00	Statutory/administration	Arranging delivery of records to Liquidator.	
Ian Morton	Senior Director	9/5/19	0.20	570.00	114.00	Assets	Obtaining and reviewing update on debtor collection.	
Maxine Allan	Consultant I	10/5/19	0.70	315.00	220.50	Operations/trade on	Reviewed debtors received and loaded payments into MYOB	
James Mazzone	Sr. Consult I	13/5/19	2.60	380.00	988.00	Operations/trade on	Completed debtor recovery reconciliation. Prepared profit and loss summary.	
James Mazzone	Sr. Consult I	14/5/19	0.30	380.00	114.00	Operations/trade on	Reviewed debtor position.	
James Mazzone	Sr. Consult I	14/5/19	1.00	380.00	380.00	Statutory/administration	Compiled records to be provided to liquidator.	
Ian Morton	Senior Director	15/5/19	1.20	570.00	684.00	Statutory/administration	Review of files on USB to be provided to Liquidator.	
Ian Morton	Senior Director	16/5/19	0.20	570.00	114.00	Operations/trade on	Review and forward Liquidator correspondence regarding trading liabilities.	

Tkpr Name	Title	Date	Bill Hrs	Bill Rate	Billable Amt	Task Desc	Narrative	Rationale
Ian Morton	Senior Director	16/5/19	0.20	570.00	114.00	Statutory/administration	Discussions regarding obligations to handover files to Liquidator.	
Ian Morton	Senior Director	20/5/19	0.10	570.00	57.00	Assets	Insurance of assets.	
Ian Morton	Senior Director	24/5/19	0.30	570.00	171.00	Statutory/administration	Preparation email to team members regarding emails to be provided to the Liquidator.	
Richard Batten	Consultant I	24/5/19	0.60	315.00	189.00	Statutory/administration	PCI email request	
Patrick O'Brien	Managing Dir	24/5/19	0.60	580.00	174.00	Operations/trade on	Review of email regarding the provision of Information from email to the liquidators.	

**Total time**                    \$ 52,276.00  
**Time including GST**        \$ 57,503.60  
**QM Remuneration**         \$ 57,503.60

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

**Plaintiffs**

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

**Defendants**

**CERTIFICATE IDENTIFYING EXHIBIT**

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

Rialto Towers

525 Collins Street

MELBOURNE VIC 3000

Solicitors Code 8510  
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Reference BRW 1248222  
Brendon Watkins  
(brendon.watkins@minterellison.com)

This is the exhibit marked 'KW-8' now produced and shown to **KATHRYN WARWICK** at the  
time of swearing her affidavit on 2/12/19



before me



**Exhibit 'KW-8'**

**Letter from Liquidator's solicitors to the  
Administrators' solicitors dated 18 June 2019**

**ANDREW ROBERT BISSET**  
of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)

CONTACT: Luke Whiffen  
CONTACT EMAIL: luke@hiltonbradley.com.au  
OUR REF: 151



18 June 2019

Minter Ellison

**By email:** ned.marlow-weir@minterellison.com

Dear Sirs

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) (COMPANY)**

We act for Mr Stephen Michell in his capacity as liquidator of the Company.

We refer to your letter of 7 June 2019 in relation to the ongoing discussions between the Administrators and the Liquidator as concerns the statutory and equitable liens claimed by the Administrators.

We note the total amount claimed by the Administrators is \$902,579 comprised as follows:

1. In respect of the Statutory Lien, \$495,417 on account of costs and expenses during the administration period (**SL Expenses**) and \$308,053 on account of remuneration for the administration period (**SL Remuneration**).
2. In respect of the quantum meruit claim, \$41,605 on account of costs and expenses after the administration terminated (**QM Expenses**) and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (Collectively the **QM amount**).

In relation to the various claims for remuneration it is acknowledged by all parties that it is necessary for those claims to be approved by either creditors or the Court. For the purpose of this exercise only, and without admission, provision will be made for the claims in full.

As concerns the claims for expenses we note that the Liquidator has now been provided with the majority of the necessary supporting documentation and has conducted a review of that material. We attach as Annexure A details of the queries raised by the Liquidator in relation to those expenses. Without admission as to the quantum, this correspondence will assume those queries are resolved and the expenses claims are properly made out.

You have identified 6 asset pools from which realisations could potentially be made as follows:

- a) Realisation from collection of 'accepted debts' (**Accepted Debts**) under Westpac's Finance Facility (**IFA**);

- b) Non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
- c) Circulating asset realisations held by the Administrators (**Administrator Realisations**);
- d) Debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
- e) Other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and
- f) Non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditors.

In relation to category f), the Liquidator agrees that recoveries in this category are uncertain and it is not necessary to be addressed in this discussion.

#### **Liquidator's Entitlement to Priority: Re Universal**

Under the *Re Universal* principle where the Liquidator has preserved or realised property subject to security, including any security held by the Administrators either by way of a statutory lien or security that arises by way of an equitable lien, the Liquidator's remuneration and expenses incurred in such work and action ranks in priority to the rights of the secured creditor.

#### **Accepted Debts / IFA**

In relation to category a) the Liquidator proposes that the proceeds be dealt with in the following manner:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) in reduction of the Westpac IFA; and then
- (iv) the balance of proceeds to be added to category e).

#### **Westpac Fixed Assets**

As concerns category b) it is noted that the Administrators claim \$191,191 on account of costs and expenses (**EL Expenses**) and \$105,690 on account of remuneration (**EL Remuneration**). The Liquidator proposes that category b) be dealt with in the following manner:

- (i) to Grays/Gordon Bros in respect of their commission and other expenses incurred including repairs, lien payments, cleaning and insurance; then

- (ii) to the Liquidators in respect of their specific remuneration and disbursements in realising the truck and trailer fleet (as agreed with Westpac); then
- (iii) to the Administrators in respect of their EL Expenses (as agreed with Westpac); then
- (iv) to the Administrators in respect of the EL Remuneration (as agreed with Westpac); then
- (v) to Westpac in reduction of their equipment finance facilities; and then
- (vi) any surplus to be added to category e).

### **Administrator Realisations**

In relation to category c) the Liquidator proposes that the proceeds be applied to the Administrators' SL expenses. It does not appear there will be any surplus.

### **Administration Debtors**

Category d) includes two separate groups of debtors, first debtors created by the Administrators in relation to their trading period, and secondly pre appointment invoices raised by the Administrator which had not been raised by the company prior to the Administrators' appointment. In relation to the Administrators' trading debtors, the Liquidator proposes the following:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; and then
- (v) Any surplus to be added to category e).

### **Liquidation Proceeds**

The debtor invoices raised by the Administrator which relate to pre-appointment trading are to be included in category e).

The Liquidator proposes that category e) be dealt with in the following manner:

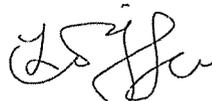
- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then

- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; and then
- (v) to the Liquidator in respect of any approved remuneration.

Please confirm the above regime resolves the outstanding issues the subject of our recent correspondence.

Yours faithfully,

**HILTON BRADLEY LAWYERS**



**Luke Whiffen**

Director

Email: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

Phone: (02) 9199 1672

**ANNEXURE A**

**WITS HOLDINGS PTY LTD  
(IN LIQUIDATION)  
A.C.N.: 050 322 284  
FORMELRY TRADING AS WADLEY INTERSTATE TRANSPORT SERVICES**

<b>FTI Annexure</b>	<b>Supplier</b>	<b>Amount \$</b>	<b>Query</b>
6 (EL) 21 (SL)	Caltex	66,131 (EL) 38,506 (SL)	Invoice number 0301744772 provided at both Annexures 6 and 21. The total value of the invoice provided is \$56,322.15 (inclusive of GST). The amount claimed exceeds the value of the invoice provided. Please clarify and substantiate balance of amount claimed.
15	MC Security	50,322	Invoices 6206 and 6207 disclose a date for services provided of 9 May 2019. Please clarify the date of provision of services on these invoices. Invoice 6037 discloses 188 hours of services provided in the period up to 31 March 2019 at the NSW location. Please clarify the number of guards provided pursuant to this invoice and whether any charges relate to a period prior to the appointment of the Administrators on 28 March 2019.
37	SRK Transport	42,491	Invoices are amended by hand to approve total charges of \$36,862.87 (inclusive of GST), however the amount claimed is the original invoice amount of \$42,491. Please clarify why the original amount is claimed.
39	Total Care Transport Pty Ltd	11,935	Total Care Transport Pty Ltd held a loan for Capral to ransom. Payment contingent upon recoveries from Capral (refer email James Mazzone of FTI dated 5 June 2019). No recoveries from Capral at this time.

The following expense claims include pre appointment components, please confirm payment of pre appointment amounts were made and reason for payment:

<b>FTI Annexure</b>	<b>Supplier</b>	<b>Inv Amount \$</b>	<b>Pre Appointment \$</b>
5	Ben Baily	780	780
7	Christopher Spiteri	1,780	1,618
18	Peter Theodorou	2,750	1,750
19	Samantha Hitige	1,260	700
20	APE Trading	5,130	2,079
33	Lomi Pty Ltd	5,225	4,081

## ANNEXURE A

The following expense are yet to be substantiated:

- Net wages 3 April 2019 and 10 April 2019
- PAYG
- Payroll tax (estimated)
- Road tolls (estimated)
- Superannuation
- Workers compensation insurance
- Minter Ellison legal fees.
- Peter Crane
- Telephone (estimated)
- Tikis 2
- Utilities (estimated)

Please provide substantiation for all amounts, save for those estimated and provide confirmation that estimated amounts will be substantiated upon receipt of applicable invoices and finalisation of amounts due.

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

**Plaintiffs**

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

**Defendants**

**CERTIFICATE IDENTIFYING EXHIBIT**

---

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

Rialto Towers

525 Collins Street

MELBOURNE VIC 3000

Solicitors Code 8510  
DX 204 MELBOURNE  
Telephone (03) 8608 2000  
Facsimile (03) 8608 1000  
Reference BRW 1248222  
Brendon Watkins  
(brendon.watkins@minterellison.com)

This is the exhibit marked 'KW-9' now produced and shown to **KATHRYN WARWICK** at the time of swearing her affidavit on 2/12/19



before me



**Exhibit 'KW-9'**

**Email chain between Administrators' solicitors  
and Liquidator's solicitors spanning the period  
11.07.2019 to 07.11.2019**

**ANDREW ROBERT BISSET**  
of 525 Collins Street, Melbourne  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)

**From:** Luke Whiffen  
**Sent:** Thursday 11 July 2019 02:11:11 PM  
**To:** Ned Marlow-Weir  
**Cc:** Brendon Watkins;Alister Merry;James Hulbert  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)  
**Attachments:** Letter to Minters 11\_07\_19.pdf

See attached correspondence.

**Luke Whiffen | Director**

**P** | (02) 9199 1672

**M** | 0419 096 492

**E** | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

Level 21, 133 Castlereagh Street, Sydney NSW 2000

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CONTACT: Luke Whiffen  
CONTACT EMAIL: luke@hiltonbradley.com.au  
OUR REF: 151



11 July 2019

Minter Ellison

**By email:** ned.marlow-weir@minterellison.com

Dear Colleagues

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) (COMPANY)**

We refer to previous correspondence in relation to issues surrounding priorities as between various parties including the Liquidator, Westpac, your client, FEG and creditors generally.

Could you please confirm your client does not object to the Liquidator paying to Westpac the proceeds of debtors recovered and subject to the Invoice Finance Agreement.

At present the Liquidator will only pay such amounts up to, and not beyond, the level of indebtedness under the Invoice Finance Agreement. Any surplus will be dealt with after consultation, particularly in respect of any 553C issues, between the Liquidator, FEG, Westpac and your client or by order of the Court.

Yours faithfully,

**HILTON BRADLEY LAWYERS**

A handwritten signature in black ink, appearing to read 'L Whiffen', written over a faint horizontal line.

**Luke Whiffen**

Director

Email: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

Phone: (02) 9199 1672

Hilton Bradley Lawyers  
ABN 13630977776  
Level 21  
133 Castlereagh Street  
SYDNEY NSW 2000  
Phone: (02) 9199 1672

**From:** Ned Marlow-Weir  
**Sent:** Friday 12 July 2019 05:43:03 PM  
**To:** Luke Whiffen  
**Cc:** Brendon Watkins;Alister Merry;James Hulbert  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**  
Lawyer  
T +61 3 8608 2765  
[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)  
MinterEllison Rialto Towers 525 Collins Street Melbourne VIC 3000  
[minterellison.com](http://minterellison.com) Follow us on [LinkedIn](#) and [Twitter](#)



**From:** Luke Whiffen [mailto:Luke@hiltonbradley.com.au]  
**Sent:** Thursday 11 July 2019 02:11 pm  
**To:** Ned Marlow-Weir <Ned.Marlow-Weir@minterellison.com>  
**Cc:** Brendon Watkins <Brendon.Watkins@minterellison.com>; Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

**P** | (02) 9199 1672

**M** | 0419 096 492

**E** | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Luke Whiffen  
**Sent:** Monday 22 July 2019 04:18:21 PM  
**To:** Ned Marlow-Weir  
**Cc:** Brendon Watkins;Alister Merry;James Hulbert  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | luke@hiltonbradley.com.au

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**From:** Ned Marlow-Weir <Ned.Marlow-Weir@minterellison.com>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Cc:** Brendon Watkins <Brendon.Watkins@minterellison.com>; Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

MinterEllison Rialto Towers 525 Collins Street Melbourne VIC 3000

[minterellison.com](http://minterellison.com) Follow us on [LinkedIn](#) and [Twitter](#)



**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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-----

**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Tuesday 30 July 2019 03:08:24 PM  
**To:** Luke Whiffen  
**Cc:** Alister Merry; James Hulbert  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-  
ME.FID5015055]  
**Attachments:** Letter to Minters 18\_06\_19 ME Mark-up 30072019.DOCX

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

---

**Brendon Watkins**

Partner

T +61 3 8608 2022 M +61 419 886 003

[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

MinterEllison Rialto Towers 525 Collins Street Melbourne VIC 3000  
[minterellison.com](http://minterellison.com) Follow us on [LinkedIn](#) and [Twitter](#)



**From:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Sent:** Monday 22 July 2019 04:18 PM  
**To:** Ned Marlow-Weir <Ned.Marlow-Weir@minterellison.com>  
**Cc:** Brendon Watkins <Brendon.Watkins@minterellison.com>; Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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intended recipient please contact the sender as soon as possible by return e-mail and delete both messages. Any unauthorised disclosure, copying, distribution or any action taken or not taken in reliance on it is prohibited and may be unlawful.

**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**  
Lawyer  
T +61 3 8608 2765  
[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)  
MinterEllison Rialto Towers 525 Collins Street Melbourne VIC 3000  
[minterellison.com](http://minterellison.com) Follow us on [LinkedIn](#) and [Twitter](#)



**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]  
**Sent:** Thursday 11 July 2019 02:11 pm  
**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry

<[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

**P** | (02) 9199 1672

**M** | 0419 096 492

**E** | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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-----

CONTACT: Luke Whiffen  
CONTACT EMAIL: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)  
OUR REF: 151

18 June 2019

Minter Ellison

**By email:** [ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

Dear Sirs

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) (COMPANY)**

We act for Mr Stephen Michell in his capacity as liquidator of the Company.

We refer to your letter of 7 June 2019 in relation to the ongoing discussions between the Administrators and the Liquidator as concerns the statutory and equitable liens claimed by the Administrators.

We note the total amount claimed by the Administrators is \$902,579 comprised as follows:

1. 1. In respect of the Statutory Lien, \$495,417 on account of costs and expenses during the administration period (**SL Expenses**) and \$308,053 on account of remuneration for the administration period (**SL Remuneration**).
2. 2. In respect of the quantum meruit claim, \$41,605 on account of costs and expenses after the administration terminated (**QM Expenses**) and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (Collectively the **QM amount**).

In relation to the various claims for remuneration it is acknowledged by all parties that it is necessary for those claims to be approved by either creditors or the Court. For the purpose of this exercise only, and without admission, provision will be made for the claims in full.

As concerns the claims for expenses we note that the Liquidator has now been provided with the majority of the necessary supporting documentation and has conducted a review of that material. We attach as Annexure A details of the queries raised by the Liquidator in relation to those expenses. Without admission as to the quantum, this correspondence will assume those queries are resolved and the expenses claims are properly made out.

You have identified 6 asset pools from which realisations could potentially be made as follows:

- a) Realisation from collection of 'accepted debts' (**Accepted Debts**) under Westpac's Finance Facility (**IFA**);
- b) Non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
- c) Circulating asset realisations held by the Administrators (**Administrator Realisations**);
- d) Debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
- e) Other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**);  
and

- f) Non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditors.

In relation to category f), the Liquidator agrees that recoveries in this category are uncertain and it is not necessary to be addressed in this discussion.

### Liquidator's Entitlement to Priority: Re Universal

Under the *Re Universal* principle where the Liquidator has preserved or realised property subject to security, including any security held by the Administrators either by way of a statutory lien or security that arises by way of an equitable lien, the Liquidator's remuneration and expenses incurred in such work and action ranks in priority to the rights of the secured creditor.

### Accepted Debts / IFA

In relation to category a) the Liquidator proposes that the proceeds be dealt with in the following manner:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) (the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) in reduction of the Westpac IFA; and then
- (iv) in reduction of other Westpac facilities (relying on set-off); then
- (v) in payment of SL and QM Amounts [DN: these amounts ranking ahead of the liquidator in reliance on the statutory lien under s 443E of the Act]; then
- (vi) to the Liquidator for his approved remuneration [DN: it doesn't make sense to have the balance dealt with under category e, because this leads to a circular result where you would go back to CFMG's costs, the liquidator's Re Universal lien costs etc., as set out in category e]; then
- (vii) to the employees; and then
- ~~(iii)~~(viii) to the unsecured creditors.
- ~~(iv) the balance of proceeds to be added to category e).~~

### Westpac Fixed Assets

As concerns category b) it is noted that the Administrators claim \$191,191 on account of costs and expenses (**EL Expenses**) and \$105,690 on account of remuneration (**EL Remuneration**). The Liquidator proposes that category b) be dealt with in the following manner:

- (i) to Grays/Gordon Bros in respect of their commission and other expenses incurred including repairs, lien payments, cleaning and insurance; then
- (ii) to the Liquidators in respect of their specific remuneration and disbursements in realising the truck and trailer fleet (as agreed with Westpac); then
- (iii) to the Administrators in respect of their EL Expenses (as agreed with Westpac); then
- (iv) to the Administrators in respect of the EL Remuneration (as agreed with Westpac); then

(v) to Westpac in reduction of their equipment finance outstanding facilities [DN: Westpac's charge in respect of the fixed assets secures all of Westpac's facilities and not just their equipment finance facilities]; and then

(vi) in payment of SL and QM Amounts; then

(vii) to the Liquidator for his approved remuneration; then

(viii) to the employees; and then

(v)(ix) to the unsecured creditors.

~~(vi) — any surplus to be added to category e).~~

### **Administrator Realisations**

In relation to category c) the Liquidator proposes that the proceeds be applied to the Administrators' SL expenses. It does not appear there will be any surplus.

### **Administration Debtors**

Category d) includes two separate groups of debtors, first debtors created by the Administrators in relation to their trading period, and secondly pre appointment invoices raised by the Administrator which had not been raised by the company prior to the Administrators' appointment. In relation to the Administrators' trading debtors, the Liquidator proposes the following:

(i) the debt collection costs of CFMG Pty Ltd; then

(ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then

(iii) to the Administrators in respect of their SL Expenses; then

(iv) to the Administrators in respect of the SL Remuneration; and then

(v) in payment of QM Amounts; then

(vi) to the Liquidator for his approved remuneration; then

(vii) to the employees; then

(viii) to Westpac for its outstanding facilities; and then

(iv)(ix) to the unsecured creditors.

~~(v) — Any surplus to be added to category e).~~

### **Liquidation Proceeds**

The debtor invoices raised by the Administrator which relate to pre-appointment trading are to be included in category e).

The Liquidator proposes that category e) be dealt with in the following manner:

(i) the debt collection costs of CFMG Pty Ltd; then

- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; and then
- ~~(iv)~~(v) in payment of QM Amounts; then
- (vi) to the Liquidator ~~in respect of~~ for any his approved remuneration; then.
- (vii) to the employees; then
- (viii) to Westpac for its outstanding facilities; and then
- ~~(v)~~(ix) to the unsecured creditors.

Please confirm the above regime resolves the outstanding issues the subject of our recent correspondence.

Yours faithfully,  
**HILTON BRADLEY LAWYERS**

**Luke Whiffen**  
Director  
Email: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)  
Phone: (02) 9199 1672

**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Tuesday 8 October 2019 05:34:23 PM  
**To:** Luke Whiffen  
**Cc:** James Hulbert; Nathan Brumley  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should

occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

\_\_\_\_\_

**Brendon Watkins**

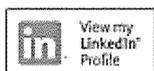
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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 30 July 2019 03:08 PM

**To:** 'Luke Whiffen' <Luke@hiltonbradley.com.au>

**Cc:** Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

\_\_\_\_\_

**Brendon Watkins**

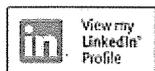
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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.

2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

---

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Monday 21 October 2019 04:24:35 PM  
**To:** Luke Whiffen  
**Cc:** James Hulbert;Nathan Brumley  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]  
**Attachments:** Letter to PCI Partners.pdf, FW: WITS Holdings Pty Limited (In Liquidation), letter to minters 18\_06\_19 me mark-up 21\_10\_2019 (004).docx

Hi Luke

We refer to our email of 8 October 2019 (set out below), to our client's recent letter addressed to your client dated 17 October 2019 (**attached**) and to your client's reply of 18 October 2019 (**attached**).

In our email of 8 October 2019, we had requested that you advise whether your client accepts the amendments to your proposed distribution of funds from different asset classes (as outlined in the marked up letter of 18 June attached to our email of 30 July 2019).

As you will see in our client's letter of 17 October 2019, our client has provided updated figures in relation to the expenses incurred. As a result, we have **attached** a further amended version of the 18 June 2019 letter which reflects these updated figures. Our client otherwise continues to reserve its right to charge for remuneration incurred post 24 May 2019.

Once again, we request that you advise whether your client agrees to the waterfall distributions as per the mark up letter attached. In your client's latest email of 18 October 2019 your client has stated that until the waterfalls are agreed no further payments (beyond those described in the email) will be made to our client. Nonetheless, your client has again refused to respond in any substantive way as to why he has not accepted the proposed waterfalls. Please clarify your client's position by Wednesday, 23 October 2019.

If we do not receive this confirmation we will need to invite the court to address how these waterfalls should occur. As previously noted, this will add significantly to the costs of the application in relation to remuneration being currently prepared, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Subject to the obvious need to agree on the waterfalls, we otherwise request that you clarify the remaining points of contention before expenses claimed by our client will be reimbursed. We agree that it is crucial to resolve how the waterfall distributions should apply, and have addressed this in the previous paragraphs. We also accept that our client should seek an order authorising the recovery of post-appointment expenses, and confirm that this will be included in our application (including an order that the indemnity, priority and liens outlined in sections 443D – 443F of the *Corporations Act* apply to both the post-appointment remuneration and expenses).

Assuming these two matters are dealt with, can you confirm that the amounts have otherwise been substantiated to your client's satisfaction and that there are no other objections to reimbursement.

In that context, would you also please respond to our outstanding query as to whether your client is willing to convene a meeting of creditors to consider the remuneration of the administrators, assuming the court makes orders confirming the creditors' powers in this regard.

We request your response on these matters by 5.00 pm this Wednesday.

Regards,

\_\_\_\_\_

**Brendon Watkins**

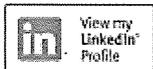
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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 8 October 2019 05:34 PM

**To:** 'Luke Whiffen' <Luke@hiltonbradley.com.au>

**Cc:** 'James Hulbert' <james@hiltonbradley.com.au>; Nathan Brumley  
<Nathan.Brumley@minterellison.com>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay

involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

\_\_\_\_\_

**Brendon Watkins**

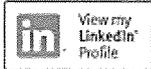
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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 30 July 2019 03:08 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

\_\_\_\_\_

**Brendon Watkins**

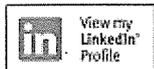
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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

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M | 0419 096 492

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

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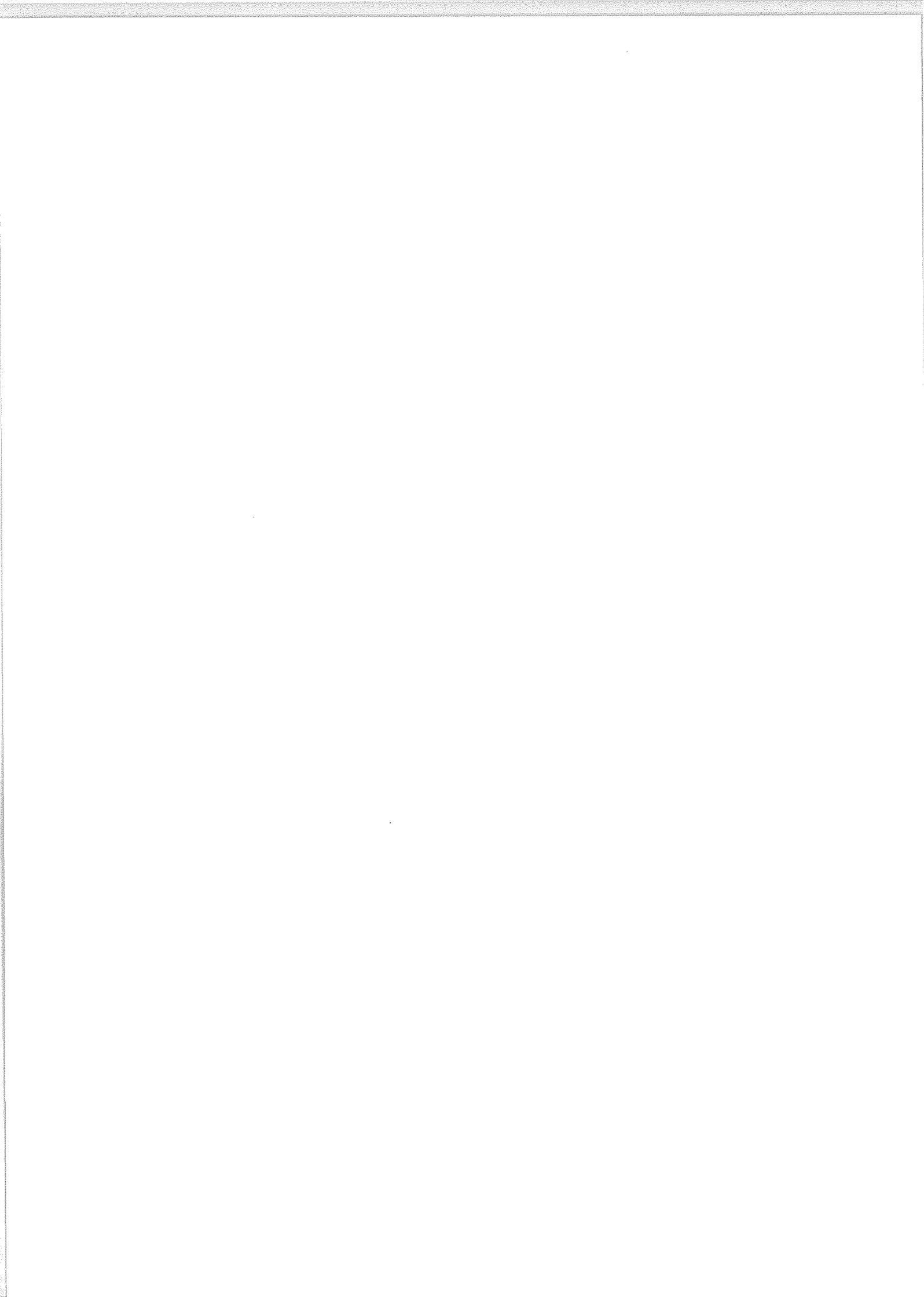
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17 October 2019

Mr Stephen Michell  
PCI Partners Pty Ltd  
8/179 Queen St  
MELBOURNE VIC 3000

Dear Sir

**WITS Holdings Pty Ltd (In Liquidation) (Company)**

I refer to previous correspondence in relation to this matter.

In particular, I refer to MinterEllison's letter dated 7 June 2019 ("the 7 June 2019 Letter"), a copy of which is attached at Appendix A for your convenience. In the 7 June 2019 Letter, the costs and expenses incurred by the former Administrators were separated into three categories:

- Costs and Expenses Subject to the Equitable Lien ("EL Expenses");
- Costs and Expenses Subject to the Statutory Lien ("SL Expenses"); and
- *Quantum Meruit* Claim ("QM Expenses").

The same terminology has been adopted in this letter. You will note that the amounts claimed are different to those claimed in the 7 June 2019 Letter. These updated figures are explained below.

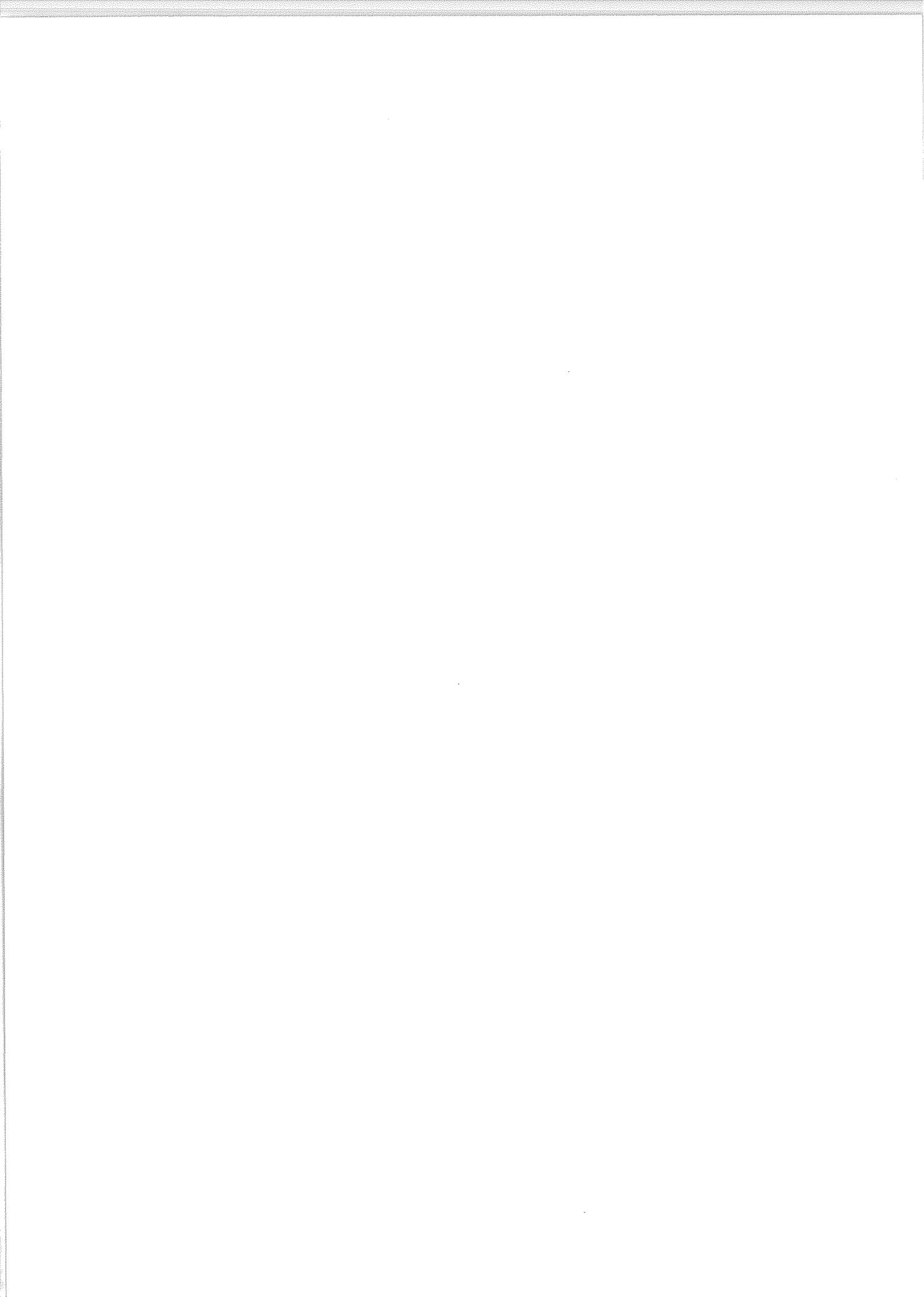
**EL Expenses**

At paragraph 1.4 (a) of the 7 June 2019 Letter, the EL Expenses were estimated to be \$191,191. This represented total costs of \$341,191 less the care and preservation advance from Westpac Banking Corporation ("Westpac") of \$150,000.

Since the issue of the 7 June 2019 Letter, I have received further information from suppliers as to the amounts outstanding. As a result, the EL Expenses have decreased by \$10,780 to \$180,141. At Appendix B, I have provided an updated schedule which outlines these figures. The relevant changes are highlighted in yellow.

**SL Expenses**

At paragraph 1.7(a) of the 7 June 2019 Letter, the SL Expenses were estimated to be \$495,417 (this amount includes the EL Expenses).



Since the issue of the 7 June 2019 Letter, certain SL Expenses have been updated from estimates to known amounts. As a result, the SL Expenses have decreased by \$17,872 to \$477,546. See Appendix B highlighting the changes in yellow.

### QM Expenses

At paragraph 1.8 of the 7 June 2019 Letter, it was stated that the expenses comprising the QM Expenses were capped to the end of May 2019 and that if the arrangements in the 7 June 2019 Letter were not accepted by the Liquidator, the former Administrators reserved their right to claim additional amounts incurred after May 2019. On the basis that the Liquidator has not accepted the arrangements proposed in the 7 June 2019 Letter, I am now seeking to claim the additional amounts incurred.

Since the 7 June 2019 Letter, I have incurred a further \$34,181 in legal fees, increasing the QM Expenses to \$75,786. These changes are highlighted in yellow in Appendix B

### Payment of Expenses

With respect to the expenses advised above, the amounts incurred were in excess of the advances received from Westpac and as such, some have been funded directly by FTI Consulting (Australia) Pty Ltd ("FTI Consulting").

To date, the former Administrators have received no funds from the Liquidator, despite an agreement being put in place whereby sales undertaken in the Voluntary Administration would be collected by a third-party collection agency to be subsequently remitted to the former Administrators.

Total expenses are currently estimated to be \$703,331 as per the schedule at Appendix B (being the aggregate of the SL and QM Expenses). Only a proportion of payroll taxes and utilities remain as an estimate at the time of writing. The total expenses calculated in the 7 June 2019 Letter were \$687,022 (which can be calculated by reference to Annexure A of the 7 June 2019 Letter).

Costs and expenses have been paid to date from one of four sources of funds:

- The care and preservation advance (\$150,000, for which the former Administrators remain liable); or
- The section 560 loan (\$165,000, for which the former Administrators remain liable); or
- FTI Consulting; or
- Post-appointment receipts (\$74,730.96).

The post-appointment receipts are comprised of the proceeds of refunds, debtor receipts and a minor asset sale. These receipts were available to the former Administrators to meet some of the costs and expenses of the administration.

I request that the Liquidator remits to the Former Administrators, the amount of \$620,865.04 calculated as follows:

<b>Expenses Incurred</b>	<b>\$703,331.00</b>
<i>Less: Estimated Amounts</i>	<i>\$7,735.00</i>
<i>Less: Post-appointment receipts</i>	<i>\$74,730.96</i>
<b>Net Payable</b>	<b><u>\$620,865.04</u></b>

You will see that I am not, at this point, seeking reimbursement of amounts that are still estimated (totalling \$7,735). I will be seeking reimbursement of these amounts once final figures are confirmed.

The amount requested assumes that the Liquidator has not repaid Westpac for the care and preservation advance or the section 560 loan. Please confirm whether the Liquidator has repaid any of these advances and, if so, please provide evidence of the repayment.

In the event that satisfactory evidence of repayment is provided the total amount claimed will be reduced by the amount of the repayment.

As previously advised, the former Administrators are in the process of preparing an application to the Court to seek approval of their remuneration. If the reimbursement of the expenses does not occur by 21 October 2019, we will join the Liquidator to the application seeking an order that the expenses are paid forthwith.

Should you have any queries, please do not hesitate to contact either myself or Joseph Hansell.

Yours faithfully



Kate Warwick  
Senior Managing Director  
FTI Consulting (Australia) Pty Ltd

Encls.

**Appendix A**

# MinterEllison

7 June 2019

## BY EMAIL

S J Michell  
Liquidator  
PCI Partners  
Level 8, 179 Queens Street  
MELBOURNE VIC 3000

Dear Mr Michell

**Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)**

### 1. Background

- 1.1 We act for Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators (**Administrators**) of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) (**Company**).
- 1.2 The Administrators were in office from 28 March 2019 until 10 April 2019. The administration ended by operation of s 435C(3)(g) of the *Corporations Act 2001* (Cth) (**Act**) when the Company was wound up by order of the Supreme Court of Victoria and Mr Stephen Michell of PCI Partners was appointed liquidator of the Company (**Liquidator**).
- 1.3 Westpac Banking Corporation ABN 33 007 457 141 (**Westpac**) holds a number of securities which secure a number of facilities as detailed under in section 2 below.
- 1.4 The Liquidator acknowledges that the Administrators assert an equitable lien under the *Re Universal* principle (**Equitable Lien**) for costs, expenses and remuneration incurred in gathering, preserving or realising assets that are subject to Westpac's fixed asset security, totalling \$296,881 being:
  - (a) \$191,191 on account of costs and expenses (**EL Expenses**); and
  - (b) \$105,690 on account of remuneration (**EL Remuneration**).
- 1.5 For the avoidance of doubt, the amount claimed in this letter under the Equitable Lien has already been reduced by \$150,000 (**Equitable Lien Advance**) due to this amount being paid (as an advance secured by Westpac's existing securities) to the Administrators by Westpac to defray preservation costs, at the commencement of the administration.
- 1.6 The Liquidator acknowledges that the Administrators also assert a statutory lien under s 443F of the *Act* (**Statutory Lien**) for all of their costs, expenses and remuneration incurred in connection with the administration for the period of their appointment, and otherwise assert an entitlement to recover their costs, expenses and remuneration for the period after their appointment was terminated (where fees and costs have been incurred in the performance or exercise of their residual functions, powers and duties as Administrators) on the basis of:
  - (a) a *quantum meruit* assessment, recognising the benefit to the Company of the work that was undertaken; or



- (b) the recognised power of the courts to make orders approving post-appointment remuneration (and by extension, post-appointment costs and expenses) under s 90-15 of schedule 2 to the *Act* (being the statutory successor to the former s 447A of the *Act*).
- 1.7 As at the date of this letter, the total amount claimed is \$902,579, being:
- (a) in respect of the Statutory Lien, \$495,417 on account of costs and expenses during the administration period (**SL Expenses**), and \$308,053 on account of remuneration for the administration period (**SL Remuneration**) (collectively the **SL Amount**); and
- (b) in respect of the quantum meruit claim, \$41,605 on account of costs and expenses after the administration terminated (**QM Expenses**), and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (collectively the **QM Amount**).
- 1.8 Please note that the amounts claimed in respect of the QM Expenses and QM Remuneration have been capped to the end of May 2019. If the arrangements proposed in this letter are not accepted by you, the Administrators reserve their rights to claim additional amounts incurred after the relevant dates.
- 1.9 The amounts secured by the Statutory Lien are secured against all assets of the Company. However, the Statutory Lien is subordinate to any perfected security interest over non-circulating assets, or a 'retention of title' security that is properly perfected on the PPSR.
- 1.10 For the avoidance of doubt, the amounts secured by the Statutory Lien include:
- (a) the \$296,881 that is otherwise also claimed under the Equitable Lien; and
- (b) an amount advanced by Westpac to the Company for the purpose of paying employee entitlements, being \$165,000 (**s 560 Loan**), recognising that the Administrators remain personally liable for this amount under s 443A of the *Act*.
- We haven't included the earlier Equitable Lien Advance in this number.
- 1.11 The Administrators' acknowledge that to the extent:
- (a) Westpac is able to recover the s 560 Loan in the manner set out in this letter; or
- (b) the amount secured by the Equitable Lien is paid out;
- there will be a dollar-for-dollar reduction in the amount secured by the Statutory Lien.
- 1.12 Attached to this letter are 6 annexures providing details of the calculations supporting the amounts claimed in paragraphs 1.4 and 1.7. More particularly:
- (a) Annexure A summarises the 'headline' amounts claimed;
- (b) Annexure B provides further detail of the EL Expenses, SL Expenses and QM Expenses;
- (c) Annexure C provides further detail of the EL Remuneration;
- (d) Annexure D provides further detail of the SL Remuneration; and
- (e) Annexure E provides further detail of the QM Remuneration.
- 1.13 In working through Annexure C and Annexure D (the Annexures relating to EL Remuneration and SL Remuneration), you will notice there are a number of time entries with mixed attribution. These are shaded in blue and green and have been apportioned in accordance with the legend in the respective Annexures.
- 1.14 The Administrators acknowledge that their remuneration is subject to approval by the creditors of the Company or the court.
- 1.15 With this background in mind, the Administrators and Liquidator seek to agree (in the terms set out in this letter) how funds realised from various asset classes will be distributed to satisfy the Administrators' claim to remuneration, costs and expenses and the Liquidator's costs, expenses and remuneration, having regard to Westpac's rights and any priority entitlements afforded to employees under the *Act*.

1.16 To this end, we have recognised the following 6 asset pools:

- (a) realisations from the collection of 'accepted debts' (**Accepted Debts**) under Westpac's Invoice Finance Facility (**IFA**);
- (b) non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
- (c) circulating asset realisations held by the Administrators (**Administrator Realisations**);
- (d) debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
- (e) other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and
- (f) non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditor. The Administrators do not seek reimbursement from this asset pool, and we do not otherwise propose to deal with this asset pool in this letter.

## 2. Westpac's security and payment entitlements

2.1 Westpac has extended the following facilities to the Company:

- (a) the IFA;
- (b) Equipment Finance Facilities covered by a Business Finance Agreement dated on or about 18 March 2016 (**WITS EFs**);
- (c) Temporary Overdraft Facility;
- (d) the s 560 Loan; and
- (e) the Equitable Lien Advance.

2.2 Westpac also extended a Corporate Credit Card Facility to the WITS Group, however, we have not seen the facility documentation for this facility and accordingly, cannot determine which entity in the WITS Group is the relevant borrowing entity. We do not otherwise propose to deal with this facility in this letter.

2.3 Subject to the specific waterfalls noted in respect of each asset pool in sections 3 to 7 below, Westpac is entitled to be repaid in the following manner from the following asset pools:

- (a) from the Accepted Debts, any amount owing under the IFA;
- (b) from the Westpac Fixed Assets (subject to the Administrators' having a first claim to extent of their Equitable Lien), any amount owing under the WITS EFs, Temporary Overdraft Facility, s 560 Loan and Equitable Lien Advance;
- (c) to the extent there is a surplus under either paragraph (a) or (b), that surplus can be used to satisfy any deficiency in the other paragraph, applying either contractual or statutory set off;
- (d) to the extent any amounts still remain owing to Westpac under any facility:
  - (i) if the shortfall is in respect of the s 560 Loan, the Administrators will satisfy this as and when their Statutory Lien is satisfied; and
  - (ii) the shortfall will otherwise be recovered from the Liquidation Proceeds, subject to:
    - (A) the Administrators' entitlement to recover costs, expenses and remuneration;
    - (B) the Liquidator's entitlement to costs, expenses and remuneration; and
    - (C) employee entitlements under s 556(e)-(h) of the Act.

### **3. Waterfall for distributions from the Accepted Debts**

3.1 Realisations from the Accepted Debts are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG Capital Pty Ltd ACN 162 084 237 (**CFMG**) where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) otherwise to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (c) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (d) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **4. Waterfall for distributions from the Westpac Fixed Assets**

4.1 Realisations from the Westpac Fixed Assets are to be paid in the following manner and order:

- (a) to the Administrators in satisfaction of their EL Expenses;
- (b) to the Administrators in satisfaction of their EL Remuneration
- (c) ranking equally with paragraph (b), a 10% collection fee (being 10% of the total realisations from the Westpac Fixed Assets) payable to the Liquidator;
- (d) to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (e) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (f) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **5. Waterfall for distributions from the Administrator Realisations**

5.1 The Administrator Realisations are to be paid in the following manner and order:

- (a) to the Administrators in reduction of the SL Amount and the QM Amount; and
- (b) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **6. Waterfall for distributions from the Administration Debtors**

6.1 Realisations from the Administration Debtors are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of the SL Amount and the QM Amount; and
- (c) if a surplus remains, to the Liquidator for his costs, expense and remuneration.

### **7. Waterfall for distributions from the Liquidation Proceeds**

7.1 Realisations from the Liquidation Proceeds are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of their SL Expenses and QM Expenses;
- (c) to the Administrators in satisfaction of their SL Remuneration and QM Remuneration;
- (d) ranking equally with (c), a 10% collection fee (being 10% of the total realisations from the Liquidation Proceeds) payable to the Liquidator;
- (e) to the Liquidator for his costs, expenses and remuneration;

- (f) to employees under s 556(e) – (h) of the Act;
- (g) to Westpac in accordance with paragraph 2.3(d)(ii) above; and
- (h) otherwise in accordance with the Act.

**8. Parties to cooperate in relation to approval of Administrators' remuneration**

8.1 In relation to the amounts secured by the Equitable and Statutory Liens and the QM Amount, the Administrators will provide the Liquidator with:

- (a) in respect of costs and expenses (and to the extent not already provided via the Annexures), a brief commentary on the nature and reason for the cost or expense and, where applicable, copies of relevant invoices or documentary evidence; and
- (b) in respect of remuneration, a compliant remuneration report.

8.2 Subject to the Administrators complying with paragraph 8.1, the Liquidator will:

- (a) assist in securing creditor approval for the Administrators' remuneration; and
- (b) at the earliest possible opportunity, put a resolution to the creditors for that purpose.

8.3 To the extent the Administrators' remuneration is not approved by the creditors, the Administrators reserve their rights to make an application to court for a remuneration determination (including, for the avoidance of doubt, seeking orders that the Administrators are entitled to be paid for work that was undertaken after their appointment, and extending the Statutory Lien for that purpose under s 90-15 of the Act).

**9. Other matters**

9.1 Where any party receives a payment that is not in accordance with the regime set out in this letter, that party will account for that payment to the party who is entitled to it in accordance with the terms of this letter.

9.2 CFMG has been appointed by the Liquidator to collect outstanding books debts. The Liquidator will ensure that CFMG provides weekly reconciliations identifying payments received on account of:

- (a) Accepted Debts (to be dealt with under section 3 above);
- (b) Administration Debtors (to be dealt with under section 6 above); and
- (c) other book debts (to be dealt with under section 7 above).

If you have any questions regarding what is proposed, please let us know at your earliest convenience.

Could you otherwise confirm your acceptance of the arrangements as set out in this letter by return correspondence.

Yours faithfully  
**MinterEllison**



Contact: Ned Marlow-Weir T: +61 3 8608 2765  
ned.marlow-weir@minterellison.com  
Partner: Brendon Watkins T: +61 3 8608 2022  
OUR REF: BRW NZM 1248222

## Appendix B

<b>EL Expenses - 28 March 2019 - 16 October 2019</b>				
<b>EL Expenses</b>	<b>Previously Advised Amounts</b>	<b>Further Invoices Received</b>	<b>Revised Gross Amount</b>	<b>Description</b>
ACN 615 484 639 Pty Ltd - Steve Campbell and Paul Wilker	\$17,001	\$0	\$17,001	Salary for the CEO and CFO of the Company who assisted in the coordination of the recovery of the trucks and the debtor book employed outside of the Company.
Administrators' Disbursements	\$4,894	\$0	\$4,894	Services purchased by FTI site team in relation to securing fleet.
Air-Ride Rentals	\$7,154	\$0	\$7,154	Rent for NSW premises used for delivery of fleet and collection of debtors.
Ape Trading	\$6,188	\$0	\$6,188	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction
Ben Bailey	\$780	\$0	\$780	Cost incurred in reconciliation of factored debtor book.
Caltex	\$66,131	\$0	\$66,131	Fuel for trucks to facilitate delivery back to the premises and collection by the agent.
Christopher Spiteri	\$1,708	\$0	\$1,708	Purchase of fuel and miscellaneous parts for company car subject to Westpac's security.
CS Asset Holdings	\$886	\$0	\$886	Costs incurred in delivering truck from Adelaide to VIC site.
DTW Transport Pty Ltd	\$1,361	\$0	\$1,361	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key
ELT Recycling Australia Pty Ltd	\$3,103	\$0	\$3,103	Rent for VIC premises used for delivery of fleet and collection of debtors.
KJS Mobile Transport Pty Ltd	\$3,368	\$0	\$3,368	Payment made to recover truck held to ransom.
L&S Trucking	\$2,267	\$0	\$2,267	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key
Lomi Pty Ltd T/A The Lomi Trust	\$4,900	\$0	\$4,900	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction
Mansell Heavy Towing / Transport Welding Engineering	\$1,320	\$0	\$1,320	Costs incurred in recovery of broken down prime mover from QLD.
MC Security	\$50,322	\$0	\$50,322	24 hour security services provided at the VIC and NSW sites. Subcontractors, employees and creditors were seeking to take possession of Company assets in lieu of payment.
Motor Vehicle Insurance and Premium	\$29,096	\$0	\$29,096	Insurance for vehicles.
Net wages paid on 10 April 2019	\$52,789	\$0	\$52,789	Salaries for week following cessation of trading to recover assets.
Net wages paid on 3 April 2019	\$16,330	\$0	\$16,330	Portion of salaries for first week regarding bringing debtors up to date, chasing debtors and
PAYG	\$23,313	\$0	\$23,313	PAYG calculated for the above.
Payroll tax - NSW		\$2,315	\$2,315	Actual NSW payroll tax for salaries.
Payroll tax - QLD	\$10,285	\$101	\$101	Actual QLD payroll tax for salaries.
Payroll tax - VIC*		\$2,557	\$2,557	Actual VIC payroll tax for salaries not received and this remains an estimate.
Pickles Valuation	\$11,000	\$0	\$11,000	Valuation costs on fleet.
Peter Theodorou	\$2,750	\$0	\$2,750	Responsible for debtor reconciliation and collection.
Road Tolls	\$10,510	\$3,339	\$3,339	Road tolls in respect to organising the collection of trailers to both VIC and NSW sites.
Samantha Hitige	\$1,260	\$0	\$1,260	Responsible for debtor reconciliation and collection.
Superannuation	\$7,988	\$7,130	\$7,130	Superannuation calculated from wages.
Workers Compensation - NSW*		\$2,393	\$2,393	NSW workers compensation liability based on salaries not received and this remains an estimate.
Workers Compensation - QLD	\$4,488	\$100	\$100	QLD workers compensation liability based on salaries.
Workers Compensation - VIC		\$4,556	\$4,556	VIC workers compensation liability based on salaries.
<b>Total EL Expenses</b>	<b>\$341,191</b>	<b>\$22,491</b>	<b>\$330,411</b>	
<b>Less: Equitable Lien Advance</b>	<b>(\$150,000)</b>		<b>(\$150,000)</b>	
<b>EL Expenses</b>	<b>\$191,191</b>		<b>\$180,411</b>	

**SL Expenses - 28 March 2019 - 16 October 2019**

SL Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
<b>EL Expenses Carried Forward</b>	<b>\$191,191</b>	<b>\$22,491</b>	<b>\$180,411</b>	
Administrators' Disbursements	\$11,420	\$0	\$11,420	Services purchased by FTI site team in relation to securing fleet.
APE Trading	\$5,130	\$0	\$5,130	Load planning and logistics
Caltex	\$38,506	\$0	\$38,506	Estimated fuel for deliveries to customers.
Central Coast Group Training	\$682	\$0	\$682	Labour hire.
Chahal	\$5,046	\$0	\$5,046	Hire of fleet.
CS Asset Holdings	\$21,021	\$0	\$21,021	Provision of delivery services.
Cubtrans	\$1,571	\$0	\$1,571	Hire of fleet.
Dexter River Haulage Pty Ltd	\$1,650	\$0	\$1,650	Transport of trailer.
Dylan's Interior Services	\$231	\$0	\$231	Cleaning.
Discount Transport Services Pty Ltd	\$502	\$0	\$502	Provision of delivery services.
DTW Transport Pty Ltd	\$1,448	\$0	\$1,448	Labour hire.
Indo Aus Transport	\$10,890	\$0	\$10,890	Provision of delivery services.
Business Insurances	\$4,247	\$0	\$4,247	Public liability, industrial special risks, transport operators, marine transit, business practises
Karstens	\$3,483	\$0	\$3,483	Room hire for creditors' meetings in VIC and NSW
Lomi Pty Ltd T/A The Lomi Trust	\$5,225	\$0	\$5,225	Load planning and logistics
L&S Trucking	\$2,525	\$0	\$2,525	Labour hire.
Minter Ellison - Legal Fees	\$40,318	\$0	\$40,318	Legal fees incurred in connection with the administration
Net wages paid on 3 April 2019	\$38,104	\$0	\$38,104	Salaries relating to trading.
PAYG	\$12,852	\$0	\$12,852	PAYG based on salaries.
Payroll tax - NSW		\$1,276	\$1,276	Actual NSW payroll tax for salaries.
Payroll tax - QLD	\$5,670	\$56	\$56	Actual QLD payroll tax for salaries.
Payroll tax - VIC*		\$1,439	\$1,439	Actual VIC payroll tax for salaries not received and this remains an estimate.
Peter Crane	\$330	\$0	\$330	Provision of Office 365 Maintenance
Road Tolls	\$1,500	\$3,339	\$3,339	Road tolls in respect to organising the collection of trailers to both VIC and NSW sites.
Roadstar Trucking	\$10,945	\$0	\$10,945	Provision of delivery services.
Rustic Africa Thatch	\$2,610	\$0	\$2,610	Labour hire.
SRK Transport	\$42,491	\$0	\$42,491	Provision of delivery services.
Superannuation	\$4,436	\$4,011	\$4,011	Superannuation calculated from wages.
Telephone	\$5,500	\$653	\$653	Telephone costs.
Tikis 2	\$4,036	\$0	\$4,036	Provision of delivery services.
Thorn Equipment Finance	\$944	\$0	\$944	Rental of fleet management software.
Total Care Transport Pty Ltd	\$11,935	\$0	\$11,935	Provision of delivery services.
Utilities	\$2,200	\$0	\$0	
Westside Transport & Logistics Pty Ltd	\$4,254	\$0	\$4,254	Labour hire.
Workers Compensation - NSW*		\$1,346	\$1,346	NSW workers compensation liability based on salaries not received and this remains an estimate.
Workers Compensation - QLD	\$2,524	\$56	\$56	QLD workers compensation liability based on salaries.
Workers Compensation - VIC		\$2,563	\$2,563	VIC workers compensation liability based on salaries.
<b>Total SL Expenses</b>	<b>\$495,418</b>	<b>\$37,229</b>	<b>\$477,546</b>	

**QM Expenses - 10 April 2019 - 16 October 2019**

QM Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
Minter Ellison - Legal Fees	\$41,605	\$34,181	\$75,786	Legal fees incurred in connection with the administration
<b>Total QM Expenses</b>	<b>\$41,605</b>	<b>\$34,181</b>	<b>\$75,786</b>	

\* = Estimates

**From:** Warwick, Kate  
**Sent:** Friday 18 October 2019 06:32:23 PM  
**To:** Brendon Watkins;Nathan Brumley  
**Cc:** Morton, Ian  
**Subject:** FW: WITS Holdings Pty Limited (In Liquidation)

Hi Brendon and Nathan

Correspondence received below from PCI fyi.

Enjoy the weekend!

K

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
**Level 21, 600 Bourke Street, Melbourne, 3000**  
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**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Friday, 18 October 2019 5:34 PM  
**To:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Cc:** Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; John Melluish <[jmelluish@pcipartners.com.au](mailto:jmelluish@pcipartners.com.au)>; Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>; Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>  
**Subject:** [EXTERNAL] WITS Holdings Pty Limited (In Liquidation)

Dear Kate

I refer to your letter dated 17 October 2019 and note your request for payment of \$620,865.04 on or before 21 October 2019 in respect of expenses incurred by the former Administrators.

I note that included in that claim you have sought payment of expenses relating to your quantum meruit ("QM") claim in the amount of \$75,786. In circumstances where you are yet to receive an order from the Court confirming that these amounts are in fact recoverable by you, it is not appropriate for me to make payment of any funds to you in this regard. I further note that the priority of your QM claim, to the extent that it is payable, is still subject to dispute. My solicitor is drafting correspondence to Minter Ellison in this regard.

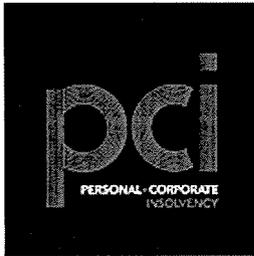
In relation to payment of the balance, I advise that I have not yet made sufficient recoveries to enable that claim to be paid in full. There are however amounts that I am in a position to forward to you. Specifically, funds totaling \$191,000 which were withheld from the proceeds of the company's motor vehicles that were distributed to Westpac in respect of your claim to an equitable lien. I note your advice that these costs have now reduced to \$180,141. Please provide me with confirmation from Westpac that they accept the quantum of your claim to these expenses. A review of the material provided in support of these expenses is presently being conducted and I anticipate being in a position to distribute the funds withheld to your office during the course of next week, subject to any additional queries that may be required to be addressed and confirmation in writing from Westpac. Please note that I do not propose to remit funds in relation to any amounts that are not yet substantiated or that are subject to court approval.

In addition an amount of approximately \$102,000 in respect of trade on sales debtors for your administration period has been recovered, of which my office has received approximately \$75,000. A reconciliation of these debtors is also being prepared at present, following completion of which I will remit the value of trade on debtors recovered by me, less my expenses and costs in recovering those amounts.

Please note however that this amount will be adjusted for any pre appointed non factored debtor amounts received directly by you that should have been paid to me as Liquidator. I understand this amount to be in the order of \$24,000. Likewise Westpac have received monies to which you are entitled and I will provide you with those details. You should seek recovery of those amounts directly from Westpac.

Save for payments in respect of the equitable lien and the trade on debtor receipts, I do not intend to remit further funds in respect of your claim (which includes pre-appointment non factored debtors, and debtor invoices raised by me as Liquidator) until such time as the waterfall priorities are agreed upon. I hope that this can be resolved between us shortly.

Regards



**Stephen Michell**  
DIRECTOR

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CONTACT: Luke Whiffen  
CONTACT EMAIL: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)  
OUR REF: 151

18 June 2019

Minter Ellison

**By email:** [ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

Dear Sirs

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) (COMPANY)**

We act for Mr Stephen Michell in his capacity as liquidator of the Company.

We refer to your letter of 7 June 2019 in relation to the ongoing discussions between the Administrators and the Liquidator as concerns the statutory and equitable liens claimed by the Administrators.

We note the total amount claimed by the Administrators is ~~\$994,158.04~~ ~~\$902,579~~ comprised as follows:

1. 1. In respect of the Statutory Lien, ~~\$552,815.04~~ ~~\$495,417~~ on account of costs and expenses during the administration period (**SL Expenses**) and \$308,053 on account of remuneration for the administration period (**SL Remuneration**).
2. 2. In respect of the quantum meruit claim, ~~\$75,786~~ ~~\$41,605~~ on account of costs and expenses after the administration terminated (**QM Expenses**) and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (Collectively the **QM amount**).

For the avoidance of doubt the following should be noted in relation to the above figures:

- a) The care and preservation advance (\$150,000) has not been deducted from the SL Expenses.
- b) The section 560 loan is not included as a line item in the SL Expenses. Instead individual expenses which were met with the section 560 loan are included. The section 560 loan has been fully expended by the administrators.
- c) The SL Expenses includes \$7,735.00 in estimates which are subject to revision.
- d) The SL Expenses have been adjusted to account for the post-appointment receipts.
3. \_\_\_\_\_

In relation to the various claims for remuneration it is acknowledged by all parties that it is necessary for those claims to be approved by either creditors or the Court. For the purpose of this exercise only, and without admission, provision will be made for the claims in full.

As concerns the claims for expenses we note that the Liquidator has now been provided with the majority of the necessary supporting documentation and has conducted a review of that material. We attach as Annexure A details of the queries raised by the Liquidator in relation to those expenses. Without admission as to the quantum, this correspondence will assume those queries are resolved and the expenses claims are properly made out.

You have identified 6 asset pools from which realisations could potentially be made as follows:

- a) Realisation from collection of 'accepted debts' (**Accepted Debts**) under Westpac's Finance Facility (**IFA**);
- b) Non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
- c) Circulating asset realisations held by the Administrators (**Administrator Realisations**);
- d) Debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
- e) Other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and
- f) Non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditors.

In relation to category f), the Liquidator agrees that recoveries in this category are uncertain and it is not necessary to be addressed in this discussion.

#### **Liquidator's Entitlement to Priority: Re Universal**

Under the *Re Universal* principle where the Liquidator has preserved or realised property subject to security, including any security held by the Administrators either by way of a statutory lien or security that arises by way of an equitable lien, the Liquidator's remuneration and expenses incurred in such work and action ranks in priority to the rights of the secured creditor.

#### **Accepted Debts / IFA**

In relation to category a) the Liquidator proposes that the proceeds be dealt with in the following manner:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) (the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) in reduction of the Westpac IFA; and then
- (iv) in reduction of other Westpac facilities (relying on set-off); then
- (v) in payment of SL and QM Amounts [DN: these amounts ranking ahead of the liquidator in reliance on the statutory lien under s 443E of the Act]; then
- (vi) to the Liquidator for his approved remuneration [DN: it doesn't make sense to have the balance dealt with under category e, because this leads to a circular result where you would go back to CFMG's costs, the liquidator's Re Universal lien costs etc., as set out in category e]; then
- (vii) to the employees; and then
- ~~(iii)~~(viii) to the unsecured creditors.
- ~~(iv)~~ the balance of proceeds to be added to category e).

#### **Westpac Fixed Assets**

As concerns category b) it is noted that the Administrators claim \$191,191 on account of costs and expenses (**EL Expenses**) and \$105,690 on account of remuneration (**EL Remuneration**). The Liquidator proposes that category b) be dealt with in the following manner:

- (i) to Grays/Gordon Bros in respect of their commission and other expenses incurred including repairs, lien payments, cleaning and insurance; then
- (ii) to the Liquidators in respect of their specific remuneration and disbursements in realising the truck and trailer fleet (as agreed with Westpac); then
- (iii) to the Administrators in respect of their EL Expenses (as agreed with Westpac); then
- (iv) to the Administrators in respect of the EL Remuneration (as agreed with Westpac); then
- (v) to Westpac in reduction of their equipment finance outstanding facilities [DN: Westpac's charge in respect of the fixed assets secures all of Westpac's facilities and not just their equipment finance facilities]; and then
- (vi) in payment of SL and QM Amounts; then
- (vii) to the Liquidator for his approved remuneration; then
- (viii) to the employees; and then
- (v)(ix) to the unsecured creditors.
- ~~(vi) — any surplus to be added to category e).~~

### **Administrator Realisations**

In relation to category c) the Liquidator proposes that the proceeds be applied to the Administrators' SL expenses. It does not appear there will be any surplus.

### **Administration Debtors**

Category d) includes two separate groups of debtors, first debtors created by the Administrators in relation to their trading period, and secondly pre appointment invoices raised by the Administrator which had not been raised by the company prior to the Administrators' appointment. In relation to the Administrators' trading debtors, the Liquidator proposes the following:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; and then
- (v) in payment of QM Amounts; then
- (vi) to the Liquidator for his approved remuneration; then
- (vii) to the employees; then
- (viii) to Westpac for its outstanding facilities; and then

~~(iv)~~(ix) to the unsecured creditors.

~~(v) — Any surplus to be added to category e).~~

### **Liquidation Proceeds**

The debtor invoices raised by the Administrator which relate to pre-appointment trading are to be included in category e).

The Liquidator proposes that category e) be dealt with in the following manner:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; ~~and then~~
- ~~(iv)~~(v) in payment of QM Amounts; then
- (vi) to the Liquidator in respect of ~~for any~~his approved remuneration; ~~then-~~
- (vii) to the employees; then
- (viii) to Westpac for its outstanding facilities; and then
- ~~(v)~~(ix) to the unsecured creditors.

Please confirm the above regime resolves the outstanding issues the subject of our recent correspondence.

Yours faithfully,  
**HILTON BRADLEY LAWYERS**

**Luke Whiffen**  
Director  
Email: luke@hiltonbradley.com.au  
Phone: (02) 9199 1672

**From:** Luke Whiffen  
**Sent:** Wednesday 30 October 2019 05:24:47 PM  
**To:** Brendon Watkins  
**Cc:** James Hulbert;Nathan Brumley;Tony Nguyen  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Brendon,

I refer to your email of 21 October 2019.

**Application regarding remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration / Liquidator convening meeting to approve**

The Liquidator reserves his position regarding remuneration incurred post appointment (**QM Claim**).

However, in circumstances where the Court makes an order authorising the creditors to approve post appointment remuneration, it is the Liquidator's position that he will not convene a meeting of creditors to approve your client's remuneration because:

- \* an application is required to be made to the Court regardless;
- \* the costs of convening the meeting will be substantial;
- \* there is no guarantee that creditors will approve the requests for remuneration, resulting in the need for a Court application to be made in any case; and
- \* the level of detail which would be required to be provided to creditors if they were to consider the remuneration does not differ from that which is to be provided to the Court.

The issue of convening a meeting for the approval of your client's fees was discussed by the Liquidator with FEG. FEG's position in respect of this matter was non-committal and FEG appreciated the concerns raised by the Liquidator, as detailed above.

I am instructed that FEG is a creditor in the amount of circa \$187,000 in a total pool of circa 331 creditors owed circa \$7 mil - \$10 mil.

**Set-off under 553C**

The Liquidator reserves his rights in respect of Westpac's right to set—off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities.

While the Liquidator notes your previous comments that it would be highly unlikely that Westpac would have provided the IFA facility in circumstances where it had notice of the fact that the company was insolvent, there remains outstanding the issue as to whether the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA (as opposed to only when the facility was entered into).

We do not know FEG's view as to the appropriateness of the set-off in circumstances where the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA. This was not discussed with FEG.

We are instructed that at this stage it appears unlikely that recoveries under the IFA will exceed the amount owing under it such that the argument may be a moot point.

#### **QM Claim in Waterfalls & Priority of QM Amount**

The QM Claim should be removed from the waterfalls until such time as an order has been made by the Court to approve the ability to make the QM Claim, the quantum of the QM Claim (if it is approved) and the priority of the QM Claim. The Liquidator's position is that the priority of any QM claim should not be above his general remuneration as Liquidator. In this regard, it may be necessary that submissions are made by the Liquidator in FTI's application seeking orders in respect of the QM claim.

Please let us know if your client intends to at the time of making the application referred to above seeking any declarations as to the priority to be afforded any quantum meruit claim. For example, will your client contend that a quantum meruit claim has the advantage of the Administrator's lien or a Re Universal lien?

In relation to the attitude of FEG it is the Liquidator's view that FEG were noncommittal as to your proposed application.

#### **Waterfalls**

You previously provided us with an amended version of my letter dated 18 June 2019. We note that circumstances in the liquidation have progressed since the issue of that letter. For example the realisation of fixed assets with no surplus available. Further, we note that the Liquidator does not agree with the fact of the QM Claim nor the priority of the QM Claim asserted by your client. In such circumstances, we consider there is little value in continuing amendments to the letter until such time as the issues relating to the QM Claim are resolved by the Court.

In respect of the amendments included in your email of 21 October 2019, the Liquidator does not agree with the amount for the SL Expenses or the QM Expenses.

While 2(a) and 2(b) are agreed, 2(c) and 2(d) will require further verification as the amounts contained in your amendment of 21 October 2019 differ from the amounts disclosed by your client.

#### **Costs Incurred in Realisation of Fixed Assets**

Costs incurred are to be necessary and proper and relate to the asset class to which the recovery applies. We understand the Liquidator has been in contact with your client regarding various queries relating to the payment of equitable lien amounts and further understand that a remittance for equitable lien expenses for fixed assets is to be made by the Liquidator in the near future. In addition, I am instructed that a remittance relating to trade on debtor recoveries is also being prepared and expected to be remitted to your client in the near future.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

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**From:** Zulema Townsend <Zulema.Townsend@minterellison.com> **On Behalf Of** Brendon Watkins  
**Sent:** Monday, 21 October 2019 4:25 PM  
**To:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Cc:** James Hulbert <james@hiltonbradley.com.au>; Nathan Brumley <Nathan.Brumley@minterellison.com>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

We refer to our email of 8 October 2019 (set out below), to our client's recent letter addressed to your client dated 17 October 2019 (**attached**) and to your client's reply of 18 October 2019 (**attached**).

In our email of 8 October 2019, we had requested that you advise whether your client accepts the amendments to your proposed distribution of funds from different asset classes (as outlined in the marked up letter of 18 June attached to our email of 30 July 2019).

As you will see in our client's letter of 17 October 2019, our client has provided updated figures in relation to the expenses incurred. As a result, we have **attached** a further amended version of the 18 June 2019 letter which reflects these updated figures. Our client otherwise continues to reserve its right to charge for remuneration incurred post 24 May 2019.

Once again, we request that you advise whether your client agrees to the waterfall distributions as per the mark up letter attached. In your client's latest email of 18 October 2019 your client has stated that until the waterfalls are agreed no further payments (beyond those described in the email) will be made to our client. Nonetheless, your client has again refused to respond in any substantive way as to why he has not accepted the proposed waterfalls. Please clarify your client's position by Wednesday, 23 October 2019.

If we do not receive this confirmation we will need to invite the court to address how these waterfalls should occur. As previously noted, this will add significantly to the costs of the application in relation to remuneration being currently prepared, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Subject to the obvious need to agree on the waterfalls, we otherwise request that you clarify the remaining points of contention before expenses claimed by our client will be reimbursed. We agree that it

is crucial to resolve how the waterfall distributions should apply, and have addressed this in the previous paragraphs. We also accept that our client should seek an order authorising the recovery of post-appointment expenses, and confirm that this will be included in our application (including an order that the indemnity, priority and liens outlined in sections 443D – 443F of the *Corporations Act* apply to both the post-appointment remuneration and expenses).

Assuming these two matters are dealt with, can you confirm that the amounts have otherwise been substantiated to your client's satisfaction and that there are no other objections to reimbursement.

In that context, would you also please respond to our outstanding query as to whether your client is willing to convene a meeting of creditors to consider the remuneration of the administrators, assuming the court makes orders confirming the creditors' powers in this regard.

We request your response on these matters by 5.00 pm this Wednesday.

Regards,

\_\_\_\_\_

**Brendon Watkins**

Partner

T +61 3 8608 2022 M +61 419 886 003

[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 8 October 2019 05:34 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** 'James Hulbert' <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>; Nathan Brumley <[Nathan.Brumley@minterellison.com](mailto:Nathan.Brumley@minterellison.com)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

\_\_\_\_\_

**Brendon Watkins**

Partner

T +61 3 8608 2022 M +61 419 886 003

[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins  
**Sent:** Tuesday 30 July 2019 03:08 PM  
**To:** 'Luke Whiffen' <Luke@hiltonbradley.com.au>  
**Cc:** Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

—

Brendon Watkins

Partner

T +61 3 8608 2022 M +61 419 886 003

[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

MinterEllison Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**  
Lawyer  
T +61 3 8608 2765  
[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)  
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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]  
**Sent:** Thursday 11 July 2019 02:11 pm  
**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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-----

**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Thursday 7 November 2019 04:04:06 PM  
**To:** Luke Whiffen  
**Cc:** James Hulbert; Tony Nguyen; Nathan Brumley  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

We refer to your email of 30 October 2019.

You have indicated that the liquidator will not convene a meeting of creditors to approve the administrators' remuneration, even if the administrators obtain an order that they are entitled to remuneration for work undertaken in connection with the administration after the administration was formally terminated, and even if the court authorises creditors to approve post-appointment remuneration (noting creditors already have authority to approve the remuneration incurred during the administration itself).

While disappointed with your client's position, our client will amend the proposed application to include orders fixing remuneration by the court.

Your email precedes to address the waterfalls that we have proposed in respect of the various classes of assets identified by your client in its original letter of 18 June 2019.

You have made the following points:

1. You are not satisfied that Westpac is entitled to apply surplus proceeds from the IFA towards repayment of other amounts owed to the bank by way of set-off, although you have gone on to note that it is unlikely any surplus will be realised in respect of the IFA.

If no surplus is realised, the point is obviously moot, and the proposed waterfall itself will terminate at the third bullet point, which references repayments to Westpac under the IFA.

On the other hand, if a surplus is realised and set-off is challenged, then Westpac would expect to receive funds in reduction of its other facilities after the employees and before the unsecured creditors.

This amendment seems uncontentious and we have written previously on the point.

2. You have otherwise written to suggest that the QM Claim should be removed from the waterfalls until approved by the court. We have great difficulty in understanding this point. The whole point of the exercise was to see if our respective clients were in agreement on how available proceeds would be distributed, assuming our client is entitled to claim for remuneration and expenses incurred after their appointment was formally terminated, and assuming that these additional amounts are covered by the statutory or equitable liens that are otherwise in place to protect administrators in respect of their remuneration, costs and expenses.

The whole purpose in attempting to agree on waterfalls was to ensure that, should our client be successful in its application, funds could be distributed without the need for further debate or additional court applications. Removing the QM Claim from the waterfalls would defeat this purpose.

We find it frustrating that your client will not engage further in relation to the waterfalls, but will now take steps to ensure that appropriate orders are obtained confirming waterfall distributions in accordance with our previous correspondence.

You have also asked that we advise whether our clients will be contending that their remuneration, costs and expenses incurred post-appointment is protected by either the statutory lien or (where applicable on facts) an equitable lien arising under the *Re Universal* principles. We have written to you on many occasions to confirm that this is our client's contention.

Finally, we note your statement that the liquidator does not agree with the amount claimed by way of expenses, with your email specifically stating that you require further verification because the amounts that were set out in our letter of 21 October are said to differ from amounts disclosed by our clients.

The amounts that were set out in our communication on 21 October do not differ from the updated figures that were provided by our clients to your client directly on 17 October 2019. Indeed, the only reason we sent the further communication on 21 October was to ensure the figures did align.

We will seek orders in the court application that your client specify precisely what further evidence is required by an agreed date, so this matter can be finally closed out.

Regards,

\_\_\_\_\_

**Brendon Watkins**

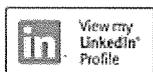
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**From:** Luke Whiffen <Luke@hiltonbradley.com.au>

**Sent:** Wednesday 30 October 2019 05:25 PM

**To:** Brendon Watkins <Brendon.Watkins@minterellison.com>

**Cc:** James Hulbert <james@hiltonbradley.com.au>; Nathan Brumley <Nathan.Brumley@minterellison.com>; Tony Nguyen <Tony.Nguyen@hiltonbradley.com.au>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Brendon,

I refer to your email of 21 October 2019.

**Application regarding remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration / Liquidator convening meeting to approve**

The Liquidator reserves his position regarding remuneration incurred post appointment (**QM Claim**).

However, in circumstances where the Court makes an order authorising the creditors to approve post appointment remuneration, it is the Liquidator's position that he will not convene a meeting of creditors to approve your client's remuneration because:

- \* an application is required to be made to the Court regardless;
- \* the costs of convening the meeting will be substantial;
- \* there is no guarantee that creditors will approve the requests for remuneration, resulting in the need for a Court application to be made in any case; and
- \* the level of detail which would be required to be provided to creditors if they were to consider the remuneration does not differ from that which is to be provided to the Court.

The issue of convening a meeting for the approval of your client's fees was discussed by the Liquidator with FEG. FEG's position in respect of this matter was non-committal and FEG appreciated the concerns raised by the Liquidator, as detailed above.

I am instructed that FEG is a creditor in the amount of circa \$187,000 in a total pool of circa 331 creditors owed circa \$7 mil - \$10 mil.

#### **Set-off under 553C**

The Liquidator reserves his rights in respect of Westpac's right to set-off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities.

While the Liquidator notes your previous comments that it would be highly unlikely that Westpac would have provided the IFA facility in circumstances where it had notice of the fact that the company was insolvent, there remains outstanding the issue as to whether the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA (as opposed to only when the facility was entered into).

We do not know FEG's view as to the appropriateness of the set-off in circumstances where the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA. This was not discussed with FEG.

We are instructed that at this stage it appears unlikely that recoveries under the IFA will exceed the amount owing under it such that the argument may be a moot point.

#### **QM Claim in Waterfalls & Priority of QM Amount**

The QM Claim should be removed from the waterfalls until such time as an order has been made by the Court to approve the ability to make the QM Claim, the quantum of the QM Claim (if it is approved) and the priority of the QM Claim. The Liquidator's position is that the priority of any QM claim should not be above his general remuneration as Liquidator. In this regard, it may be necessary that submissions are made by the Liquidator in FTI's application seeking orders in respect of the QM claim.

Please let us know if your client intends to at the time of making the application referred to above seeking any declarations as to the priority to be afforded any quantum meruit claim. For example, will

your client contend that a quantum meruit claim has the advantage of the Administrator's lien or a Re Universal lien?

In relation to the attitude of FEG it is the Liquidator's view that FEG where noncommittal as to your proposed application.

### **Waterfalls**

You previously provided us with an amended version of my letter dated 18 June 2019. We note that circumstances in the liquidation have progressed since the issue of that letter. For example the realisation of fixed assets with no surplus available. Further, we note that the Liquidator does not agree with the fact of the QM Claim nor the priority of the QM Claim asserted by your client. In such circumstances, we consider there is little value in continuing amendments to the letter until such time as the issues relating to the QM Claim are resolved by the Court.

In respect of the amendments included in your email of 21 October 2019, the Liquidator does not agree with the amount for the SL Expenses or the QM Expenses.

While 2(a) and 2(b) are agreed, 2(c) and 2(d) will require further verification as the amounts contained in your amendment of 21 October 2019 differ from the amounts disclosed by your client.

### **Costs Incurred in Realisation of Fixed Assets**

Costs incurred are to be necessary and proper and relate to the asset class to which the recovery applies. We understand the Liquidator has been in contact with your client regarding various queries relating to the payment of equitable lien amounts and further understand that a remittance for equitable lien expenses for fixed assets is to be made by the Liquidator in the near future. In addition, I am instructed that a remittance relating to trade on debtor recoveries is also being prepared and expected to be remitted to your client in the near future.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Zulema Townsend <Zulema.Townsend@minterellison.com> **On Behalf Of** Brendon Watkins  
**Sent:** Monday, 21 October 2019 4:25 PM  
**To:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Cc:** James Hulbert <james@hiltonbradley.com.au>; Nathan Brumley <Nathan.Brumley@minterellison.com>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

We refer to our email of 8 October 2019 (set out below), to our client's recent letter addressed to your client dated 17 October 2019 (**attached**) and to your client's reply of 18 October 2019 (**attached**).

In our email of 8 October 2019, we had requested that you advise whether your client accepts the amendments to your proposed distribution of funds from different asset classes (as outlined in the marked up letter of 18 June attached to our email of 30 July 2019).

As you will see in our client's letter of 17 October 2019, our client has provided updated figures in relation to the expenses incurred. As a result, we have **attached** a further amended version of the 18 June 2019 letter which reflects these updated figures. Our client otherwise continues to reserve its right to charge for remuneration incurred post 24 May 2019.

Once again, we request that you advise whether your client agrees to the waterfall distributions as per the mark up letter attached. In your client's latest email of 18 October 2019 your client has stated that until the waterfalls are agreed no further payments (beyond those described in the email) will be made to our client. Nonetheless, your client has again refused to respond in any substantive way as to why he has not accepted the proposed waterfalls. Please clarify your client's position by Wednesday, 23 October 2019.

If we do not receive this confirmation we will need to invite the court to address how these waterfalls should occur. As previously noted, this will add significantly to the costs of the application in relation to remuneration being currently prepared, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Subject to the obvious need to agree on the waterfalls, we otherwise request that you clarify the remaining points of contention before expenses claimed by our client will be reimbursed. We agree that it is crucial to resolve how the waterfall distributions should apply, and have addressed this in the previous paragraphs. We also accept that our client should seek an order authorising the recovery of post-appointment expenses, and confirm that this will be included in our application (including an order that the indemnity, priority and liens outlined in sections 443D – 443F of the *Corporations Act* apply to both the post-appointment remuneration and expenses).

Assuming these two matters are dealt with, can you confirm that the amounts have otherwise been substantiated to your client's satisfaction and that there are no other objections to reimbursement.

In that context, would you also please respond to our outstanding query as to whether your client is willing to convene a meeting of creditors to consider the remuneration of the administrators, assuming the court makes orders confirming the creditors' powers in this regard.

We request your response on these matters by 5.00 pm this Wednesday.

Regards,

—

Brendon Watkins

Partner

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[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 8 October 2019 05:34 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** 'James Hulbert' <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>; Nathan Brumley <[Nathan.Brumley@minterellison.com](mailto:Nathan.Brumley@minterellison.com)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

—

**Brendon Watkins**

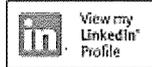
Partner

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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 30 July 2019 03:08 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;

2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

\_\_\_\_\_

**Brendon Watkins**

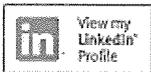
Partner

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[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry

<[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

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-----

**From:** Luke Whiffen  
**Sent:** Thursday 11 July 2019 02:11:11 PM  
**To:** Ned Marlow-Weir  
**Cc:** Brendon Watkins;Alister Merry;James Hulbert  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)  
**Attachments:** Letter to Minters 11\_07\_19.pdf

See attached correspondence.

**Luke Whiffen | Director**

**P** | (02) 9199 1672

**M** | 0419 096 492

**E** | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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CONTACT: Luke Whiffen  
CONTACT EMAIL: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)  
OUR REF: 151



11 July 2019

Minter Ellison

**By email:** [ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

Dear Colleagues

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) (COMPANY)**

We refer to previous correspondence in relation to issues surrounding priorities as between various parties including the Liquidator, Westpac, your client, FEG and creditors generally.

Could you please confirm your client does not object to the Liquidator paying to Westpac the proceeds of debtors recovered and subject to the Invoice Finance Agreement.

At present the Liquidator will only pay such amounts up to, and not beyond, the level of indebtedness under the Invoice Finance Agreement. Any surplus will be dealt with after consultation, particularly in respect of any 553C issues, between the Liquidator, FEG, Westpac and your client or by order of the Court.

Yours faithfully,

**HILTON BRADLEY LAWYERS**

A handwritten signature in black ink, appearing to read 'L Whiffen', written over a faint, illegible background.

**Luke Whiffen**

Director

Email: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

Phone: (02) 9199 1672

Hilton Bradley Lawyers  
ABN 13630977776  
Level 21  
133 Castlereagh Street  
SYDNEY NSW 2000  
Phone: (02) 9199 1672

**From:** Ned Marlow-Weir  
**Sent:** Friday 12 July 2019 05:43:03 PM  
**To:** Luke Whiffen  
**Cc:** Brendon Watkins;Alister Merry;James Hulbert  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**  
Lawyer  
T +61 3 8608 2765  
[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)  
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**From:** Luke Whiffen [mailto:Luke@hiltonbradley.com.au]  
**Sent:** Thursday 11 July 2019 02:11 pm  
**To:** Ned Marlow-Weir <Ned.Marlow-Weir@minterellison.com>  
**Cc:** Brendon Watkins <Brendon.Watkins@minterellison.com>; Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

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**From:** Luke Whiffen  
**Sent:** Monday 22 July 2019 04:18:21 PM  
**To:** Ned Marlow-Weir  
**Cc:** Brendon Watkins;Alister Merry;James Hulbert  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | luke@hiltonbradley.com.au

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**To:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Cc:** Brendon Watkins <Brendon.Watkins@minterellison.com>; Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
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Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

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**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

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**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

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-----

**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Tuesday 30 July 2019 03:08:24 PM  
**To:** Luke Whiffen  
**Cc:** Alister Merry; James Hulbert  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-  
ME.FID5015055]  
**Attachments:** Letter to Minters 18\_06\_19 ME Mark-up 30072019.DOCX

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

---

**Brendon Watkins**

Partner

T +61 3 8608 2022 M +61 419 886 003

[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

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**From:** Luke Whiffen <Luke@hiltonbradley.com.au>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <Ned.Marlow-Weir@minterellison.com>

**Cc:** Brendon Watkins <Brendon.Watkins@minterellison.com>; Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

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Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

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**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
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Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**  
Lawyer  
T +61 3 8608 2765  
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**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry

<[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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-----

CONTACT: Luke Whiffen  
CONTACT EMAIL: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)  
OUR REF: 151

18 June 2019

Minter Ellison

**By email:** [ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

Dear Sirs

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) (COMPANY)**

We act for Mr Stephen Michell in his capacity as liquidator of the Company.

We refer to your letter of 7 June 2019 in relation to the ongoing discussions between the Administrators and the Liquidator as concerns the statutory and equitable liens claimed by the Administrators.

We note the total amount claimed by the Administrators is \$902,579 comprised as follows:

1. 1. In respect of the Statutory Lien, \$495,417 on account of costs and expenses during the administration period (**SL Expenses**) and \$308,053 on account of remuneration for the administration period (**SL Remuneration**).
2. 2. In respect of the quantum meruit claim, \$41,605 on account of costs and expenses after the administration terminated (**QM Expenses**) and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (Collectively the **QM amount**).

In relation to the various claims for remuneration it is acknowledged by all parties that it is necessary for those claims to be approved by either creditors or the Court. For the purpose of this exercise only, and without admission, provision will be made for the claims in full.

As concerns the claims for expenses we note that the Liquidator has now been provided with the majority of the necessary supporting documentation and has conducted a review of that material. We attach as Annexure A details of the queries raised by the Liquidator in relation to those expenses. Without admission as to the quantum, this correspondence will assume those queries are resolved and the expenses claims are properly made out.

You have identified 6 asset pools from which realisations could potentially be made as follows:

- a) Realisation from collection of 'accepted debts' (**Accepted Debts**) under Westpac's Finance Facility (**IFA**);
- b) Non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
- c) Circulating asset realisations held by the Administrators (**Administrator Realisations**);
- d) Debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
- e) Other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and

- f) Non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditors.

In relation to category f), the Liquidator agrees that recoveries in this category are uncertain and it is not necessary to be addressed in this discussion.

### Liquidator's Entitlement to Priority: Re Universal

Under the *Re Universal* principle where the Liquidator has preserved or realised property subject to security, including any security held by the Administrators either by way of a statutory lien or security that arises by way of an equitable lien, the Liquidator's remuneration and expenses incurred in such work and action ranks in priority to the rights of the secured creditor.

### Accepted Debts / IFA

In relation to category a) the Liquidator proposes that the proceeds be dealt with in the following manner:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) (the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) in reduction of the Westpac IFA; and then
- (iv) in reduction of other Westpac facilities (relying on set-off); then
- (v) in payment of SL and QM Amounts IDN: these amounts ranking ahead of the liquidator in reliance on the statutory lien under s 443E of the Act; then
- (vi) to the Liquidator for his approved remuneration IDN: it doesn't make sense to have the balance dealt with under category e, because this leads to a circular result where you would go back to CFMG's costs, the liquidator's Re Universal lien costs etc., as set out in category e; then
- (vii) to the employees; and then
- ~~(iii)~~(viii) to the unsecured creditors.
- ~~(iv) the balance of proceeds to be added to category e).~~

### Westpac Fixed Assets

As concerns category b) it is noted that the Administrators claim \$191,191 on account of costs and expenses (**EL Expenses**) and \$105,690 on account of remuneration (**EL Remuneration**). The Liquidator proposes that category b) be dealt with in the following manner:

- (i) to Grays/Gordon Bros in respect of their commission and other expenses incurred including repairs, lien payments, cleaning and insurance; then
- (ii) to the Liquidators in respect of their specific remuneration and disbursements in realising the truck and trailer fleet (as agreed with Westpac); then
- (iii) to the Administrators in respect of their EL Expenses (as agreed with Westpac); then
- (iv) to the Administrators in respect of the EL Remuneration (as agreed with Westpac); then

(v) to Westpac in reduction of their equipment finance outstanding facilities [DN: Westpac's charge in respect of the fixed assets secures all of Westpac's facilities and not just their equipment finance facilities]; and then

(vi) in payment of SL and QM Amounts; then

(vii) to the Liquidator for his approved remuneration; then

(viii) to the employees; and then

(v)(ix) to the unsecured creditors.

~~(vi) — any surplus to be added to category e).~~

### **Administrator Realisations**

In relation to category c) the Liquidator proposes that the proceeds be applied to the Administrators' SL expenses. It does not appear there will be any surplus.

### **Administration Debtors**

Category d) includes two separate groups of debtors, first debtors created by the Administrators in relation to their trading period, and secondly pre appointment invoices raised by the Administrator which had not been raised by the company prior to the Administrators' appointment. In relation to the Administrators' trading debtors, the Liquidator proposes the following:

(i) the debt collection costs of CFMG Pty Ltd; then

(ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then

(iii) to the Administrators in respect of their SL Expenses; then

(iv) to the Administrators in respect of the SL Remuneration; and then

(v) in payment of QM Amounts; then

(vi) to the Liquidator for his approved remuneration; then

(vii) to the employees; then

(viii) to Westpac for its outstanding facilities; and then

(iv)(ix) to the unsecured creditors.

~~(v) — Any surplus to be added to category e).~~

### **Liquidation Proceeds**

The debtor invoices raised by the Administrator which relate to pre-appointment trading are to be included in category e).

The Liquidator proposes that category e) be dealt with in the following manner:

(i) the debt collection costs of CFMG Pty Ltd; then

- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; and then
- ~~(iv)~~(v) in payment of QM Amounts; then
- (vi) to the Liquidator ~~in respect of~~ for any ~~his~~ approved remuneration; ~~then.~~
- (vii) to the employees; then
- (viii) to Westpac for its outstanding facilities; and then
- ~~(v)~~(ix) to the unsecured creditors.

Please confirm the above regime resolves the outstanding issues the subject of our recent correspondence.

Yours faithfully,  
**HILTON BRADLEY LAWYERS**

**Luke Whiffen**  
Director  
Email: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)  
Phone: (02) 9199 1672

**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Tuesday 8 October 2019 05:34:23 PM  
**To:** Luke Whiffen  
**Cc:** James Hulbert; Nathan Brumley  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should

occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

\_\_\_\_\_

**Brendon Watkins**

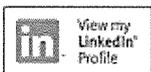
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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 30 July 2019 03:08 PM

**To:** 'Luke Whiffen' <Luke@hiltonbradley.com.au>

**Cc:** Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

\_\_\_\_\_

**Brendon Watkins**

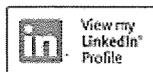
Partner

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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry

<[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.

2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

---

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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---

**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Monday 21 October 2019 04:24:35 PM  
**To:** Luke Whiffen  
**Cc:** James Hulbert; Nathan Brumley  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-  
ME.FID5015055]  
**Attachments:** Letter to PCI Partners.pdf, FW: WITS Holdings Pty Limited (In Liquidation), letter  
to minters 18\_06\_19 me mark-up 21\_10\_2019 (004).docx

Hi Luke

We refer to our email of 8 October 2019 (set out below), to our client's recent letter addressed to your client dated 17 October 2019 (**attached**) and to your client's reply of 18 October 2019 (**attached**).

In our email of 8 October 2019, we had requested that you advise whether your client accepts the amendments to your proposed distribution of funds from different asset classes (as outlined in the marked up letter of 18 June attached to our email of 30 July 2019).

As you will see in our client's letter of 17 October 2019, our client has provided updated figures in relation to the expenses incurred. As a result, we have **attached** a further amended version of the 18 June 2019 letter which reflects these updated figures. Our client otherwise continues to reserve its right to charge for remuneration incurred post 24 May 2019.

Once again, we request that you advise whether your client agrees to the waterfall distributions as per the mark up letter attached. In your client's latest email of 18 October 2019 your client has stated that until the waterfalls are agreed no further payments (beyond those described in the email) will be made to our client. Nonetheless, your client has again refused to respond in any substantive way as to why he has not accepted the proposed waterfalls. Please clarify your client's position by Wednesday, 23 October 2019.

If we do not receive this confirmation we will need to invite the court to address how these waterfalls should occur. As previously noted, this will add significantly to the costs of the application in relation to remuneration being currently prepared, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Subject to the obvious need to agree on the waterfalls, we otherwise request that you clarify the remaining points of contention before expenses claimed by our client will be reimbursed. We agree that it is crucial to resolve how the waterfall distributions should apply, and have addressed this in the previous paragraphs. We also accept that our client should seek an order authorising the recovery of post-appointment expenses, and confirm that this will be included in our application (including an order that the indemnity, priority and liens outlined in sections 443D – 443F of the *Corporations Act* apply to both the post-appointment remuneration and expenses).

Assuming these two matters are dealt with, can you confirm that the amounts have otherwise been substantiated to your client's satisfaction and that there are no other objections to reimbursement.

In that context, would you also please respond to our outstanding query as to whether your client is willing to convene a meeting of creditors to consider the remuneration of the administrators, assuming the court makes orders confirming the creditors' powers in this regard.

We request your response on these matters by 5.00 pm this Wednesday.

Regards,

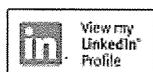
**Brendon Watkins**

Partner

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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins  
**Sent:** Tuesday 8 October 2019 05:34 PM  
**To:** 'Luke Whiffen' <Luke@hiltonbradley.com.au>  
**Cc:** 'James Hulbert' <james@hiltonbradley.com.au>; Nathan Brumley <Nathan.Brumley@minterellison.com>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay

involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

\_\_\_\_\_

**Brendon Watkins**

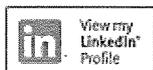
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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 30 July 2019 03:08 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

\_\_\_\_\_

**Brendon Watkins**

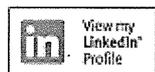
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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

17 October 2019

Mr Stephen Michell  
PCI Partners Pty Ltd  
8/179 Queen St  
MELBOURNE VIC 3000

Dear Sir

**WITS Holdings Pty Ltd (In Liquidation) (Company)**

I refer to previous correspondence in relation to this matter.

In particular, I refer to MinterEllison's letter dated 7 June 2019 ("the 7 June 2019 Letter"), a copy of which is attached at Appendix A for your convenience. In the 7 June 2019 Letter, the costs and expenses incurred by the former Administrators were separated into three categories:

- Costs and Expenses Subject to the Equitable Lien ("EL Expenses");
- Costs and Expenses Subject to the Statutory Lien ("SL Expenses"); and
- *Quantum Meruit* Claim ("QM Expenses").

The same terminology has been adopted in this letter. You will note that the amounts claimed are different to those claimed in the 7 June 2019 Letter. These updated figures are explained below.

**EL Expenses**

At paragraph 1.4 (a) of the 7 June 2019 Letter, the EL Expenses were estimated to be \$191,191. This represented total costs of \$341,191 less the care and preservation advance from Westpac Banking Corporation ("Westpac") of \$150,000.

Since the issue of the 7 June 2019 Letter, I have received further information from suppliers as to the amounts outstanding. As a result, the EL Expenses have decreased by \$10,780 to \$180,141. At Appendix B, I have provided an updated schedule which outlines these figures. The relevant changes are highlighted in yellow.

**SL Expenses**

At paragraph 1.7(a) of the 7 June 2019 Letter, the SL Expenses were estimated to be \$495,417 (this amount includes the EL Expenses).

**FTI Consulting (Australia) Pty Limited**

ABN 49 160 397 811 | ACN 160 397 811 | AFSL Authorised Representative # 001269325  
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Since the issue of the 7 June 2019 Letter, certain SL Expenses have been updated from estimates to known amounts. As a result, the SL Expenses have decreased by \$17,872 to \$477,546. See Appendix B highlighting the changes in yellow.

### QM Expenses

At paragraph 1.8 of the 7 June 2019 Letter, it was stated that the expenses comprising the QM Expenses were capped to the end of May 2019 and that if the arrangements in the 7 June 2019 Letter were not accepted by the Liquidator, the former Administrators reserved their right to claim additional amounts incurred after May 2019. On the basis that the Liquidator has not accepted the arrangements proposed in the 7 June 2019 Letter, I am now seeking to claim the additional amounts incurred.

Since the 7 June 2019 Letter, I have incurred a further \$34,181 in legal fees, increasing the QM Expenses to \$75,786. These changes are highlighted in yellow in Appendix B

### Payment of Expenses

With respect to the expenses advised above, the amounts incurred were in excess of the advances received from Westpac and as such, some have been funded directly by FTI Consulting (Australia) Pty Ltd ("FTI Consulting").

To date, the former Administrators have received no funds from the Liquidator, despite an agreement being put in place whereby sales undertaken in the Voluntary Administration would be collected by a third-party collection agency to be subsequently remitted to the former Administrators.

Total expenses are currently estimated to be \$703,331 as per the schedule at Appendix B (being the aggregate of the SL and QM Expenses). Only a proportion of payroll taxes and utilities remain as an estimate at the time of writing. The total expenses calculated in the 7 June 2019 Letter were \$687,022 (which can be calculated by reference to Annexure A of the 7 June 2019 Letter).

Costs and expenses have been paid to date from one of four sources of funds:

- The care and preservation advance (\$150,000, for which the former Administrators remain liable); or
- The section 560 loan (\$165,000, for which the former Administrators remain liable); or
- FTI Consulting; or
- Post-appointment receipts (\$74,730.96).

The post-appointment receipts are comprised of the proceeds of refunds, debtor receipts and a minor asset sale. These receipts were available to the former Administrators to meet some of the costs and expenses of the administration.

I request that the Liquidator remits to the Former Administrators, the amount of \$620,865.04 calculated as follows:

<b>Expenses Incurred</b>	<b>\$703,331.00</b>
<i>Less: Estimated Amounts</i>	<i>\$7,735.00</i>
<i>Less: Post-appointment receipts</i>	<i>\$74,730.96</i>
<b>Net Payable</b>	<b><u>\$620,865.04</u></b>

You will see that I am not, at this point, seeking reimbursement of amounts that are still estimated (totalling \$7,735). I will be seeking reimbursement of these amounts once final figures are confirmed.

The amount requested assumes that the Liquidator has not repaid Westpac for the care and preservation advance or the section 560 loan. Please confirm whether the Liquidator has repaid any of these advances and, if so, please provide evidence of the repayment.

In the event that satisfactory evidence of repayment is provided the total amount claimed will be reduced by the amount of the repayment.

As previously advised, the former Administrators are in the process of preparing an application to the Court to seek approval of their remuneration. If the reimbursement of the expenses does not occur by 21 October 2019, we will join the Liquidator to the application seeking an order that the expenses are paid forthwith.

Should you have any queries, please do not hesitate to contact either myself or Joseph Hansell.

Yours faithfully



Kate Warwick  
Senior Managing Director  
FTI Consulting (Australia) Pty Ltd

Encls.

## Appendix A

# MinterEllison

7 June 2019

## BY EMAIL

S J Michell  
Liquidator  
PCI Partners  
Level 8, 179 Queens Street  
MELBOURNE VIC 3000

Dear Mr Michell

**Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)**

### 1. Background

- 1.1 We act for Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators (**Administrators**) of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) (**Company**).
- 1.2 The Administrators were in office from 28 March 2019 until 10 April 2019. The administration ended by operation of s 435C(3)(g) of the *Corporations Act 2001* (Cth) (**Act**) when the Company was wound up by order of the Supreme Court of Victoria and Mr Stephen Michell of PCI Partners was appointed liquidator of the Company (**Liquidator**).
- 1.3 Westpac Banking Corporation ABN 33 007 457 141 (**Westpac**) holds a number of securities which secure a number of facilities as detailed under in section 2 below.
- 1.4 The Liquidator acknowledges that the Administrators assert an equitable lien under the *Re Universal* principle (**Equitable Lien**) for costs, expenses and remuneration incurred in gathering, preserving or realising assets that are subject to Westpac's fixed asset security, totalling \$296,881 being:
  - (a) \$191,191 on account of costs and expenses (**EL Expenses**); and
  - (b) \$105,690 on account of remuneration (**EL Remuneration**).
- 1.5 For the avoidance of doubt, the amount claimed in this letter under the Equitable Lien has already been reduced by \$150,000 (**Equitable Lien Advance**) due to this amount being paid (as an advance secured by Westpac's existing securities) to the Administrators by Westpac to defray preservation costs, at the commencement of the administration.
- 1.6 The Liquidator acknowledges that the Administrators also assert a statutory lien under s 443F of the *Act* (**Statutory Lien**) for all of their costs, expenses and remuneration incurred in connection with the administration for the period of their appointment, and otherwise assert an entitlement to recover their costs, expenses and remuneration for the period after their appointment was terminated (where fees and costs have been incurred in the performance or exercise of their residual functions, powers and duties as Administrators) on the basis of:
  - (a) a *quantum meruit* assessment, recognising the benefit to the Company of the work that was undertaken; or



- (b) the recognised power of the courts to make orders approving post-appointment remuneration (and by extension, post-appointment costs and expenses) under s 90-15 of schedule 2 to the *Act* (being the statutory successor to the former s 447A of the *Act*).
- 1.7 As at the date of this letter, the total amount claimed is \$902,579, being:
- (a) in respect of the Statutory Lien, \$495,417 on account of costs and expenses during the administration period (**SL Expenses**), and \$308,053 on account of remuneration for the administration period (**SL Remuneration**) (collectively the **SL Amount**); and
- (b) in respect of the quantum meruit claim, \$41,605 on account of costs and expenses after the administration terminated (**QM Expenses**), and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (collectively the **QM Amount**).
- 1.8 Please note that the amounts claimed in respect of the QM Expenses and QM Remuneration have been capped to the end of May 2019. If the arrangements proposed in this letter are not accepted by you, the Administrators reserve their rights to claim additional amounts incurred after the relevant dates.
- 1.9 The amounts secured by the Statutory Lien are secured against all assets of the Company. However, the Statutory Lien is subordinate to any perfected security interest over non-circulating assets, or a 'retention of title' security that is properly perfected on the PPSR.
- 1.10 For the avoidance of doubt, the amounts secured by the Statutory Lien include:
- (a) the \$296,881 that is otherwise also claimed under the Equitable Lien; and
- (b) an amount advanced by Westpac to the Company for the purpose of paying employee entitlements, being \$165,000 (**s 560 Loan**), recognising that the Administrators remain personally liable for this amount under s 443A of the *Act*.
- We haven't included the earlier Equitable Lien Advance in this number.
- 1.11 The Administrators' acknowledge that to the extent:
- (a) Westpac is able to recover the s 560 Loan in the manner set out in this letter; or
- (b) the amount secured by the Equitable Lien is paid out;
- there will be a dollar-for-dollar reduction in the amount secured by the Statutory Lien.
- 1.12 Attached to this letter are 6 annexures providing details of the calculations supporting the amounts claimed in paragraphs 1.4 and 1.7. More particularly:
- (a) Annexure A summarises the 'headline' amounts claimed;
- (b) Annexure B provides further detail of the EL Expenses, SL Expenses and QM Expenses;
- (c) Annexure C provides further detail of the EL Remuneration;
- (d) Annexure D provides further detail of the SL Remuneration; and
- (e) Annexure E provides further detail of the QM Remuneration.
- 1.13 In working through Annexure C and Annexure D (the Annexures relating to EL Remuneration and SL Remuneration), you will notice there are a number of time entries with mixed attribution. These are shaded in blue and green and have been apportioned in accordance with the legend in the respective Annexures.
- 1.14 The Administrators acknowledge that their remuneration is subject to approval by the creditors of the Company or the court.
- 1.15 With this background in mind, the Administrators and Liquidator seek to agree (in the terms set out in this letter) how funds realised from various asset classes will be distributed to satisfy the Administrators' claim to remuneration, costs and expenses and the Liquidator's costs, expenses and remuneration, having regard to Westpac's rights and any priority entitlements afforded to employees under the *Act*.

1.16 To this end, we have recognised the following 6 asset pools:

- (a) realisations from the collection of 'accepted debts' (**Accepted Debts**) under Westpac's Invoice Finance Facility (**IFA**);
- (b) non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
- (c) circulating asset realisations held by the Administrators (**Administrator Realisations**);
- (d) debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
- (e) other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and
- (f) non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditor. The Administrators do not seek reimbursement from this asset pool, and we do not otherwise propose to deal with this asset pool in this letter.

## 2. Westpac's security and payment entitlements

2.1 Westpac has extended the following facilities to the Company:

- (a) the IFA;
- (b) Equipment Finance Facilities covered by a Business Finance Agreement dated on or about 18 March 2016 (**WITS EFs**);
- (c) Temporary Overdraft Facility;
- (d) the s 560 Loan; and
- (e) the Equitable Lien Advance.

2.2 Westpac also extended a Corporate Credit Card Facility to the WITS Group, however, we have not seen the facility documentation for this facility and accordingly, cannot determine which entity in the WITS Group is the relevant borrowing entity. We do not otherwise propose to deal with this facility in this letter.

2.3 Subject to the specific waterfalls noted in respect of each asset pool in sections 3 to 7 below, Westpac is entitled to be repaid in the following manner from the following asset pools:

- (a) from the Accepted Debts, any amount owing under the IFA;
- (b) from the Westpac Fixed Assets (subject to the Administrators' having a first claim to extent of their Equitable Lien), any amount owing under the WITS EFs, Temporary Overdraft Facility, s 560 Loan and Equitable Lien Advance;
- (c) to the extent there is a surplus under either paragraph (a) or (b), that surplus can be used to satisfy any deficiency in the other paragraph, applying either contractual or statutory set off;
- (d) to the extent any amounts still remain owing to Westpac under any facility:
  - (i) if the shortfall is in respect of the s 560 Loan, the Administrators will satisfy this as and when their Statutory Lien is satisfied; and
  - (ii) the shortfall will otherwise be recovered from the Liquidation Proceeds, subject to:
    - (A) the Administrators' entitlement to recover costs, expenses and remuneration;
    - (B) the Liquidator's entitlement to costs, expenses and remuneration; and
    - (C) employee entitlements under s 556(e)-(h) of the Act.

### **3. Waterfall for distributions from the Accepted Debts**

3.1 Realisations from the Accepted Debts are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG Capital Pty Ltd ACN 162 084 237 (**CFMG**) where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) otherwise to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (c) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (d) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **4. Waterfall for distributions from the Westpac Fixed Assets**

4.1 Realisations from the Westpac Fixed Assets are to be paid in the following manner and order:

- (a) to the Administrators in satisfaction of their EL Expenses;
- (b) to the Administrators in satisfaction of their EL Remuneration
- (c) ranking equally with paragraph (b), a 10% collection fee (being 10% of the total realisations from the Westpac Fixed Assets) payable to the Liquidator;
- (d) to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (e) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (f) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **5. Waterfall for distributions from the Administrator Realisations**

5.1 The Administrator Realisations are to be paid in the following manner and order:

- (a) to the Administrators in reduction of the SL Amount and the QM Amount; and
- (b) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

### **6. Waterfall for distributions from the Administration Debtors**

6.1 Realisations from the Administration Debtors are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of the SL Amount and the QM Amount; and
- (c) if a surplus remains, to the Liquidator for his costs, expense and remuneration.

### **7. Waterfall for distributions from the Liquidation Proceeds**

7.1 Realisations from the Liquidation Proceeds are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of their SL Expenses and QM Expenses;
- (c) to the Administrators in satisfaction of their SL Remuneration and QM Remuneration;
- (d) ranking equally with (c), a 10% collection fee (being 10% of the total realisations from the Liquidation Proceeds) payable to the Liquidator;
- (e) to the Liquidator for his costs, expenses and remuneration;

- (f) to employees under s 556(e) – (h) of the *Act*;
- (g) to Westpac in accordance with paragraph 2.3(d)(ii) above; and
- (h) otherwise in accordance with the *Act*.

**8. Parties to cooperate in relation to approval of Administrators' remuneration**

8.1 In relation to the amounts secured by the Equitable and Statutory Liens and the QM Amount, the Administrators will provide the Liquidator with:

- (a) in respect of costs and expenses (and to the extent not already provided via the Annexures), a brief commentary on the nature and reason for the cost or expense and, where applicable, copies of relevant invoices or documentary evidence; and
- (b) in respect of remuneration, a compliant remuneration report.

8.2 Subject to the Administrators complying with paragraph 8.1, the Liquidator will:

- (a) assist in securing creditor approval for the Administrators' remuneration; and
- (b) at the earliest possible opportunity, put a resolution to the creditors for that purpose.

8.3 To the extent the Administrators' remuneration is not approved by the creditors, the Administrators reserve their rights to make an application to court for a remuneration determination (including, for the avoidance of doubt, seeking orders that the Administrators are entitled to be paid for work that was undertaken after their appointment, and extending the Statutory Lien for that purpose under s 90-15 of the *Act*).

**9. Other matters**

9.1 Where any party receives a payment that is not in accordance with the regime set out in this letter, that party will account for that payment to the party who is entitled to it in accordance with the terms of this letter.

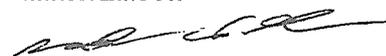
9.2 CFMG has been appointed by the Liquidator to collect outstanding books debts. The Liquidator will ensure that CFMG provides weekly reconciliations identifying payments received on account of:

- (a) Accepted Debts (to be dealt with under section 3 above);
- (b) Administration Debtors (to be dealt with under section 6 above); and
- (c) other book debts (to be dealt with under section 7 above).

If you have any questions regarding what is proposed, please let us know at your earliest convenience.

Could you otherwise confirm your acceptance of the arrangements as set out in this letter by return correspondence.

Yours faithfully  
**MinterEllison**



Contact: Ned Marlow-Weir T: +61 3 8608 2765  
ned.marlow-weir@minterellison.com  
Partner: Brendon Watkins T: +61 3 8608 2022  
OUR REF: BRW NZM 1248222

## Appendix B

EL Expenses - 28 March 2019 - 16 October 2019				
EL Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
ACN 615 484 639 Pty Ltd - Steve Campbell and Paul Wilker	\$17,001	\$0	\$17,001	Salary for the CEO and CFO of the Company who assisted in the coordination of the recovery of the trucks and the debtor book employed outside of the Company.
Administrators' Disbursements	\$4,894	\$0	\$4,894	Services purchased by FTI site team in relation to securing fleet.
Air-Ride Rentals	\$7,154	\$0	\$7,154	Rent for NSW premises used for delivery of fleet and collection of debtors.
Ape Trading	\$6,188	\$0	\$6,188	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction
Ben Bailey	\$780	\$0	\$780	Cost incurred in reconciliation of factored debtor book.
Caltex	\$66,131	\$0	\$66,131	Fuel for trucks to facilitate delivery back to the premises and collection by the agent.
Christopher Spiteri	\$1,708	\$0	\$1,708	Purchase of fuel and miscellaneous parts for company car subject to Westpac's security.
CS Asset Holdings	\$886	\$0	\$886	Costs incurred in delivering truck from Adelaide to VIC site.
DTW Transport Pty Ltd	\$1,361	\$0	\$1,361	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key
ELT Recycling Australia Pty Ltd	\$3,103	\$0	\$3,103	Rent for VIC premises used for delivery of fleet and collection of debtors.
KJS Mobile Transport Pty Ltd	\$3,368	\$0	\$3,368	Payment made to recover truck held to ransom.
L&S Trucking	\$2,267	\$0	\$2,267	Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key
Lomi Pty Ltd T/A The Lomi Trust	\$4,900	\$0	\$4,900	Planning and logistical costs incurred in recovering and securing fleet and relocating to auction
Mansell Heavy Towing / Transport Welding Engineering	\$1,320	\$0	\$1,320	Costs incurred in recovery of broken down prime mover from QLD.
MC Security	\$50,322	\$0	\$50,322	24 hour security services provided at the VIC and NSW sites. Subcontractors, employees and creditors were seeking to take possession of Company assets in lieu of payment.
Motor Vehicle Insurance and Premium	\$29,096	\$0	\$29,096	Insurance for vehicles.
Net wages paid on 10 April 2019	\$52,789	\$0	\$52,789	Salaries for week following cessation of trading to recover assets.
Net wages paid on 3 April 2019	\$16,330	\$0	\$16,330	Portion of salaries for first week regarding bringing debtors up to date, chasing debtors and
PAYG	\$23,313	\$0	\$23,313	PAYG calculated for the above.
Payroll tax - NSW		\$2,315	\$2,315	Actual NSW payroll tax for salaries.
Payroll tax - QLD	\$10,285	\$101	\$101	Actual QLD payroll tax for salaries.
Payroll tax - VIC*		\$2,557	\$2,557	Actual VIC payroll tax for salaries not received and this remains an estimate.
Pickles Valuation	\$11,000	\$0	\$11,000	Valuation costs on fleet.
Peter Theodorou	\$2,750	\$0	\$2,750	Responsible for debtor reconciliation and collection.
Road Tolls	\$10,510	\$3,339	\$3,339	Road tolls in respect to organising the collection of trailers to both VIC and NSW sites.
Samantha Hitige	\$1,260	\$0	\$1,260	Responsible for debtor reconciliation and collection.
Superannuation	\$7,988	\$7,130	\$7,130	Superannuation calculated from wages.
Workers Compensation - NSW*		\$2,393	\$2,393	NSW workers compensation liability based on salaries not received and this remains an estimate.
Workers Compensation - QLD	\$4,488	\$100	\$100	QLD workers compensation liability based on salaries.
Workers Compensation - VIC		\$4,556	\$4,556	VIC workers compensation liability based on salaries.
<b>Total EL Expenses</b>	<b>\$341,191</b>	<b>\$22,491</b>	<b>\$330,411</b>	
<b>Less: Equitable Lien Advance</b>	<b>(\$150,000)</b>		<b>(\$150,000)</b>	
<b>EL Expenses</b>	<b>\$191,191</b>		<b>\$180,411</b>	

**SL Expenses - 28 March 2019 - 16 October 2019**

SL Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
<b>EL Expenses Carried Forward</b>	<b>\$191,191</b>	<b>\$22,491</b>	<b>\$180,411</b>	
Administrators' Disbursements	\$11,420	\$0	\$11,420	Services purchased by FTI site team in relation to securing fleet.
APE Trading	\$5,130	\$0	\$5,130	Load planning and logistics
Caltex	\$38,506	\$0	\$38,506	Estimated fuel for deliveries to customers.
Central Coast Group Training	\$682	\$0	\$682	Labour hire.
Chahal	\$5,046	\$0	\$5,046	Hire of fleet.
CS Asset Holdings	\$21,021	\$0	\$21,021	Provision of delivery services.
Cubtrans	\$1,571	\$0	\$1,571	Hire of fleet.
Dexter River Haulage Pty Ltd	\$1,650	\$0	\$1,650	Transport of trailer.
Dylan's Interior Services	\$231	\$0	\$231	Cleaning.
Discount Transport Services Pty Ltd	\$502	\$0	\$502	Provision of delivery services.
DTW Transport Pty Ltd	\$1,448	\$0	\$1,448	Labour hire.
Indo Aus Transport	\$10,890	\$0	\$10,890	Provision of delivery services.
Business Insurances	\$4,247	\$0	\$4,247	Public liability, industrial special risks, transport operators, marine transit, business practises
Karstens	\$3,483	\$0	\$3,483	Room hire for creditors' meetings in VIC and NSW
Lomi Pty Ltd T/A The Lomi Trust	\$5,225	\$0	\$5,225	Load planning and logistics
L&S Trucking	\$2,525	\$0	\$2,525	Labour hire.
Minter Ellison - Legal Fees	\$40,318	\$0	\$40,318	Legal fees incurred in connection with the administraiton
Net wages paid on 3 April 2019	\$38,104	\$0	\$38,104	Salaries relating to trading.
PAYG	\$12,852	\$0	\$12,852	PAYG based on salaries.
Payroll tax - NSW		\$1,276	\$1,276	Actual NSW payroll tax for salaries.
Payroll tax - QLD	\$5,670	\$56	\$56	Actual QLD payroll tax for salaries.
Payroll tax - VIC*		\$1,439	\$1,439	Actual VIC payroll tax for salaries not received and this remains an estimate.
Peter Crane	\$330	\$0	\$330	Provision of Office 365 Maintenance
Road Tolls	\$1,500	\$3,339	\$3,339	Road tolls in respect to organising the collection of trailers to both VIC and NSW sites.
Roadstar Trucking	\$10,945	\$0	\$10,945	Provision of delivery services.
Rustic Africa Thatch	\$2,610	\$0	\$2,610	Labour hire.
SRK Transport	\$42,491	\$0	\$42,491	Provision of delivery services.
Superannuation	\$4,436	\$4,011	\$4,011	Superannuation calculated from wages.
Telephone	\$5,500	\$653	\$653	Telephone costs.
Tikis 2	\$4,036	\$0	\$4,036	Provision of delivery services.
Thorn Equipment Finance	\$944	\$0	\$944	Rental of fleet management software.
Total Care Transport Pty Ltd	\$11,935	\$0	\$11,935	Provision of delivery services.
Utilities	\$2,200	\$0	\$0	
Westside Transport & Logistics Pty Ltd	\$4,254	\$0	\$4,254	Labour hire.
Workers Compensation - NSW*		\$1,346	\$1,346	NSW workers compensation liability based on salaries not received and this remains an estimate.
Workers Compensation - QLD	\$2,524	\$56	\$56	QLD workers compensation liability based on salaries.
Workers Compensation - VIC		\$2,563	\$2,563	VIC workers compensation liability based on salaries.
<b>Total SL Expenses</b>	<b>\$495,418</b>	<b>\$37,229</b>	<b>\$477,546</b>	

**QM Expenses - 10 April 2019 - 16 October 2019**

QM Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
Minter Ellison - Legal Fees	\$41,605	\$34,181	\$75,786	Legal fees incurred in connection with the administration
<b>Total QM Expenses</b>	<b>\$41,605</b>	<b>\$34,181</b>	<b>\$75,786</b>	

\* = Estimates

**From:** Warwick, Kate  
**Sent:** Friday 18 October 2019 06:32:23 PM  
**To:** Brendon Watkins;Nathan Brumley  
**Cc:** Morton, Ian  
**Subject:** FW: WITS Holdings Pty Limited (In Liquidation)

Hi Brendon and Nathan

Correspondence received below from PCI fyi.

Enjoy the weekend!

K

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
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**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Friday, 18 October 2019 5:34 PM  
**To:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Cc:** Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; John Melluish <[jmelluish@pcipartners.com.au](mailto:jmelluish@pcipartners.com.au)>; Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>; Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>  
**Subject:** [EXTERNAL] WITS Holdings Pty Limited (In Liquidation)

Dear Kate

I refer to your letter dated 17 October 2019 and note your request for payment of \$620,865.04 on or before 21 October 2019 in respect of expenses incurred by the former Administrators.

I note that included in that claim you have sought payment of expenses relating to your quantum meruit ("QM") claim in the amount of \$75,786. In circumstances where you are yet to receive an order from the Court confirming that these amounts are in fact recoverable by you, it is not appropriate for me to make payment of any funds to you in this regard. I further note that the priority of your QM claim, to the extent that it is payable, is still subject to dispute. My solicitor is drafting correspondence to Minter Ellison in this regard.

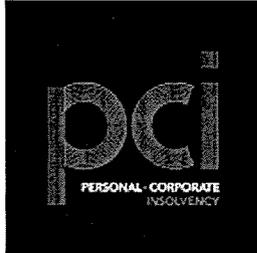
In relation to payment of the balance, I advise that I have not yet made sufficient recoveries to enable that claim to be paid in full. There are however amounts that I am in a position to forward to you. Specifically, funds totaling \$191,000 which were withheld from the proceeds of the company's motor vehicles that were distributed to Westpac in respect of your claim to an equitable lien. I note your advice that these costs have now reduced to \$180,141. Please provide me with confirmation from Westpac that they accept the quantum of your claim to these expenses. A review of the material provided in support of these expenses is presently being conducted and I anticipate being in a position to distribute the funds withheld to your office during the course of next week, subject to any additional queries that may be required to be addressed and confirmation in writing from Westpac. Please note that I do not propose to remit funds in relation to any amounts that are not yet substantiated or that are subject to court approval.

In addition an amount of approximately \$102,000 in respect of trade on sales debtors for your administration period has been recovered, of which my office has received approximately \$75,000. A reconciliation of these debtors is also being prepared at present, following completion of which I will remit the value of trade on debtors recovered by me, less my expenses and costs in recovering those amounts.

Please note however that this amount will be adjusted for any pre appointed non factored debtor amounts received directly by you that should have been paid to me as Liquidator. I understand this amount to be in the order of \$24,000. Likewise Westpac have received monies to which you are entitled and I will provide you with those details. You should seek recovery of those amounts directly from Westpac.

Save for payments in respect of the equitable lien and the trade on debtor receipts, I do not intend to remit further funds in respect of your claim (which includes pre-appointment non factored debtors, and debtor invoices raised by me as Liquidator) until such time as the waterfall priorities are agreed upon. I hope that this can be resolved between us shortly.

Regards



**Stephen Michell**  
DIRECTOR

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CONTACT: Luke Whiffen  
CONTACT EMAIL: [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)  
OUR REF: 151

18 June 2019

Minter Ellison

**By email:** [ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

Dear Sirs

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) (COMPANY)**

We act for Mr Stephen Michell in his capacity as liquidator of the Company.

We refer to your letter of 7 June 2019 in relation to the ongoing discussions between the Administrators and the Liquidator as concerns the statutory and equitable liens claimed by the Administrators.

We note the total amount claimed by the Administrators is ~~\$994,158.04~~ ~~\$902,579~~ comprised as follows:

1. 1. In respect of the Statutory Lien, ~~\$552,815.04~~ ~~\$495,417~~ on account of costs and expenses during the administration period (**SL Expenses**) and \$308,053 on account of remuneration for the administration period (**SL Remuneration**).
2. 2. In respect of the quantum meruit claim, ~~\$75,786~~ ~~\$41,605~~ on account of costs and expenses after the administration terminated (**QM Expenses**) and \$57,504 on account of remuneration after the administration terminated (**QM Remuneration**) (Collectively the **QM amount**).

For the avoidance of doubt the following should be noted in relation to the above figures:

- a) The care and preservation advance (\$150,000) has not been deducted from the SL Expenses.
- b) The section 560 loan is not included as a line item in the SL Expenses. Instead individual expenses which were met with the section 560 loan are included. The section 560 loan has been fully expended by the administrators.
- c) The SL Expenses includes \$7,735.00 in estimates which are subject to revision.
- d) The SL Expenses have been adjusted to account for the post-appointment receipts.
3. \_\_\_\_\_

In relation to the various claims for remuneration it is acknowledged by all parties that it is necessary for those claims to be approved by either creditors or the Court. For the purpose of this exercise only, and without admission, provision will be made for the claims in full.

As concerns the claims for expenses we note that the Liquidator has now been provided with the majority of the necessary supporting documentation and has conducted a review of that material. We attach as Annexure A details of the queries raised by the Liquidator in relation to those expenses. Without admission as to the quantum, this correspondence will assume those queries are resolved and the expenses claims are properly made out.

You have identified 6 asset pools from which realisations could potentially be made as follows:

- a) Realisation from collection of 'accepted debts' (**Accepted Debts**) under Westpac's Finance Facility (**IFA**);
- b) Non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (**Westpac Fixed Assets**);
- c) Circulating asset realisations held by the Administrators (**Administrator Realisations**);
- d) Debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (**Administration Debtors**);
- e) Other circulating asset realisations effected by the Liquidator (**Liquidation Proceeds**); and
- f) Non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditors.

In relation to category f), the Liquidator agrees that recoveries in this category are uncertain and it is not necessary to be addressed in this discussion.

#### **Liquidator's Entitlement to Priority: Re Universal**

Under the *Re Universal* principle where the Liquidator has preserved or realised property subject to security, including any security held by the Administrators either by way of a statutory lien or security that arises by way of an equitable lien, the Liquidator's remuneration and expenses incurred in such work and action ranks in priority to the rights of the secured creditor.

#### **Accepted Debts / IFA**

In relation to category a) the Liquidator proposes that the proceeds be dealt with in the following manner:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) ~~(the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then~~
- (iii) ~~in reduction of the Westpac IFA; and then~~
- (iv) ~~in reduction of other Westpac facilities (relying on set-off); then~~
- (v) ~~in payment of SL and QM Amounts [DN: these amounts ranking ahead of the liquidator in reliance on the statutory lien under s 443E of the Act]; then~~
- (vi) ~~to the Liquidator for his approved remuneration [DN: it doesn't make sense to have the balance dealt with under category e, because this leads to a circular result where you would go back to CFMG's costs, the liquidator's Re Universal lien costs etc., as set out in category e]; then~~
- (vii) ~~to the employees; and then~~
- ~~(iii)(viii) to the unsecured creditors.~~
- (iv) ~~the balance of proceeds to be added to category e).~~

#### **Westpac Fixed Assets**

As concerns category b) it is noted that the Administrators claim \$191,191 on account of costs and expenses (**EL Expenses**) and \$105,690 on account of remuneration (**EL Remuneration**). The Liquidator proposes that category b) be dealt with in the following manner:

- (i) to Grays/Gordon Bros in respect of their commission and other expenses incurred including repairs, lien payments, cleaning and insurance; then
  - (ii) to the Liquidators in respect of their specific remuneration and disbursements in realising the truck and trailer fleet (as agreed with Westpac); then
  - (iii) to the Administrators in respect of their EL Expenses (as agreed with Westpac); then
  - (iv) to the Administrators in respect of the EL Remuneration (as agreed with Westpac); then
  - (v) to Westpac in reduction of their equipment finance outstanding facilities [DN: Westpac's charge in respect of the fixed assets secures all of Westpac's facilities and not just their equipment finance facilities]; and then
  - (vi) in payment of SL and QM Amounts; then
  - (vii) to the Liquidator for his approved remuneration; then
  - (viii) to the employees; and then
  - ~~(v)~~(ix) to the unsecured creditors.
- ~~(vi) — any surplus to be added to category e).~~

### **Administrator Realisations**

In relation to category c) the Liquidator proposes that the proceeds be applied to the Administrators' SL expenses. It does not appear there will be any surplus.

### **Administration Debtors**

Category d) includes two separate groups of debtors, first debtors created by the Administrators in relation to their trading period, and secondly pre appointment invoices raised by the Administrator which had not been raised by the company prior to the Administrators' appointment. In relation to the Administrators' trading debtors, the Liquidator proposes the following:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; and then
- (v) in payment of QM Amounts; then
- (vi) to the Liquidator for his approved remuneration; then
- (vii) to the employees; then
- (viii) to Westpac for its outstanding facilities; and then

~~(iv)~~(ix) to the unsecured creditors.

~~(v) — Any surplus to be added to category e).~~

### **Liquidation Proceeds**

The debtor invoices raised by the Administrator which relate to pre-appointment trading are to be included in category e).

The Liquidator proposes that category e) be dealt with in the following manner:

- (i) the debt collection costs of CFMG Pty Ltd; then
- (ii) the remuneration and disbursements incurred by the Liquidator in the debt collection process, including but not limited to the costs of employing former WITS staff on a contractual basis; then
- (iii) to the Administrators in respect of their SL Expenses; then
- (iv) to the Administrators in respect of the SL Remuneration; and then
- ~~(iv)~~(v) in payment of QM Amounts; then
- (vi) to the Liquidator in respect of for any his approved remuneration; then.
- (vii) to the employees; then
- (viii) to Westpac for its outstanding facilities; and then
- ~~(v)~~(ix) to the unsecured creditors.

Please confirm the above regime resolves the outstanding issues the subject of our recent correspondence.

Yours faithfully,  
**HILTON BRADLEY LAWYERS**

**Luke Whiffen**  
Director  
Email: luke@hiltonbradley.com.au  
Phone: (02) 9199 1672

**From:** Luke Whiffen  
**Sent:** Wednesday 30 October 2019 05:24:47 PM  
**To:** Brendon Watkins  
**Cc:** James Hulbert;Nathan Brumley;Tony Nguyen  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Brendon,

I refer to your email of 21 October 2019.

**Application regarding remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration / Liquidator convening meeting to approve**

The Liquidator reserves his position regarding remuneration incurred post appointment (**QM Claim**).

However, in circumstances where the Court makes an order authorising the creditors to approve post appointment remuneration, it is the Liquidator's position that he will not convene a meeting of creditors to approve your client's remuneration because:

- \* an application is required to be made to the Court regardless;
- \* the costs of convening the meeting will be substantial;
- \* there is no guarantee that creditors will approve the requests for remuneration, resulting in the need for a Court application to be made in any case; and
- \* the level of detail which would be required to be provided to creditors if they were to consider the remuneration does not differ from that which is to be provided to the Court.

The issue of convening a meeting for the approval of your client's fees was discussed by the Liquidator with FEG. FEG's position in respect of this matter was non-committal and FEG appreciated the concerns raised by the Liquidator, as detailed above.

I am instructed that FEG is a creditor in the amount of circa \$187,000 in a total pool of circa 331 creditors owed circa \$7 mil - \$10 mil.

**Set-off under 553C**

The Liquidator reserves his rights in respect of Westpac's right to set—off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities.

While the Liquidator notes your previous comments that it would be highly unlikely that Westpac would have provided the IFA facility in circumstances where it had notice of the fact that the company was insolvent, there remains outstanding the issue as to whether the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA (as opposed to only when the facility was entered into).

We do not know FEG's view as to the appropriateness of the set-off in circumstances where the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA. This was not discussed with FEG.

We are instructed that at this stage it appears unlikely that recoveries under the IFA will exceed the amount owing under it such that the argument may be a moot point.

#### **QM Claim in Waterfalls & Priority of QM Amount**

The QM Claim should be removed from the waterfalls until such time as an order has been made by the Court to approve the ability to make the QM Claim, the quantum of the QM Claim (if it is approved) and the priority of the QM Claim. The Liquidator's position is that the priority of any QM claim should not be above his general remuneration as Liquidator. In this regard, it may be necessary that submissions are made by the Liquidator in FTI's application seeking orders in respect of the QM claim.

Please let us know if your client intends to at the time of making the application referred to above seeking any declarations as to the priority to be afforded any quantum meruit claim. For example, will your client contend that a quantum meruit claim has the advantage of the Administrator's lien or a Re Universal lien?

In relation to the attitude of FEG it is the Liquidator's view that FEG were noncommittal as to your proposed application.

#### **Waterfalls**

You previously provided us with an amended version of my letter dated 18 June 2019. We note that circumstances in the liquidation have progressed since the issue of that letter. For example the realisation of fixed assets with no surplus available. Further, we note that the Liquidator does not agree with the fact of the QM Claim nor the priority of the QM Claim asserted by your client. In such circumstances, we consider there is little value in continuing amendments to the letter until such time as the issues relating to the QM Claim are resolved by the Court.

In respect of the amendments included in your email of 21 October 2019, the Liquidator does not agree with the amount for the SL Expenses or the QM Expenses.

While 2(a) and 2(b) are agreed, 2(c) and 2(d) will require further verification as the amounts contained in your amendment of 21 October 2019 differ from the amounts disclosed by your client.

#### **Costs Incurred in Realisation of Fixed Assets**

Costs incurred are to be necessary and proper and relate to the asset class to which the recovery applies. We understand the Liquidator has been in contact with your client regarding various queries relating to the payment of equitable lien amounts and further understand that a remittance for equitable lien expenses for fixed assets is to be made by the Liquidator in the near future. In addition, I am instructed that a remittance relating to trade on debtor recoveries is also being prepared and expected to be remitted to your client in the near future.

Regards

**Luke Whiffen | Director**

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**From:** Zulema Townsend <Zulema.Townsend@minterellison.com> **On Behalf Of** Brendon Watkins  
**Sent:** Monday, 21 October 2019 4:25 PM  
**To:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Cc:** James Hulbert <james@hiltonbradley.com.au>; Nathan Brumley <Nathan.Brumley@minterellison.com>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

We refer to our email of 8 October 2019 (set out below), to our client's recent letter addressed to your client dated 17 October 2019 (**attached**) and to your client's reply of 18 October 2019 (**attached**).

In our email of 8 October 2019, we had requested that you advise whether your client accepts the amendments to your proposed distribution of funds from different asset classes (as outlined in the marked up letter of 18 June attached to our email of 30 July 2019).

As you will see in our client's letter of 17 October 2019, our client has provided updated figures in relation to the expenses incurred. As a result, we have **attached** a further amended version of the 18 June 2019 letter which reflects these updated figures. Our client otherwise continues to reserve its right to charge for remuneration incurred post 24 May 2019.

Once again, we request that you advise whether your client agrees to the waterfall distributions as per the mark up letter attached. In your client's latest email of 18 October 2019 your client has stated that until the waterfalls are agreed no further payments (beyond those described in the email) will be made to our client. Nonetheless, your client has again refused to respond in any substantive way as to why he has not accepted the proposed waterfalls. Please clarify your client's position by Wednesday, 23 October 2019.

If we do not receive this confirmation we will need to invite the court to address how these waterfalls should occur. As previously noted, this will add significantly to the costs of the application in relation to remuneration being currently prepared, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Subject to the obvious need to agree on the waterfalls, we otherwise request that you clarify the remaining points of contention before expenses claimed by our client will be reimbursed. We agree that it

is crucial to resolve how the waterfall distributions should apply, and have addressed this in the previous paragraphs. We also accept that our client should seek an order authorising the recovery of post-appointment expenses, and confirm that this will be included in our application (including an order that the indemnity, priority and liens outlined in sections 443D – 443F of the *Corporations Act* apply to both the post-appointment remuneration and expenses).

Assuming these two matters are dealt with, can you confirm that the amounts have otherwise been substantiated to your client's satisfaction and that there are no other objections to reimbursement.

In that context, would you also please respond to our outstanding query as to whether your client is willing to convene a meeting of creditors to consider the remuneration of the administrators, assuming the court makes orders confirming the creditors' powers in this regard.

We request your response on these matters by 5.00 pm this Wednesday.

Regards,

\_\_\_\_\_

**Brendon Watkins**

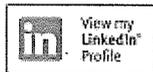
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**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 8 October 2019 05:34 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** 'James Hulbert' <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>; Nathan Brumley <[Nathan.Brumley@minterellison.com](mailto:Nathan.Brumley@minterellison.com)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

\_\_\_\_\_

**Brendon Watkins**

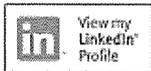
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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins  
**Sent:** Tuesday 30 July 2019 03:08 PM  
**To:** 'Luke Whiffen' <Luke@hiltonbradley.com.au>  
**Cc:** Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

\_\_\_\_\_

**Brendon Watkins**

Partner

T +61 3 8608 2022 M +61 419 886 003

[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)

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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**  
Lawyer  
T +61 3 8608 2765  
[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)  
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[minterellison.com](http://minterellison.com) Follow us on [LinkedIn](#) and [Twitter](#)



**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]  
**Sent:** Thursday 11 July 2019 02:11 pm  
**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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**From:** Zulema Townsend on behalf of Brendon Watkins  
**Sent:** Thursday 7 November 2019 04:04:06 PM  
**To:** Luke Whiffen  
**Cc:** James Hulbert; Tony Nguyen; Nathan Brumley  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

We refer to your email of 30 October 2019.

You have indicated that the liquidator will not convene a meeting of creditors to approve the administrators' remuneration, even if the administrators obtain an order that they are entitled to remuneration for work undertaken in connection with the administration after the administration was formally terminated, and even if the court authorises creditors to approve post-appointment remuneration (noting creditors already have authority to approve the remuneration incurred during the administration itself).

While disappointed with your client's position, our client will amend the proposed application to include orders fixing remuneration by the court.

Your email precedes to address the waterfalls that we have proposed in respect of the various classes of assets identified by your client in its original letter of 18 June 2019.

You have made the following points:

1. You are not satisfied that Westpac is entitled to apply surplus proceeds from the IFA towards repayment of other amounts owed to the bank by way of set-off, although you have gone on to note that it is unlikely any surplus will be realised in respect of the IFA.

If no surplus is realised, the point is obviously moot, and the proposed waterfall itself will terminate at the third bullet point, which references repayments to Westpac under the IFA.

On the other hand, if a surplus is realised and set-off is challenged, then Westpac would expect to receive funds in reduction of its other facilities after the employees and before the unsecured creditors.

This amendment seems uncontentious and we have written previously on the point.

2. You have otherwise written to suggest that the QM Claim should be removed from the waterfalls until approved by the court. We have great difficulty in understanding this point. The whole point of the exercise was to see if our respective clients were in agreement on how available proceeds would be distributed, assuming our client is entitled to claim for remuneration and expenses incurred after their appointment was formally terminated, and assuming that these additional amounts are covered by the statutory or equitable liens that are otherwise in place to protect administrators in respect of their remuneration, costs and expenses.

The whole purpose in attempting to agree on waterfalls was to ensure that, should our client be successful in its application, funds could be distributed without the need for further debate or additional court applications. Removing the QM Claim from the waterfalls would defeat this purpose.

We find it frustrating that your client will not engage further in relation to the waterfalls, but will now take steps to ensure that appropriate orders are obtained confirming waterfall distributions in accordance with our previous correspondence.

You have also asked that we advise whether our clients will be contending that their remuneration, costs and expenses incurred post-appointment is protected by either the statutory lien or (where applicable on facts) an equitable lien arising under the *Re Universal* principles. We have written to you on many occasions to confirm that this is our client's contention.

Finally, we note your statement that the liquidator does not agree with the amount claimed by way of expenses, with your email specifically stating that you require further verification because the amounts that were set out in our letter of 21 October are said to differ from amounts disclosed by our clients.

The amounts that were set out in our communication on 21 October do not differ from the updated figures that were provided by our clients to your client directly on 17 October 2019. Indeed, the only reason we sent the further communication on 21 October was to ensure the figures did align.

We will seek orders in the court application that your client specify precisely what further evidence is required by an agreed date, so this matter can be finally closed out.

Regards,

\_\_\_\_\_

**Brendon Watkins**

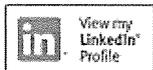
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**From:** Luke Whiffen <Luke@hiltonbradley.com.au>

**Sent:** Wednesday 30 October 2019 05:25 PM

**To:** Brendon Watkins <Brendon.Watkins@minterellison.com>

**Cc:** James Hulbert <james@hiltonbradley.com.au>; Nathan Brumley <Nathan.Brumley@minterellison.com>; Tony Nguyen <Tony.Nguyen@hiltonbradley.com.au>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Brendon,

I refer to your email of 21 October 2019.

**Application regarding remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration / Liquidator convening meeting to approve**

The Liquidator reserves his position regarding remuneration incurred post appointment (**QM Claim**).

However, in circumstances where the Court makes an order authorising the creditors to approve post appointment remuneration, it is the Liquidator's position that he will not convene a meeting of creditors to approve your client's remuneration because:

- \* an application is required to be made to the Court regardless;
- \* the costs of convening the meeting will be substantial;
- \* there is no guarantee that creditors will approve the requests for remuneration, resulting in the need for a Court application to be made in any case; and
- \* the level of detail which would be required to be provided to creditors if they were to consider the remuneration does not differ from that which is to be provided to the Court.

The issue of convening a meeting for the approval of your client's fees was discussed by the Liquidator with FEG. FEG's position in respect of this matter was non-committal and FEG appreciated the concerns raised by the Liquidator, as detailed above.

I am instructed that FEG is a creditor in the amount of circa \$187,000 in a total pool of circa 331 creditors owed circa \$7 mil - \$10 mil.

#### **Set-off under 553C**

The Liquidator reserves his rights in respect of Westpac's right to set—off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities.

While the Liquidator notes your previous comments that it would be highly unlikely that Westpac would have provided the IFA facility in circumstances where it had notice of the fact that the company was insolvent, there remains outstanding the issue as to whether the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA (as opposed to only when the facility was entered into).

We do not know FEG's view as to the appropriateness of the set-off in circumstances where the relevant time to consider Westpac's knowledge is at the time when advances were made under the IFA. This was not discussed with FEG.

We are instructed that at this stage it appears unlikely that recoveries under the IFA will exceed the amount owing under it such that the argument may be a moot point.

#### **QM Claim in Waterfalls & Priority of QM Amount**

The QM Claim should be removed from the waterfalls until such time as an order has been made by the Court to approve the ability to make the QM Claim, the quantum of the QM Claim (if it is approved) and the priority of the QM Claim. The Liquidator's position is that the priority of any QM claim should not be above his general remuneration as Liquidator. In this regard, it may be necessary that submissions are made by the Liquidator in FTI's application seeking orders in respect of the QM claim.

Please let us know if your client intends to at the time of making the application referred to above seeking any declarations as to the priority to be afforded any quantum meruit claim. For example, will

your client contend that a quantum meruit claim has the advantage of the Administrator's lien or a Re Universal lien?

In relation to the attitude of FEG it is the Liquidator's view that FEG were noncommittal as to your proposed application.

### **Waterfalls**

You previously provided us with an amended version of my letter dated 18 June 2019. We note that circumstances in the liquidation have progressed since the issue of that letter. For example the realisation of fixed assets with no surplus available. Further, we note that the Liquidator does not agree with the fact of the QM Claim nor the priority of the QM Claim asserted by your client. In such circumstances, we consider there is little value in continuing amendments to the letter until such time as the issues relating to the QM Claim are resolved by the Court.

In respect of the amendments included in your email of 21 October 2019, the Liquidator does not agree with the amount for the SL Expenses or the QM Expenses.

While 2(a) and 2(b) are agreed, 2(c) and 2(d) will require further verification as the amounts contained in your amendment of 21 October 2019 differ from the amounts disclosed by your client.

### **Costs Incurred in Realisation of Fixed Assets**

Costs incurred are to be necessary and proper and relate to the asset class to which the recovery applies. We understand the Liquidator has been in contact with your client regarding various queries relating to the payment of equitable lien amounts and further understand that a remittance for equitable lien expenses for fixed assets is to be made by the Liquidator in the near future. In addition, I am instructed that a remittance relating to trade on debtor recoveries is also being prepared and expected to be remitted to your client in the near future.

Regards

**Luke Whiffen | Director**

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**From:** Zulema Townsend <[Zulema.Townsend@minterellison.com](mailto:Zulema.Townsend@minterellison.com)> **On Behalf Of** Brendon Watkins  
**Sent:** Monday, 21 October 2019 4:25 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>; Nathan Brumley <[Nathan.Brumley@minterellison.com](mailto:Nathan.Brumley@minterellison.com)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

We refer to our email of 8 October 2019 (set out below), to our client's recent letter addressed to your client dated 17 October 2019 (**attached**) and to your client's reply of 18 October 2019 (**attached**).

In our email of 8 October 2019, we had requested that you advise whether your client accepts the amendments to your proposed distribution of funds from different asset classes (as outlined in the marked up letter of 18 June attached to our email of 30 July 2019).

As you will see in our client's letter of 17 October 2019, our client has provided updated figures in relation to the expenses incurred. As a result, we have **attached** a further amended version of the 18 June 2019 letter which reflects these updated figures. Our client otherwise continues to reserve its right to charge for remuneration incurred post 24 May 2019.

Once again, we request that you advise whether your client agrees to the waterfall distributions as per the mark up letter attached. In your client's latest email of 18 October 2019 your client has stated that until the waterfalls are agreed no further payments (beyond those described in the email) will be made to our client. Nonetheless, your client has again refused to respond in any substantive way as to why he has not accepted the proposed waterfalls. Please clarify your client's position by Wednesday, 23 October 2019.

If we do not receive this confirmation we will need to invite the court to address how these waterfalls should occur. As previously noted, this will add significantly to the costs of the application in relation to remuneration being currently prepared, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Subject to the obvious need to agree on the waterfalls, we otherwise request that you clarify the remaining points of contention before expenses claimed by our client will be reimbursed. We agree that it is crucial to resolve how the waterfall distributions should apply, and have addressed this in the previous paragraphs. We also accept that our client should seek an order authorising the recovery of post-appointment expenses, and confirm that this will be included in our application (including an order that the indemnity, priority and liens outlined in sections 443D – 443F of the *Corporations Act* apply to both the post-appointment remuneration and expenses).

Assuming these two matters are dealt with, can you confirm that the amounts have otherwise been substantiated to your client's satisfaction and that there are no other objections to reimbursement.

In that context, would you also please respond to our outstanding query as to whether your client is willing to convene a meeting of creditors to consider the remuneration of the administrators, assuming the court makes orders confirming the creditors' powers in this regard.

We request your response on these matters by 5.00 pm this Wednesday.

Regards,

\_\_\_\_\_

Brendon Watkins

Partner

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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 8 October 2019 05:34 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** 'James Hulbert' <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>; Nathan Brumley  
<[Nathan.Brumley@minterellison.com](mailto:Nathan.Brumley@minterellison.com)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

As I expect you would have heard, we met with representatives of FEG on 17 September 2019.

We explained our intention to apply to the court for an order allowing the administrators to charge for remuneration incurred post appointment, and an order authorising the creditors to approve such remuneration.

FEG appreciated the reasoning behind the administrators' approach, including the legal precedents establishing this course of action. We understood from our meeting that they have no objection to us proceeding as indicated.

We also discussed our view regarding the treatment of any surplus proceeds realised under the IFA (in other words, that the bank could set off any surplus realised in collecting purchased book debts against any other outstanding debt that might be owed to the bank under the other facilities).

Once again, we understood from our meeting that FEG agreed with our reasoning, and that they would be speaking with you to confirm this fact.

That being the case, we are presently preparing an application to the court for orders permitting the administrators to charge for remuneration incurred post appointment, and authorising the creditors to approve such remuneration.

Your client has stated that he will advise whether he is prepared to support the application once provided with the relevant papers, but in the same email stated that he does not propose to convene a meeting of creditors to consider the remuneration of the administrators. We would ask that your client reconsider his opposition to convening a meeting of creditors should the court confirm that they authority to approve the relevant remuneration. As I'm sure you would appreciate, there will be considerable costs and delay involved if the court is required to approve the actual amount, and these costs will form part of the administrators' claim, thereby eroding the funds available to other creditors.

We understand that FEG was going to raise this question with your client directly. Can you please indicate if your client has reconsidered his position.

Finally, I note that I haven't received a response to my email of 30 July below. In particular, there is an urgent need to determine whether our clients are otherwise agreed on the priority waterfalls as set out in prior correspondence.

To that end, we attached a mark up of your letter 18 June, highlighting what we believe to be the necessary amendments to the waterfalls. Our discussion with FEG has confirmed our thinking in relation to the mark ups that were provided.

If we do not receive confirmation that the waterfall distributions are in an agreed form (as per the mark up attached to our email below) then we will need to invite the court to address how these waterfalls should occur. This will add significantly to the costs of the application, and we expressly reserve our clients' rights to seek costs against your client, should our clients' views on the waterfalls prevail.

Could you please respond to this email at your earliest opportunity.

Regards,

\_\_\_\_\_

**Brendon Watkins**

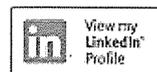
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**From:** Zulema Townsend **On Behalf Of** Brendon Watkins

**Sent:** Tuesday 30 July 2019 03:08 PM

**To:** 'Luke Whiffen' <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Cc:** Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;

2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

\_\_\_\_\_

**Brendon Watkins**

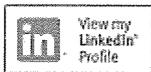
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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>

**Sent:** Monday 22 July 2019 04:18 PM

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry

<[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

\_\_\_\_\_

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

[ned.marlow-weir@minterellison.com](mailto:ned.marlow-weir@minterellison.com)

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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

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-----

**IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE**

**Not Restricted**

**COMMERCIAL COURT**

**SCI 2019**

**IN THE MATTER OF WITS HOLDINGS PTY LTD (IN LIQUIDATION) ACN 050 322 284**

**KATHRYN WARWICK AND OTHERS  
according to the schedule**

Plaintiffs

and

**WITS HOLDINGS PTY LTD (IN LIQUIDATION) AND OTHERS  
according to the schedule**

Defendants

**CERTIFICATE IDENTIFYING EXHIBIT**

---

Date of document 2 December 2019

Filed on behalf of the Plaintiffs

Prepared by

**MINTER ELLISON**

Lawyers

Rialto Towers

525 Collins Street

MELBOURNE VIC 3000

Solicitors Code 8510

DX 204 MELBOURNE

Telephone (03) 8608 2000

Facsimile (03) 8608 1000

Reference BRW 1248222

Brendon Watkins

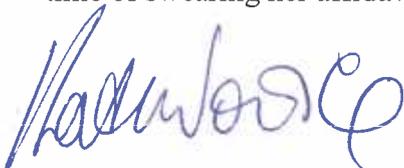
(brendon.watkins@minterellison.com)

---

This is the exhibit marked 'KW-10' now produced and shown to **KATHRYN WARWICK** at the

time of swearing her affidavit on

2/12/19



before me



**Exhibit 'KW-10'**

**True copy of bundle of key correspondence  
passing directly between the Administrators and  
the Liquidator**

**ANDREW ROBERT BISSET**

of 525 Collins Street, Melbourne

An Australian Legal Practitioner

within the meaning of the Legal

Profession Uniform Law (Victoria)

## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Wednesday, 10 April 2019 5:54 PM  
**To:** Stephen Michell  
**Cc:** Hansell, Joseph; Blakeley, Ross  
**Subject:** FW: WITS Holdings Pty Ltd (in Liquidation)

Hi Stephen

Further to Kylie's email below would you be available to meet tomorrow at 11.30 to discuss. I understand that John Melliush from your Sydney office was also planning on meeting with Joe Hansell in Sydney. If John could meet with Joe at 11.30 also and we can then teleconference Sydney in to the discussion. Could you please provide your thoughts when you have a moment.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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**From:** Blakeley, Ross <[Ross.Blakeley@fticonsulting.com](mailto:Ross.Blakeley@fticonsulting.com)>  
**Sent:** Wednesday, 10 April 2019 4:51 PM  
**To:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Cc:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>; Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation)

Thanks Kylie. We will revert ASAP on your below specific questions.

I understand that John Melliush from your Sydney office has contacted Joe Hansell in our Sydney office and they have arranged to meet in the morning to run through in some detail.

Regards

Ross

**Ross Blakeley**  
Senior Managing Director, Corporate Finance & Restructuring

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**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Sent:** Wednesday, 10 April 2019 4:00 PM  
**To:** Blakeley, Ross <[Ross.Blakeley@fticonsulting.com](mailto:Ross.Blakeley@fticonsulting.com)>  
**Cc:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>; Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>  
**Subject:** WITS Holdings Pty Ltd (in Liquidation)

Dear Ross

Thank you for your time earlier today. As discussed, Stephen Michell of this office was appointed Liquidator of the abovenamed company on 10 April 2019.

A copy of the Court Order is attached for your reference. I note your advice that the company ceased to trade last week, however, remains employing staff at present in Melbourne and potentially Sydney.

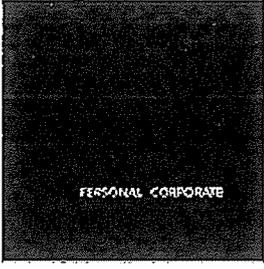
I also note your advice that the assets, including debtors are subject to security in favour of Westpac Banking Group and that the fleet of vehicles are predominantly located at Grays.

I should be grateful if you could provide the following information in the first instance, to assist the Liquidator in this matter:

1. Details of the appropriate contact person at your firm for this matter;
2. The appropriate contact person at Westpac;
3. The appropriate contact person at Grays;
4. Whether you hold any cash at present in respect of the company;
5. The name of the key employee in Melbourne who is presently assisting with debtor collection; and
6. Details of the amounts claimed by FTI pursuant to Section 443F of the Corporations Act 2001.

Should you wish to discuss this matter, please do not hesitate to contact me.

Regards



**Kylie Wright**  
Principal  
T +61 3 8636 3333  
F +61 3 8636 3330

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Friday, 12 April 2019 5:32 PM  
**To:** Stephen Michell  
**Cc:** kwright@pcipartners.com.au; jmelluish@pcipartners.com.au; Hansell, Joseph  
**Subject:** WITS (In Liquidation)  
**Attachments:** 12042019172606-0002.pdf

Hi Stephen

Thank you again for your time yesterday. As discussed I have attached correspondence in relation to the Administrators lien. Could you please advise once you have had an opportunity to review so that we can set up a time to meet and discuss.

Should you have any queries please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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12 April 2019

Mr Stephen Mitchell  
PCI Partners Pty Ltd  
8/179 Queen St  
MELBOURNE VIC 3000

Dear Sir

WITS Holdings Pty Ltd (In Liquidation) (Company)

I refer to the appointment of Joe Hansell, Ross Blakeley and myself as Administrators of the Company on 28 March 2019 and your subsequent appointment as Liquidator on 10 April 2019.

Further to our meeting of 11 April 2019 I request you acknowledge the following:

1. In our capacity as former Administrators we have both a statutory lien under s 443F of the Corporations Act and an equitable lien arising under the principles set out in *Re Universal* and subsequent cases, over all assets and property of the Company.
2. The statutory lien protects all of our remuneration, costs and expenses incurred within the administration, and ranks in priority to all other security interests save as set out in s 443E of the Corporations Act. The equitable lien is limited to remuneration, costs and expenses incurred in collecting, preserving or realising the assets over which the lien is asserted, and ranks in priority to all security interests.
3. Both liens are possessory in nature, subject only to the Liquidator's right to the books of the Company as set out in s 530B of the Corporations Act.
4. Notwithstanding paragraph 3 above, it is our intention to relinquish control of the assets and property of the Company to you as Liquidator, subject to you agreeing that in doing so, our rights by way of lien are not otherwise prejudiced, and subject to appropriate undertakings by you to discharge these liens.

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5. Our work to date indicates the assets of the business include:

WITS (In Liquidation) Schedule of Assets		
SAUD		Notes
<b>Assets</b>		
Truck and trailer fleet	3,700,000	Based on fixed return from Gordon Brothers/Pickles
Spare parts inventory	80,000	Estimated value. Note recorded in the accounts at \$485,279 as at 28 February 2019
<b>Debtors</b>		
Debtors ledger (excluding disallowed debtors)	2,575,632	As at 28 March 2019
Disallowed invoices	458,352	As at 28 March 2019
Debtors invoiced post appointment relating to Administration sales	267,599	As at 10 April 2019
Debtors invoiced post appointment relating to pre appointment sales not previously invoiced	613,798	As at 10 April 2019
Debtors to be invoiced for pre appointment sales (awaiting PODs)	309,290	As at 10 April 2019
<b>Total assets available</b>	<b>8,064,871</b>	

6. While I am currently finalising our reconciliation of remuneration, costs and expenses, the estimated quantum of the amount secured by both liens is as follows:

WITS Reconciliation of Statutory and Equitable Lien		
SAUD		Notes
Administration Fees (including GST)	319,701	For the period 28 March to 10 April 2019
Administration Out of Pocket Expenses	18,135	For the period 28 March to 10 April 2019
Administration Liabilities	644,917	For the period 28 March to 10 April 2019
<b>Total Lien</b>	<b>982,753</b>	
<b>Funds provided by Westpac</b>		
5550 Loan	(160,000)	
Funds advanced by Westpac for care and preservation costs	(150,000)	
<b>Net Lien</b>	<b>672,753</b>	

7. You undertake to discharge these liens unconditionally when assets or property are realised by you and agree to pay the Administrators first out of every dollar realised.

Please confirm your acceptance of the terms of this letter by signing where indicated and returning.  
In the meantime, should you have any queries, please do not hesitate to contact either myself or Joseph Hansell of this office.

Yours faithfully



Kate Warwick  
Senior Managing Director  
FTI Consulting (Australia) Pty Ltd

I hereby accept and acknowledge the terms of this letter dated 12 April 2019.

Signed for and on behalf of WJTS Holdings Pty Ltd

Signed: .....

Print name: .....

Position: .....



## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Wednesday, 24 April 2019 5:32 PM  
**To:** Stephen Michell  
**Attachments:** 24042019172225-0001.pdf

**Categories:** Red Category

Hi Stephen

Further to our recent conversation please find attached further correspondence.

Should you have any queries do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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23 April 2019

Mr Stephen Michell  
PCI Partners Pty Ltd  
8/175 Queen St  
MELBOURNE VIC 3000

Dear Sir

WITS Holdings Pty Ltd (in Liquidation) (Company)

I refer to previous correspondence and our subsequent telephone discussion of 18 April 2019.

Sundry Assets

As mentioned in my letter of 17 April 2019, given the work undertaken by the Administrators to secure and safeguard the Sundry assets, the cost to be incurred by the liquidator in realising these assets should be limited to instructing an agent to place them in an auction and therefore is likely to be minimal.

In order to consider my position regarding the requirement to remit 100% of the proceeds from asset realisations to me, to the limit of my claims with no deduction for the remuneration or costs incurred by you in realising the assets, it would be helpful to understand the quantum of your anticipated fees and expenses. Could you please provide an estimate of your fees and expenses in relation to realising the Sundry Assets as already secured.

Debtors

In our meeting of 11 April 2019, you indicated that the most efficient method to realise the debtors may be to engage a third party debt collecting agency. Assuming this was agreed and given the degree of reconciliation of debtors conducted during the Administration period, it is likely any fees and expenses incurred by you in realising in particular the post appointment debtors would be minimal.

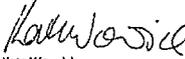
In order to consider my position regarding the requirement to remit 100% of the proceeds from asset realisations to me, to the limit of my claims with no deduction for the remuneration or costs incurred by you in realising the assets, it would be helpful to understand the quantum of your anticipated fees and expenses. Could you please provide an estimate of your fees and expenses in relation to realising outstanding debtors including debtors invoiced pre appointment, debtors invoiced post appointment and debtors yet to be invoiced in relation to pre appointment sales.

Handover of Information

I note my letter of 17 April 2019 suggested hand over of information on the 17<sup>th</sup> and 18<sup>th</sup> of April 2019, subject to coming to a satisfactory resolution in relation to the above. Could you please provide the requested information as soon as possible to ensure a speedy resolution.

Should you have any queries, please do not hesitate to contact wither myself or Joseph Hansell of this office.

Yours faithfully

  
Kate Warwick  
Senior Managing Director  
FTI Consulting (Australia) Pty Ltd

Encl.



## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Thursday, 2 May 2019 1:18 PM  
**To:** Stephen Michell

Hi Stephen

Would you have time for a call this afternoon to discuss WITS Holdings Pty Ltd (In Liquidation). I will send through a calendar invitation for 3 and please just let me know if this timing doesn't suit.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Friday, 10 May 2019 1:58 PM  
**To:** Stephen Michell  
**Cc:** kwright@pcipartners.com.au; Brendon Watkins; Ned Marlow-Weir; Morton, Ian  
**Subject:** WITS Holdings Pty Ltd (In Liquidation)

Hi Stephen

Further to my message earlier today, Minter Ellison have now finalised their letter in relation to the equitable and statutory liens and will be issuing this to you shortly. Ideally it would be good to discuss once you have had an opportunity to review.

We have also now collated Administration books and records and I would like to provide these to you. Would you have available on Monday to meet to facilitate this and also discuss Minter's correspondence.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Tuesday, 14 May 2019 1:23 PM  
**To:** Stephen Michell  
**Cc:** kwright@pcipartners.com.au; Brendon Watkins; Ned Marlow-Weir; Morton, Ian  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)

Hi Stephen

Further to my email (attached below) are you available to meet tomorrow or Friday this week to discuss. Could you let me know when you have a moment please.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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**From:** Warwick, Kate  
**Sent:** Friday, 10 May 2019 1:58 PM  
**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Cc:** kwright@pcipartners.com.au; Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>; Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Subject:** WITS Holdings Pty Ltd (In Liquidation)

Hi Stephen

Further to my message earlier today, Minter Ellison have now finalised their letter in relation to the equitable and statutory liens and will be issuing this to you shortly. Ideally it would be good to discuss once you have had an opportunity to review.

We have also now collated Administration books and records and I would like to provide these to you. Would you have available on Monday to meet to facilitate this and also discuss Minter's correspondence.

Kind regards

Kate

**Kate Warwick**

Senior Managing Director, Corporate Finance & Restructuring

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Wednesday, 22 May 2019 4:47 PM  
**To:** Stephen Michell  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)

Good afternoon Stephen

Further to the email below, could you please provide a copy of the Liquidator's circular to creditors in relation to WITS Holdings Pty Ltd.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
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**From:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>  
**Sent:** Tuesday, 21 May 2019 11:53 AM  
**To:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Cc:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>; Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>; Mazzone, James <[James.Mazzone@fticonsulting.com](mailto:James.Mazzone@fticonsulting.com)>; Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>; John Melluish <[jmelluish@pcipartners.com.au](mailto:jmelluish@pcipartners.com.au)>  
**Subject:** [EXTERNAL] RE: WITS Holdings Pty Ltd (In Liquidation)

Hi Ian,

I refer to your email below and advise that your request has been put to the Liquidator, however, he is presently interstate.

A response will be provided upon his return from interstate, being 23 May 2019.

Should you have any queries regarding the above, please do not hesitate to contact me.

Regards,



**Tristan McGlade**

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If you have received an email purporting to be from us with our Bank Account details for the transfer of funds, please confirm these details with us first by contacting the staff member responsible for this matter by telephone before any transfer or deposit of funds into our Bank Account. We accept no responsibility for any loss or damage arising from any electronic transfers or deposits made by you that are not received into our Bank Account.

**From:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>

**Sent:** Tuesday, 21 May 2019 8:18 AM

**To:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>

**Cc:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>; Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>; Mazzone, James <[James.Mazzone@fticonsulting.com](mailto:James.Mazzone@fticonsulting.com)>

**Subject:** Re: WITS Holdings Pty Ltd (In Liquidation)

Dear Tristan,

Further to my email below, please could you send my the creditors' circular as soon as possible.

Regards,

Ian Morton  
Senior Director  
Corporate Finance & Restructuring  
FTI Consulting  
+61 401 248 205

On 20 May 2019, at 08:41, Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)> wrote:

Good Morning Tristan,

Please could you send me a copy of the report that was sent to creditors.

Regards,

**Ian Morton**  
Senior Director, Corporate Finance & Restructuring

**FTI Consulting**  
+61 3 9604 0638 D | +61 (0) 401 248 205 M  
[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

Level 21 Bourke Place | 600 Bourke Street |  
Melbourne | Victoria | 3000 Australia

[www.fticonsulting.com](http://www.fticonsulting.com)

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## Warwick, Kate

---

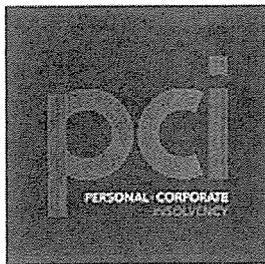
**From:** Stephen Michell <smichell@pcipartners.com.au>  
**Sent:** Tuesday, 25 June 2019 6:43 PM  
**To:** Warwick, Kate  
**Cc:** Hansell, Joseph; John Melliush  
**Subject:** [EXTERNAL] RE: WITS Holdings - Review of proposal by liquidator

Hi Kate

I can meet Monday after 10.30am if that suits you. Let me know.

Regards

Steve



**Stephen Michell**  
DIRECTOR  
T +61 3 8636 3333  
F +61 3 8636 3330  
M 0448 345 344  
LB 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
Melbourne VIC 8007  
pcipartners.com.au

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**From:** Warwick, Kate <Kate.Warwick@fticonsulting.com>  
**Sent:** Tuesday, 25 June 2019 12:53 PM  
**To:** Stephen Michell <smichell@pcipartners.com.au>  
**Cc:** Hansell, Joseph <Joseph.Hansell@fticonsulting.com>; John Melliush <jmelliush@pcipartners.com.au>  
**Subject:** WITS Holdings - Review of proposal by liquidator  
**Importance:** High

Hi Stephen

I refer to correspondence received from Hilton Bradley Lawyers dated 18 June 2019 in relation to the Administrator's claims for remuneration.

I understand that Joe Hansell discussed this correspondence with John Melliush earlier today, and in particular:

1. It appears the claim for the QM Amount is not addressed in HB's correspondence; and
2. It appears that Westpac's ability to set-off any surplus from its purchased book debts, and that all Westpac debts are secured against fixed assets is not addressed.

It would be ideal if we could meet to address any remaining discrepancies. Could you please advise whether you are available to meet over the coming week when you have a moment please.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
Level 21, 600 Bourke Street, Melbourne, 3000  
[+61 3 9604 0600 T](tel:+61396040600) | [+61 414 971 116 M](tel:+61414971116) | [+61 3 9604 0636 D](tel:+61396040636)  
[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
[www.fticonsulting.com](http://www.fticonsulting.com)

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<http://www.mailguard.com.au/mg>

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Should you have any queries in relation to the above, please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
Level 21, 600 Bourke Street, Melbourne, 3000  
+61 3 9604 0600 T | +61 414 971 116 M | +61 3 9604 0636 D  
[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade +61 3 9604 0630 | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Tuesday, 25 June 2019 12:53 PM  
**To:** Stephen Michell  
**Cc:** Hansell, Joseph; jmelluish@pcipartners.com.au  
**Subject:** WITS Holdings - Review of proposal by liquidator

**Importance:** High

Hi Stephen

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I understand that Joe Hansell discussed this correspondence with John Melluish earlier today, and in particular:

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Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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## Warwick, Kate

---

**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Wednesday, 26 June 2019 12:04 PM  
**To:** Warwick, Kate  
**Cc:** Hansell, Joseph; John Melliush; Kylie Wright; Tristan McGlade  
**Subject:** [EXTERNAL] Re: WITS Holdings - Review of proposal by liquidator

10am next Tuesday is fine by me Kate.

I see no benefit except for additional cost in having Minters attend.

See you then.

Steve

On 26 Jun 2019, at 11:56 am, Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)> wrote:

Hi Steve

Unfortunately I am in Sydney on Monday. Would any time after 9.30 on Tuesday at your offices suit? I was also contemplating whether it would be helpful to have Minters join the discussion, but was keen for your thoughts. Could you please let me know your preference when you have a moment.

Kind regards

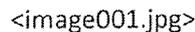
Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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[+61 3 9604 0600 T](tel:+61396040600) | [+61 414 971 116 M](tel:+61414971116) | [+61 3 9604 0636 D](tel:+61396040636)  
[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Tuesday, 25 June 2019 6:43 PM  
**To:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Cc:** Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>  
**Subject:** [EXTERNAL] RE: WITS Holdings - Review of proposal by liquidator

Hi Kate

I can meet Monday after 10.30am if that suits you. Let me know.

Regards

Steve

<image002.png>

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**WARNING: Please do not act on any communication from our office requesting you to transfer or deposit money without first telephoning our office on a known or separately verified number to confirm the authenticity of that request.**

**From:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>

**Sent:** Tuesday, 25 June 2019 12:53 PM

**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>

**Cc:** Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>

**Subject:** WITS Holdings - Review of proposal by liquidator

**Importance:** High

Hi Stephen

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I understand that Joe Hansell discussed this correspondence with John Melliush earlier today, and in particular:

1. It appears the claim for the QM Amount is not addressed in HB's correspondence; and
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It would be ideal if we could meet to address any remaining discrepancies. Could you please advise whether you are available to meet over the coming week when you have a moment please.

Kind regards

Kate

**Kate Warwick**

Senior Managing Director, Corporate Finance & Restructuring

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Level 21, 600 Bourke Street, Melbourne, 3000

+61 3 9604 0600 T | +61 414 971 116 M | +61 3 9604 0636 D

[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)

Assistant: Kristal Eade +61 3 9604 0630 | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Tuesday, 2 July 2019 5:26 PM  
**To:** Stephen Michell  
**Cc:** Tristan McGlade; Hansell, Joseph; Morton, Ian; Ned Marlow-Weir; Catherine Macrae  
**Subject:** WITS Holdings Pty Ltd (In Liquidation)  
**Attachments:** 190702 - Response to Liquidator Queries.pdf

Good afternoon Stephen

Thank you again for taking the time to meet this morning to discuss the position with WITS Holdings Pty Ltd (In Liquidation). As discussed in our meeting the following issues require resolution/clarification:

1. Acknowledgement of Westpac's right to set offset any surplus from the realisation of the Accepted Debts and Westpac's Fixed Assets against other debts owed to the Bank;
2. Clarification by way of discussion between Minter Ellison and Hilton Bradley of the ability to claim the QM amount;
3. Clarification from Minter Ellison as to the priority of the QM claim against the respective asset classes;
4. Resolution of the QM amount; and
5. Clarification from Minter Ellison as to the ability for the Liquidator to request the creditors approve the Administrators remuneration.

As discussed I have attached the supporting documentation addressing the queries raised by Hilton Bradley Lawyers in their correspondence dated 18 June 2018. Could you please advise whether there is any additional supporting documentation outstanding.

Should you have any queries in relation to the above, please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
Level 21, 600 Bourke Street, Melbourne, 3000  
[+61 3 9604 0600 T](tel:+61396040600) | [+61 414 971 116 M](tel:+61414971116) | [+61 3 9604 0636 D](tel:+61396040636)  
[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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## Warwick, Kate

---

**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Wednesday, 3 July 2019 7:05 AM  
**To:** Warwick, Kate  
**Cc:** Kylie Wright; Tristan McGlade; John Melliush  
**Subject:** [EXTERNAL] Fwd: WITS Holdings Pty Ltd (In Liquidation)

Hi Kate

Can you please refer to Kylie's email below for information we are still seeking.

Thanks

Steve

Begin forwarded message:

**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Date:** 2 July 2019 at 11:37:43 pm AEST  
**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>, Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>, John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd (In Liquidation)

Hi Steve

Most of the information has been provided. Their document refers to a Caltex invoice at Annexure A which was not provided.

Further, there are pages attached with Annexures B to F with no information behind them. There is no reference to anything other than Annexure A in the coversheet so I am not sure if these pages were included in error.

Lastly, they have not substantiated the following additional charges (to the extent that they are confirmed at this time) or confirmed that they will substantiate estimated amounts once final invoices received:

- Net wages 3 April 2019 and 10 April 2019
- PAYG
- Payroll tax (estimated)
- Road tolls (estimated)
- Superannuation
- Workers compensation insurance
- Minter Ellison legal fees.
- Peter Crane
- Telephone (estimated)
- Tikis 2
- Utilities (estimated)

**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Tuesday, 2 July 2019 5:31 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>; John Melluish <[jmelluish@pcipartners.com.au](mailto:jmelluish@pcipartners.com.au)>;  
Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)

FYI.

Kylie, can you please confirm that you have all the information required from FTI.

Thanks

Steve

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**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>; Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>; Catherine Macrae <[Catherine.Macrae@minterellison.com](mailto:Catherine.Macrae@minterellison.com)>  
**Subject:** WITS Holdings Pty Ltd (In Liquidation)

Good afternoon Stephen

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5. Clarification from Minter Ellison as to the ability for the Liquidator to request the creditors approve the Administrators remuneration.

As discussed I have attached the supporting documentation addressing the queries raised by Hilton Bradley Lawyers in their correspondence dated 18 June 2018. Could you please advise whether there is any additional supporting documentation outstanding.

## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Wednesday, 3 July 2019 8:42 AM  
**To:** Stephen Michell  
**Cc:** Kylie Wright; Tristan McGlade; John Melliush; Morton, Ian  
**Subject:** RE: WITS Holdings Pty Ltd (In Liquidation)  
**Attachments:** 190702 - Response to Liquidator.pdf

Apologies Stephen, I have attached the correct schedules as requested.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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Level 21, 600 Bourke Street, Melbourne, 3000  
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[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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**Sent:** Wednesday, 3 July 2019 7:05 AM  
**To:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Cc:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>; Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>; John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>  
**Subject:** [EXTERNAL] Fwd: WITS Holdings Pty Ltd (In Liquidation)

Hi Kate

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Steve

Begin forwarded message:

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**Date:** 2 July 2019 at 11:37:43 pm AEST

**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>, Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>, John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>  
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Hi Steve

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- Minter Ellison legal fees.
- Peter Crane
- Telephone (estimated)
- Tikis 2
- Utilities (estimated)

**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Tuesday, 2 July 2019 5:31 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>; John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>; Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)

FYI.

Kylie, can you please confirm that you have all the information required from FTI.

Thanks

Steve

<image002.png>

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**From:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Sent:** Tuesday, 2 July 2019 5:26 PM  
**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; Morton, Ian <[ian.Morton@fticonsulting.com](mailto:ian.Morton@fticonsulting.com)>; Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>; Catherine Macrae <[Catherine.Macrae@minterellison.com](mailto:Catherine.Macrae@minterellison.com)>  
**Subject:** WITS Holdings Pty Ltd (In Liquidation)

Good afternoon Stephen

Thank you again for taking the time to meet this morning to discuss the position with WITS Holdings Pty Ltd (In Liquidation). As discussed in our meeting the following issues require resolution/clarification:

1. Acknowledgement of Westpac's right to set offset any surplus from the realisation of the Accepted Debts and Westpac's Fixed Assets against other debts owed to the Bank;
2. Clarification by way of discussion between Minter Ellison and Hilton Bradley of the ability to claim the QM amount;
3. Clarification from Minter Ellison as to the priority of the QM claim against the respective asset classes;
4. Resolution of the QM amount; and
5. Clarification from Minter Ellison as to the ability for the Liquidator to request the creditors approve the Administrators remuneration.

As discussed I have attached the supporting documentation addressing the queries raised by Hilton Bradley Lawyers in their correspondence dated 18 June 2018. Could you please advise whether there is any additional supporting documentation outstanding.

Should you have any queries in relation to the above, please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
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[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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2 July 2019

WITS Holdings Pty Ltd (In Liquidation)

Re: Response to Additional Information Request in Hilton Bradley Lawyers' Correspondence dated 18 June 2019

I refer to the letter of 18 June 2019 and write to provide responses to the queries raised by the Liquidator of the Company.

FTI Annexure	Supplier	Amount \$	Query	FTI Response
6 (EL) 21 (SL)	Cahex	66,151 (EL) 38,506 (SL)	Invoice number 0301744772 provided at both Annexures 6 and 21. The total value of the invoice provided is \$56,322.15 (Inclusive of GST). The amount claimed exceeds the value of the invoice provided. Please clarify and substantiate balance of amount claimed.	With respect to Cahex, the Administrators set up new accounts, however for the drivers that were on the road, they were allowed to continue using their existing cards. There are 3 separate amounts due to Cahex: - Invoice: 301743991 to 31 March 2019 - \$31,711.95 for new cards (last page of the pdf). - \$18,603.05 for old cards for purchases on 28 and 29 March 2019 (it appears that the spreadsheet was not included in the information provided to PCI Partners). This is enclosed as Annexure A. - Invoice: 301744772 to 30 April 2019 (invoice period end) for \$56,322.15.
15	MC Security	50,322	Invoices 6206 and 6207 disclose a date for services provided of 19 May 2019. Please clarify the date of provision of services on these invoices. Invoice 6037 discloses 188 hours of services provided in the period up to 31 March 2019 at the NSW location. Please clarify the number of guards provided pursuant to this invoice and whether any charges relate to a period prior to the appointment of the Administrators on 28 March 2019.	With regards to Invoices 6206 and 6207, the dates on the invoices are typos from MC Security and should read 09/04/2019 rather than 09/05/2019. With respect to Invoice 6037, again the dates are unclear, but the time represents two security guards on 12 hour shifts for the period 28 March - 31 March 2019 being the first 4 days of the appointment. MC Security was not engaged pre-appointment.

37	SRK Transport	42,491	Invoices are amended by hand to approve total charges of \$36,862.87 (Inclusive of GST), however the amount claimed is the original invoice amount of \$42,491. Please clarify why the original amount is claimed.	Shortly prior to the appointment, new freight rates were agreed between the Contracts Manager, Paul Wilkin and SRK, as SRK was a substantial creditor. The amounts invoiced by SRK for the post-appointment period reflect the increased rates. The increased rates were not communicated to all staff and the annotated amounts represents what would have been due under the old rates and as such were paid as originally invoiced.
39	Total Care Transport Pty Ltd	11,935	Total Care Transport Pty Ltd held a loan[d] for Cepral to ransom. Payment contingent upon recoveries from Cepral (refer email James Morrison of FTI dated 5 June 2019). No recoveries from Cepral at this time.	As at the date of writing, no payment has been made to Total Care Transport.

FTI Annexure	Supplier	Invoice Amount \$	Pre appointment \$	FTI Response	Rationale for Payment
5	Ben Bailey	780	780		Mr Bailey was a key employee to the business and threatened to walk unless his expenses were paid. The majority of the expense was for accommodation relating to Mr Bailey collecting one of the Company assets. The commercial decision was made to pay his expenses.
7	Christopher Spiteri	1,780	1,618		The expense incurred represented costs incurred by Mr Spiteri in replacing stolen wheels from a company car together with a tow truck to recover the vehicle. Although these expenses were incurred pre-appointment, there would have been a cost to recover the car and replace the wheels post-appointment. Therefore, the decision was made that this should be paid.

18	Peter Theodorou	2,750	1,750	Mr Theodorou was one of the Company's accountants. Although actually a contractor, he worked full time for the business and had an intricate knowledge of the debtor book. He provided us with all financial information and had access to the bank portal. This was at the same time as Steven Campbell, the CFO, was absent due to ill health. The Administrators made the commercial decision to pay his pre-appointment debt to ensure ongoing assistance.
19	Samantha Hixage	1,260	700	Ms Hixage was one of the Company's accountants primarily responsible for the debtors. Again, in the absence of Mr Campbell, the decision was made to pay her pre-appointment debt to ensure ongoing assistance with debtor reconciliation and collection.
20	AFE Trading	5,130	2,079	Although a contractor, operated as the fleet manager and was integral in recovering the trucks and trailers and relocation to auction house. Without his assistance, the recovery would have been extremely difficult. The commercial decision was made to pay his pre-appointment debt.
33	Lomi Pty Ltd	5,225	4,051	Integral to the recovery and relocation of the trucks and trailers. The commercial decision was made to pay his pre-appointment debt.

Yours faithfully

Kate Warwick  
Former Administrator

Enc.

Annexure A





StarCard

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WELLS FARGO  
WELLS FARGO P/L - ADMIN APPT  
CPO BOX 518  
MELBOURNE VIC 3001

Account statement

Account no 0200427707  
Statement date 31/05/2019  
Page 1 of 1  
Total due \$ 72925.20  
Due by 21/05/2019  
Current \$ 72925.20  
1-7d days \$ 0.00  
11-30 days \$ 0.00  
41-90 days \$ 0.00  
91+ days \$ 0.00

Transaction type, Invoice ref no, Document date, Total inc GST \$

Opening balance 31711.99  
Current items at 30.04.2019  
31 Payment - 1743.94  
Admin Fees Term 1 820152134  
Trading Sub Summary

Total inc GST \$ 72925.20



Payment slip

Account no 0200427707  
Statement date 31/05/2019  
Page 1 of 1  
Amount Paid \$  
Invoice ref no, Document date, Total inc GST \$

Invoice ref no, Document date, Total inc GST \$

Opening balance 31711.99  
Current items at 30.04.2019  
06020891 11/04/2019 -31711.99  
02000001 14/04/2019 14823.85  
10174272 10/04/2019 34322.13

Total inc GST \$ 72925.20

StarCard

Tax Invoice/Statement note  
WELLS HOLDINGS P/L - ADMIN APPT  
CPO BOX 518  
MELBOURNE VIC 3001  
Account no 0200427707  
Date 31/05/2019

Tax Invoice detail

Invoice ref no 0301741991  
Page 1 of 12  
Total inc GST \$ 11711.99  
GST amount \$ 2885.92

Header table with columns: Card ref no, Date, Time, Terminal, Expiry no, Card reading, Product, Country, Unit of inc GST, Amount inc GST, Tax inc GST, Total inc GST, GST on GST, GST on GST inc GST

Table of card transactions processed from 01 to 31/05/2019. Includes rows for Domestic, 7071 3408 8113 0142, 7071 3408 8113 0152, 7071 3408 8116 1923, 7071 3408 8113 1623, 7071 3408 8278 0241, 7071 3408 8278 0241, 7071 3408 8278 0241, 7071 3408 7701 0611.

Total inc GST \$ 11711.99





StarCard

Tax Invoice/Adjustment note  
 WTS 110220210218 PPA - ADOMEN APPT  
 CPO 820A 318  
 HILLERUHNK VIC 1001  
 Account no 82064277207  
 Date 31/03/2018

Tax Invoice detail

Invoice ref no 8101743991  
 Page 6 of 12  
 Total inc GST \$ 31711.509  
 GST amount \$ 2882.92

Card details location	Date	Time	Trans no	Address	Qty reading	Product	Quantity	Unit of mcs GST	Amount \$ inc GST	Tax rate % inc GST	Total \$ inc GST	GST on supply	GST on supply
Cable/Dome/Shop	30/03	12:40	8007767		0	ADOMEN	47.43	99.9200	47.38		47.38	4.33	
Card Fee 2.75	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
						Card Fee	1593.71		4808.63	0.00	4808.63	439.18	0.00
						Domestic total	3352.71		4814.96	0.00	4814.96	439.43	0.00
Domestic 111													
7071 3100 8170 3159	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
7071 3100 8170 3159	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
7071 3100 8170 3159	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									8.25		8.25	0.75	
Domestic 112													
7071 3100 8170 3162	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									2.75		2.75	0.25	0.00
Domestic 113													
7071 3100 8170 3172	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									2.75		2.75	0.25	0.00
Domestic 114													
7071 3100 8170 3189	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									2.75		2.75	0.25	0.00

StarCard

Tax Invoice/Adjustment note  
 WTS 110220210218 PPA - ADOMEN APPT  
 CPO 820A 318  
 HILLERUHNK VIC 1001  
 Account no 82064277207  
 Date 31/03/2018

Tax Invoice detail

Invoice ref no 8101743991  
 Page 7 of 12  
 Total inc GST \$ 31711.509  
 GST amount \$ 2882.92

Card details location	Date	Time	Trans no	Address	Qty reading	Product	Quantity	Unit of mcs GST	Amount \$ inc GST	Tax rate % inc GST	Total \$ inc GST	GST on supply	GST on supply
Domestic 117													
7071 3100 8170 3188	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
7071 3100 8170 3188	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									5.50		5.50	0.50	0.00
Domestic 118													
7071 3100 8170 3193	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									2.75		2.75	0.25	0.00
Domestic 119													
7071 3100 8170 3202	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									2.75		2.75	0.25	0.00
Domestic 120													
7071 3100 8170 3212	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									2.75		2.75	0.25	0.00
Domestic 121													
7071 3100 8170 3218	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
7071 3100 8170 3218	11/03	00:00	0000000		0	Card Fee			2.75		2.75	0.25	
Domestic total									5.50		5.50	0.50	0.00

StarCard

Tax Invoice/adjustment note  
WITS INDUSTRIES P/L - ADMIN APPT  
CFO BOX 318  
MILLENBURG VIC 3001  
Account no 010033707  
Date 31/03/2013

Tax Invoice detail

Invoice ref no 0101743991  
Page 8 of 12  
Total inc GST \$ 31711.99  
GST amount \$ 2882.92

Card date / location	Date	Time	Trans no	Expiry no	Qty	Product	Unit of meas	Amount	Inc GST	Total	GST inc	GST on supply	
<b>Demerik 142</b>													
W/1 14/08/09 2418	11/03	00:29	1427037										
Calixt Chromash 550m					234587	Vires-Dens		412.91	141.6500	641.32	641.32	58.39	
Calixt Chromash 550m					234577	Vires-Dens		484.93	141.6500	726.81	726.81	65.71	
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								897.84	314.952	0.00	1144.92	122.26	0.50
<b>Demerik 143</b>													
W/1 14/08/09 2418	11/03	00:00	C000000										
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								0.00	2.75	0.00	2.75	0.25	0.50
<b>Demerik 144</b>													
W/1 14/08/09 2418	11/03	00:00	C000000										
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								0.00	2.75	0.00	2.75	0.25	0.50
<b>Demerik 145</b>													
W/1 14/08/09 2418	11/03	00:29	1427037										
Calixt Chromash 550m					234587	Vires-Dens		412.91	141.6500	641.32	641.32	58.39	
Calixt Chromash 550m					234577	Vires-Dens		484.93	141.6500	726.81	726.81	65.71	
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								897.84	314.952	0.00	1144.92	122.26	0.50

StarCard

Tax Invoice/adjustment note  
WITS INDUSTRIES P/L - ADMIN APPT  
CFO BOX 318  
MILLENBURG VIC 3001  
Account no 010033707  
Date 31/03/2013

Tax Invoice detail

Invoice ref no 0101743991  
Page 9 of 12  
Total inc GST \$ 31711.99  
GST amount \$ 2882.92

Card date / location	Date	Time	Trans no	Expiry no	Qty	Product	Unit of meas	Amount	Inc GST	Total	GST inc	GST on supply	
<b>Calixt Chromash 550m</b>													
W/1 14/08/09 2418	11/03	00:04	1202777										
Calixt Chromash 550m					17404	Vires-Dens		174.04	138.4520	312.49	312.49	28.21	
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								174.04	138.452	0.00	312.49	28.21	0.50
<b>Demerik 146</b>													
W/1 14/08/09 2418	11/03	00:30	C000000										
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								0.00	2.75	0.00	2.75	0.25	0.50
<b>Demerik 147</b>													
W/1 14/08/09 2418	11/03	00:30	C000000										
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								0.00	2.75	0.00	2.75	0.25	0.50
<b>Demerik 148</b>													
W/1 14/08/09 2418	11/03	00:30	C000000										
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								0.00	2.75	0.00	2.75	0.25	0.50
<b>Demerik 149</b>													
W/1 14/08/09 2418	11/03	00:30	C000000										
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								0.00	2.75	0.00	2.75	0.25	0.50
<b>Demerik 150</b>													
W/1 14/08/09 2418	11/03	00:30	C000000										
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								0.00	2.75	0.00	2.75	0.25	0.50
<b>Calixt Chromash 550m</b>													
W/1 14/08/09 2418	11/03	00:30	C000000										
Calixt Chromash 550m					17404	Vires-Dens		174.04	138.4520	312.49	312.49	28.21	
Card Fee 2.75									2.75	2.75		0.25	
<b>Demerik total</b>								174.04	138.452	0.00	312.49	28.21	0.50

StarCard

Tax Invoice/Adjustment note  
 WITE HOLDINGS P/L - ADMIN APPT  
 CPO BOX 318  
 MILEURNE VIC 3051  
 Account no 0200427707  
 Date 31/03/2018

Tax Invoice detail

Invoice ref no 0201743991  
 Page 10 of 12  
 Total inc GST \$ 31271.99  
 GST amount \$ 2882.92

Card#/Link Location	Date	Time	Trans no	Enderno	QTY	Product	Unit of mtr	Amount \$ inc GST	Tax inc inc GST	Total \$ inc GST	GST on supply	GST on supply
Caltex Clean Diesel Opt	31/03	16:24	1809334		0	ADBlue	82.50	89.5000	89.42	89.42	2.31	
Caltex Clean Diesel Opt	31/03	19:13	1809341		45428	Oil	452.87	114.4200	548.38	548.38	49.13	
Card fee 2.75	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total							304.99	642.82	638.20	642.82	51.67	0.50
Demostr 179	2071 3420 8733 8304											
Caltex Clean Diesel Opt	31/03	16:16	1809331		0	Oil	739.39	117.2200	1042.19	1042.19	94.29	
Card fee 2.75	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total							739.39	114.47	853.86	853.86	74.54	0.50
Demostr 180	2071 3420 8733 8304											
Caltex Super Diesel Opt	31/03	06:16	1809337		3643M	Oil	804.67	144.2000	1316.41	1316.41	119.67	
Caltex Super Diesel Opt	31/03	12:13	1809349		1409	Oil	1041.27	133.6000	1144.87	1144.87	103.54	
Card fee 2.75	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total							1945.94	277.80	2223.74	2223.74	203.46	0.50
Demostr 181	2071 3420 8734 8501											
Caltex Super Diesel Opt	31/03	06:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total							0.00	2.75	2.75	2.75	0.25	0.50

StarCard

Tax Invoice/Adjustment note  
 WITE HOLDINGS P/L - ADMIN APPT  
 CPO BOX 318  
 MILEURNE VIC 3051  
 Account no 0200427707  
 Date 31/03/2018

Tax Invoice detail

Invoice ref no 0201743991  
 Page 11 of 12  
 Total inc GST \$ 31271.99  
 GST amount \$ 2882.92

Card#/Link Location	Date	Time	Trans no	Enderno	QTY	Product	Unit of mtr	Amount \$ inc GST	Tax inc inc GST	Total \$ inc GST	GST on supply	GST on supply
Demostr 182	2071 3420 8731 1089											
Caltex Clean Diesel Opt	31/03	09:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total									2.75	2.75	0.25	0.50
Demostr 183	2071 3420 8732 2093											
Caltex Clean Diesel Opt	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total									2.75	2.75	0.25	0.50
Demostr 184	2071 3420 8734 7158											
Caltex Super Diesel Opt	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total									2.75	2.75	0.25	0.50
Demostr 185	2071 3420 8734 7447											
Caltex Super Diesel Opt	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total									2.75	2.75	0.25	0.50
Demostr 186	2071 3420 8734 8202											
Caltex Super Diesel Opt	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total									2.75	2.75	0.25	0.50
Demostr 187	2071 3420 8737 7172											
Caltex Super Diesel Opt	31/03	00:00	0000000		0	Card Fee			2.75	2.75	0.25	
Demostr total									2.75	2.75	0.25	0.50





**Tax Invoice summary**

**StarCard**

RITA SAYAD  
WITS HOLDINGS P/L - ADMIN APPT  
GPO BOX 538  
MELBOURNE VIC 3007

Invoice ref no	0301744772
page	1 of 2
Total excl GST \$	51201.92
GST amount \$	5120.23
Total Inc GST \$	56322.15
Processed from	01/04/2019
to	30/04/2019
Invoice date	30/04/2019
Account no	0200627707

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For account queries call 1300 365 096; email: starcard@caltex.com.au

Description	Product	Quantity	Amount \$ excl GST	+	GST amount	=	Total \$ Inc GST
-------------	---------	----------	--------------------	---	------------	---	------------------

Thank you for using StarCard

**Summary of transactions**

Description	Product	Quantity	Amount \$ excl GST	+	GST amount	=	Total \$ Inc GST
Fleet	VORTEX 98	140.77	202.63	20.27	222.90		
	DIESEL	31108.93	39113.17	3911.33	43024.50		
	VORTEX DIESEL	8665.11	11080.63	1108.06	12188.69		
	ADBLUE	844.62	605.49	80.57	686.06		
	<b>Totals</b>		<b>51201.92</b>	<b>5120.23</b>	<b>56322.15</b>		

**Breakdown of fleet summary**

Domestic	Product	Quantity	Amount \$ excl GST	+	GST amount	=	Total \$ Inc GST
	VORTEX DIESEL	3163.09	4039.22	403.92	4443.14		
	DIESEL	5448.05	6965.74	696.57	7662.31		
	VORTEX 98	140.77	202.63	20.27	222.90		
	<b>Total</b>	<b>8751.91</b>	<b>11207.59</b>	<b>1120.76</b>	<b>12328.35</b>		
149	DIESEL	320.57	392.85	39.28	432.13		
	VORTEX DIESEL	244.70	318.55	31.86	350.41		
	<b>Total</b>	<b>565.27</b>	<b>711.40</b>	<b>71.14</b>	<b>782.54</b>		
150	DIESEL	3050.83	3893.58	389.36	4282.94		
	ADBLUE	102.82	112.07	11.21	123.28		
	<b>Total</b>	<b>3153.65</b>	<b>4005.65</b>	<b>400.57</b>	<b>4406.22</b>		
151	VORTEX DIESEL	1289.86	1674.54	167.46	1842.00		
	DIESEL	474.77	626.70	62.67	689.37		
	<b>Total</b>	<b>1764.63</b>	<b>2301.24</b>	<b>230.13</b>	<b>2531.37</b>		
156	DIESEL	599.62	739.16	73.92	813.08		
	<b>Total</b>	<b>599.62</b>	<b>739.16</b>	<b>73.92</b>	<b>813.08</b>		

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Total Inc GST \$ **56322.15**

**StarCard**

**Tax Invoice summary**

Processed from 01/04/2019 to 30/04/2019

Invoice ref no	0301744772
page	2 of 2

Description	Product	Quantity	Amount \$ excl GST	+	GST amount	=	Total \$ Inc GST
157	DIESEL	1707.94	2151.12	215.12	2366.24		
	<b>Total</b>	<b>1707.94</b>	<b>2151.12</b>	<b>215.12</b>	<b>2366.24</b>		
161	DIESEL	1514.56	1907.91	190.79	2098.70		
	ADBLUE	102.98	93.52	9.35	102.87		
	<b>Total</b>	<b>1617.54</b>	<b>2001.43</b>	<b>200.14</b>	<b>2201.57</b>		
163	DIESEL	847.14	1102.86	110.29	1213.15		
	VORTEX DIESEL	227.31	282.28	28.23	310.51		
	<b>Total</b>	<b>1074.45</b>	<b>1385.14</b>	<b>138.52</b>	<b>1523.66</b>		
165	VORTEX DIESEL	1603.09	2034.48	203.44	2237.92		
	ADBLUE	77.43	70.33	7.03	77.36		
	DIESEL	1911.20	2390.74	239.07	2629.81		
	<b>Total</b>	<b>3591.72</b>	<b>4495.55</b>	<b>449.54</b>	<b>4945.09</b>		
177	DIESEL	8518.33	10407.86	1040.80	11448.66		
	ADBLUE	200.29	181.89	18.20	200.09		
	<b>Total</b>	<b>8718.62</b>	<b>10589.75</b>	<b>1059.00</b>	<b>11648.75</b>		
179	VORTEX DIESEL	2137.06	2731.56	273.15	3004.71		
	DIESEL	486.11	603.66	60.37	664.03		
	<b>Total</b>	<b>2623.17</b>	<b>3335.22</b>	<b>333.52</b>	<b>3668.74</b>		
185	DIESEL	2637.31	3314.57	331.45	3646.02		
	ADBLUE	130.88	118.86	11.89	130.75		
	<b>Total</b>	<b>2768.19</b>	<b>3433.43</b>	<b>343.34</b>	<b>3776.77</b>		
187	DIESEL	2824.43	3646.65	364.66	4011.31		
	ADBLUE	108.59	118.36	11.84	130.20		
	<b>Total</b>	<b>2933.02</b>	<b>3765.01</b>	<b>376.50</b>	<b>4141.51</b>		
188	DIESEL	748.07	959.77	95.98	1055.75		
	ADBLUE	121.63	110.46	11.05	121.51		
	<b>Total</b>	<b>869.70</b>	<b>1070.23</b>	<b>107.03</b>	<b>1177.26</b>		
	<b>Totals</b>		<b>51201.92</b>	<b>5120.23</b>	<b>56322.15</b>		

Annexure B.1

**Employee Transaction Summary Report**  
**468247,0002 - WITS Holdings - WITS Holdings Pty. Ltd. (Administrators Appointed)**  
All Accounts: All Dates

Account	
Child Support Withheld	(100.00)
PAYG Withheld	(39,765.30)
Salary Sacrifice	(100.00)
Super Control (Trading)	11,141.33
Super Withheld	(11,141.33)
Wages & Salaries	139,593.51
<b>Total:</b>	<b>202,628.01</b>

Annexure B.2

**Employee Transaction Detail Report**  
**468247.0002 - WITS Holdings - WITS Holdings Pty. Ltd. (Administrators Appointed)**  
**All Accounts: All Dates**

**Employee:** Albury, Jason  
**T.F.N.:** 822 214 571

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(359.00)	825501
10/04/19	Wages to 7 April 2019	(263.00)	825552
	<b>Total PAYG Withheld</b>	<b>(622.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	146.15	825501
10/04/19	Wages to 7 April 2019	115.92	825552
	<b>Total Super Control (Trading)</b>	<b>262.07</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(146.15)	825501
10/04/19	Wages to 7 April 2019	(116.32)	825552
	<b>Total Super Withheld</b>	<b>(262.47)</b>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,518.46	825501
10/04/19	Wages to 7 April 2019	1,230.77	825552
	<b>Total Wages &amp; Salaries</b>	<b>2,749.23</b>	

**Employee:** Bailey, Benjamin  
**T.F.N.:** 198 604 968

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(738.00)	826021
10/04/19	Wages to 7 April 2019	(738.00)	825552
10/04/19	Wages to 10 April 2019	(482.00)	825552
	<b>Total PAYG Withheld</b>	<b>(1,958.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	274.04	826021
10/04/19	Wages to 7 April 2019	274.04	825552
10/04/19	Wages to 10 April 2019	197.06	825552
	<b>Total Super Control (Trading)</b>	<b>745.14</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(274.04)	826021
10/04/19	Wages to 7 April 2019	(274.04)	825552
10/04/19	Wages to 10 April 2019	(197.06)	825552
	<b>Total Super Withheld</b>	<b>(745.14)</b>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	2,884.61	826021
10/04/19	Wages to 7 April 2019	2,500.00	825552
10/04/19	Wages to 10 April 2019	1,843.55	825552
	<b>Total Wages &amp; Salaries</b>	<b>7,228.16</b>	

**Employee:** Berghoef, Pieter  
**T.F.N.:** 561 027 357

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(234.00)	825502
10/04/19	Wages to 7 April 2019	(237.00)	825552
	<b>Total PAYG Withheld</b>	<b>(471.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825502
10/04/19	Wages to 7 April 2019	121.19	825552
	<b>Total Super Control (Trading)</b>	<b>242.38</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825502



Employee: Berghoef, Pieter  
T.F.N. 561 027 357

Date	Memo	Amount	Trans ID
10/04/19	Wages to 7 April 2019	(121.19)	825558
	Total Super Withheld	(242.38)	
	Wages & Salaries	1,120.08	825602
03/04/19	Wages to 31 March 2019	1,156.04	825558
10/04/19	Wages to 7 April 2019	4,278.11	
	Total Wages & Salaries		

Employee: Bolognesi, Federico  
T.F.N. 843 610 062

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(793.00)	825601
10/04/19	Wages to 7 April 2019	(525.00)	825552
	Total PAYG Withheld	(1,318.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	250.00	825601
10/04/19	Wages to 7 April 2019	185.59	825552
	Total Super Control (Trading)	435.59	
Super Withheld			
03/04/19	Wages to 31 March 2019	(250.00)	825601
10/04/19	Wages to 7 April 2019	(185.59)	825552
	Total Super Withheld	(435.59)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	2,440.00	825601
10/04/19	Wages to 7 April 2019	1,953.60	825552
	Total Wages & Salaries	4,393.60	

Employee: Borland, Terry  
T.F.N. 265 270 672

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(576.50)	825604
10/04/19	Wages to 7 April 2019	(663.00)	825552
10/04/19	Wages to 11 April 2019	(600.00)	825561
	Total PAYG Withheld	(1,839.50)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	219.23	825604
10/04/19	Wages to 7 April 2019	218.23	825552
10/04/19	Wages to 11 April 2019	204.03	825561
	Total Super Control (Trading)	641.49	
Super Withheld			
03/04/19	Wages to 31 March 2019	(219.23)	825604
10/04/19	Wages to 7 April 2019	(218.23)	825552
10/04/19	Wages to 11 April 2019	(204.03)	825561
	Total Super Withheld	(641.49)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	2,307.69	825604
10/04/19	Wages to 10 April 2019	840.00	825552
10/04/19	Wages to 7 April 2019	2,307.69	825552
10/04/19	Wages to 11 April 2019	2,147.65	825561
	Total Wages & Salaries	7,603.03	

Employee: Borozan, Emily  
T.F.N. 381 630 764

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(297.00)	825601
10/04/19	Wages to 7 April 2019	(297.00)	825562
10/04/19	Wages to 10 April 2019	(127.00)	825561
	Total PAYG Withheld	(721.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	124.35	825601
10/04/19	Wages to 7 April 2019	124.35	825562
10/04/19	Wages to 10 April 2019	72.80	825561
	Total Super Control (Trading)	321.50	
Super Withheld			
03/04/19	Wages to 31 March 2019	(116.35)	825601
10/04/19	Wages to 7 April 2019	(116.35)	825562
10/04/19	Wages to 10 April 2019	(79.80)	825561
	Total Super Withheld	(312.50)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	1,330.00	825601
10/04/19	Wages to 7 April 2019	1,330.00	825562
	Total Wages & Salaries	2,660.00	

Employee: Britcher, Damian  
T.F.N. 199 788 619

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(625.00)	825605
10/04/19	Wages to 7 April 2019	(530.00)	825561
	Total PAYG Withheld	(1,155.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	210.04	825604
10/04/19	Wages to 7 April 2019	158.85	825561
	Total Super Control (Trading)	368.89	
Super Withheld			
03/04/19	Wages to 31 March 2019	(210.04)	825604
10/04/19	Wages to 7 April 2019	(188.85)	825561
	Total Super Withheld	(398.89)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	2,211.00	825604
10/04/19	Wages to 7 April 2019	1,856.80	825561
	Total Wages & Salaries	4,067.80	

Employee: Coco, Matthew  
T.F.N. 321 752 770

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(649.00)	825607
10/04/19	Wages to 7 April 2019	(499.00)	825561
	Total PAYG Withheld	(1,148.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	163.69	825607
10/04/19	Wages to 7 April 2019	146.15	825561
	Total Super Control (Trading)	328.84	
Super Withheld			
03/04/19	Wages to 31 March 2019	(163.69)	825607
10/04/19	Wages to 7 April 2019	(146.15)	825561
	Total Super Withheld	(328.84)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	1,922.08	825607
10/04/19	Wages to 7 April 2019	1,338.46	825561

Total Wages & Salaries 3,451.54

Employee: Cooper, Michael  
T.F.N. 361 150 713

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(643.00)	825503
10/04/19	Wages to 7 April 2019	(220.00)	825503
	<b>Total PAYG Withheld</b>	<u>(863.00)</u>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825503
10/04/19	Wages to 7 April 2019	82.56	825503
	<b>Total Super Control (Trading)</b>	<u>204.15</u>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825503
10/04/19	Wages to 7 April 2019	(82.56)	825503
	<b>Total Super Withheld</b>	<u>(204.15)</u>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,906.44	825503
10/04/19	Wages to 7 April 2019	760.27	825503
	<b>Total Wages &amp; Salaries</b>	<u>2,666.71</u>	

Employee: Dickson, Darren  
T.F.N. 337 058 749

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(94.00)	825502
10/04/19	Wages to 7 April 2019	(156.00)	825502
	<b>Total PAYG Withheld</b>	<u>(250.00)</u>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825502
10/04/19	Wages to 7 April 2019	121.19	825502
	<b>Total Super Control (Trading)</b>	<u>242.38</u>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825502
10/04/19	Wages to 7 April 2019	(121.19)	825502
	<b>Total Super Withheld</b>	<u>(242.38)</u>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	745.11	825502
10/04/19	Wages to 7 April 2019	924.28	825502
	<b>Total Wages &amp; Salaries</b>	<u>1,669.39</u>	

Employee: Fkior, Shelley  
T.F.N. 372 614 885

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(22.00)	825510
10/04/19	Wages to 7 April 2019	(9.00)	825508
	<b>Total PAYG Withheld</b>	<u>(31.00)</u>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	42.75	825510
10/04/19	Wages to 7 April 2019	38.00	825508
	<b>Total Super Control (Trading)</b>	<u>80.75</u>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(42.75)	825510
10/04/19	Wages to 7 April 2019	(38.00)	825508
	<b>Total Super Withheld</b>	<u>(80.75)</u>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	450.00	825510
10/04/19	Wages to 7 April 2019	405.00	825508
	<b>Total Wages &amp; Salaries</b>	<u>855.00</u>	

Employee: Fitzpatrick, John  
T.F.N. 371 134 323

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(157.00)	825611
10/04/19	Wages to 7 April 2019	(266.00)	825609
	<b>Total PAYG Withheld</b>	<u>(423.00)</u>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	142.90	825611
10/04/19	Wages to 7 April 2019	217.79	825609
	<b>Total Super Control (Trading)</b>	<u>360.69</u>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(142.90)	825611
10/04/19	Wages to 7 April 2019	(117.79)	825609
	<b>Total Super Withheld</b>	<u>(260.69)</u>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,504.17	825611
10/04/19	Wages to 7 April 2019	1,238.88	825609
	<b>Total Wages &amp; Salaries</b>	<u>2,743.05</u>	

Employee: Guilford, Stephen  
T.F.N. 810 264 307

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(501.00)	825612
10/04/19	Wages to 7 April 2019	(438.00)	825610
	<b>Total PAYG Withheld</b>	<u>(939.00)</u>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825612
10/04/19	Wages to 7 April 2019	121.19	825610
	<b>Total Super Control (Trading)</b>	<u>242.38</u>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825612
10/04/19	Wages to 7 April 2019	(121.19)	825610
	<b>Total Super Withheld</b>	<u>(242.38)</u>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,892.75	825612
10/04/19	Wages to 7 April 2019	1,730.41	825610
	<b>Total Wages &amp; Salaries</b>	<u>3,623.16</u>	

Employee: Halleybone-Yard, Erica  
T.F.N. 390 847 569

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(684.00)	825613
	<b>Total PAYG Withheld</b>	<u>(684.00)</u>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	90.25	825613
	<b>Total Super Control (Trading)</b>	<u>90.25</u>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(90.25)	825613
	<b>Total Super Withheld</b>	<u>(90.25)</u>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,849.00	825613
	<b>Total Wages &amp; Salaries</b>	<u>1,849.00</u>	

Employee: Hartigan, Stephen  
T.F.N. 265 792 722

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(486.00)	825514
10/04/19	Wages to 7 April 2019	(416.00)	825521
	<b>Total PAYG Withheld</b>	<b>(902.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825514
10/04/19	Wages to 7 April 2019	121.19	825521
	<b>Total Super Control (Trading)</b>	<b>242.38</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825514
10/04/19	Wages to 7 April 2019	(121.19)	825521
	<b>Total Super Withheld</b>	<b>(242.38)</b>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,453.06	825514
10/04/19	Wages to 7 April 2019	1,474.22	825521
	<b>Total Wages &amp; Salaries</b>	<b>2,927.28</b>	

Employee: Hasse, Lance  
T.F.N. 421 361 225

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(1,056.00)	825514
10/04/19	Wages to 7 April 2019	(524.00)	825521
	<b>Total PAYG Withheld</b>	<b>(1,580.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825514
10/04/19	Wages to 7 April 2019	121.19	825521
	<b>Total Super Control (Trading)</b>	<b>242.38</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825514
10/04/19	Wages to 7 April 2019	(121.19)	825521
	<b>Total Super Withheld</b>	<b>(242.38)</b>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	3,314.29	825514
10/04/19	Wages to 7 April 2019	1,816.52	825521
	<b>Total Wages &amp; Salaries</b>	<b>5,130.81</b>	

Employee: Kake, Samuel  
T.F.N. 130 835 000

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(947.00)	825514
10/04/19	Wages to 7 April 2019	(169.00)	825521
	<b>Total PAYG Withheld</b>	<b>(1,116.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825514
10/04/19	Wages to 7 April 2019	121.19	825521
	<b>Total Super Control (Trading)</b>	<b>242.38</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825514
10/04/19	Wages to 7 April 2019	(121.19)	825521
	<b>Total Super Withheld</b>	<b>(242.38)</b>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	2,811.52	825514
10/04/19	Wages to 7 April 2019	862.60	825521
	<b>Total Wages &amp; Salaries</b>	<b>3,674.12</b>	

Employee: Kaye, Steven  
T.F.N. 414 467 412

Date	Memo	Amount	Trans ID
<b>Child Support Withheld</b>			
03/04/19	Wages to 31 March 2019	(158.00)	825514
10/04/19	Wages to 7 April 2019	(158.00)	825521
	<b>Total Child Support Withheld</b>	<b>(316.00)</b>	
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(694.00)	825514
10/04/19	Wages to 7 April 2019	(508.00)	825521
	<b>Total PAYG Withheld</b>	<b>(1,202.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825514
10/04/19	Wages to 7 April 2019	121.19	825521
	<b>Total Super Control (Trading)</b>	<b>242.38</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825514
10/04/19	Wages to 7 April 2019	(121.19)	825521
	<b>Total Super Withheld</b>	<b>(242.38)</b>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	2,787.61	825514
10/04/19	Wages to 7 April 2019	1,910.09	825521
	<b>Total Wages &amp; Salaries</b>	<b>4,697.70</b>	

Employee: Little, Eddie  
T.F.N. 335 371 869

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(244.00)	825514
10/04/19	Wages to 7 April 2019	(201.00)	825521
	<b>Total PAYG Withheld</b>	<b>(445.00)</b>	
<b>Salary Sacrifice</b>			
03/04/19	Wages to 31 March 2019	(50.00)	825514
10/04/19	Wages to 7 April 2019	(50.00)	825521
	<b>Total Salary Sacrifice</b>	<b>(100.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	66.24	825514
10/04/19	Wages to 7 April 2019	140.81	825521
	<b>Total Super Control (Trading)</b>	<b>207.05</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(66.24)	825514
10/04/19	Wages to 7 April 2019	(140.81)	825521
	<b>Total Super Withheld</b>	<b>(207.05)</b>	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,152.03	825514
10/04/19	Wages to 7 April 2019	959.00	825521
	<b>Total Wages &amp; Salaries</b>	<b>2,111.03</b>	

Employee: Marson, Anthony  
T.F.N. 132 300 914

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(435.00)	825514
10/04/19	Wages to 7 April 2019	(183.00)	825521
	<b>Total PAYG Withheld</b>	<b>(618.00)</b>	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	50.25	825514
10/04/19	Wages to 7 April 2019	50.25	825521
	<b>Total Super Control (Trading)</b>	<b>100.50</b>	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(50.25)	825514

Employee: Marson, Anthony  
T.F.N. 132 300 914

Date	Memo	Amount	Trans ID
10/04/19	Wages to 7 April 2019	(90.25)	825576
	Total Super Withheld	(160.50)	
	Wages & Salaries		
03/04/19	Wages to 31 March 2019	2,797.67	825519
10/04/19	Wages to 7 April 2019	1,200.55	825574
	Total Wages & Salaries	4,318.62	

Employee: McDonald, Elizabeth  
T.F.N. 000000000

Date	Memo	Amount	Trans ID
	PAYG Withheld		
03/04/19	Wages to 31 March 2019	(475.00)	825630
10/04/19	Wages to 7 April 2019	(475.00)	825572
10/04/19	Wages to 10 April 2019	(208.00)	825578
	Total PAYG Withheld	(1,158.00)	
	Super Control (Trading)		
03/04/19	Wages to 31 March 2019	173.55	825630
10/04/19	Wages to 7 April 2019	173.56	825572
10/04/19	Wages to 10 April 2019	129.24	825578
	Total Super Control (Trading)	476.35	
	Super Withheld		
03/04/19	Wages to 31 March 2019	(173.56)	825630
10/04/19	Wages to 7 April 2019	(173.56)	825572
10/04/19	Wages to 10 April 2019	(129.24)	825578
	Total Super Withheld	(476.36)	
	Wages & Salaries		
03/04/19	Wages to 31 March 2019	1,816.92	825630
10/04/19	Wages to 7 April 2019	1,416.92	825572
10/04/19	Wages to 10 April 2019	1,365.41	825578
	Total Wages & Salaries	5,014.25	

Employee: Micallef, Karen  
T.F.N. 191 280 921

Date	Memo	Amount	Trans ID
	PAYG Withheld		
03/04/19	Wages to 31 March 2019	(474.00)	825621
10/04/19	Wages to 7 April 2019	(505.00)	825572
	Total PAYG Withheld	(1,005.00)	
	Super Control (Trading)		
03/04/19	Wages to 31 March 2019	121.00	825621
10/04/19	Wages to 7 April 2019	121.19	825572
	Total Super Control (Trading)	242.19	
	Super Withheld		
03/04/19	Wages to 31 March 2019	(121.00)	825621
10/04/19	Wages to 7 April 2019	(121.19)	825572
	Total Super Withheld	(242.19)	
	Wages & Salaries		
03/04/19	Wages to 31 March 2019	1,822.56	825621
10/04/19	Wages to 7 April 2019	1,070.86	825572
	Total Wages & Salaries	2,793.42	

Employee: Mitchell, Gary  
T.F.N. 485 541 597

Date	Memo	Amount	Trans ID
	PAYG Withheld		
03/04/19	Wages to 31 March 2019	(698.00)	825622

Employee: Mitchell, Gary  
T.F.N. 485 541 597

Date	Memo	Amount	Trans ID
10/04/19	Wages to 7 April 2019	(606.00)	825580
10/04/19	Wages to 10 April 2019	(68.00)	825581
	Total PAYG Withheld	(1,172.00)	
	Super Control (Trading)		
03/04/19	Wages to 31 March 2019	108.30	825522
10/04/19	Wages to 7 April 2019	105.06	825580
10/04/19	Wages to 10 April 2019	58.93	825581
	Total Super Control (Trading)	272.19	
	Super Withheld		
03/04/19	Wages to 31 March 2019	(108.30)	825522
10/04/19	Wages to 7 April 2019	(105.06)	825580
10/04/19	Wages to 10 April 2019	(58.93)	825581
	Total Super Withheld	(272.19)	
	Wages & Salaries		
03/04/19	Wages to 31 March 2019	2,810.00	825522
10/04/19	Wages to 7 April 2019	2,160.00	825580
10/04/19	Wages to 10 April 2019	644.90	825581
	Total Wages & Salaries	5,714.90	

Employee: Montzka, Rebecca  
T.F.N. 265 242 953

Date	Memo	Amount	Trans ID
	PAYG Withheld		
03/04/19	Wages to 31 March 2019	(430.00)	825622
10/04/19	Wages to 7 April 2019	(259.00)	825582
	Total PAYG Withheld	(689.00)	
	Super Control (Trading)		
03/04/19	Wages to 31 March 2019	121.19	825622
10/04/19	Wages to 7 April 2019	121.19	825582
	Total Super Control (Trading)	242.38	
	Super Withheld		
03/04/19	Wages to 31 March 2019	(121.19)	825622
10/04/19	Wages to 7 April 2019	(121.19)	825582
	Total Super Withheld	(242.38)	
	Wages & Salaries		
03/04/19	Wages to 31 March 2019	1,715.27	825622
10/04/19	Wages to 7 April 2019	1,200.10	825582
	Total Wages & Salaries	2,915.37	

Employee: Moran, Jason  
T.F.N. 165 312 025

Date	Memo	Amount	Trans ID
	PAYG Withheld		
03/04/19	Wages to 31 March 2019	(766.00)	825624
10/04/19	Wages to 7 April 2019	(583.00)	825583
10/04/19	Wages to 11 April 2019	(388.00)	825584
	Total PAYG Withheld	(1,737.00)	
	Super Control (Trading)		
03/04/19	Wages to 31 March 2019	130.77	825624
10/04/19	Wages to 7 April 2019	130.77	825583
10/04/19	Wages to 11 April 2019	122.50	825584
	Total Super Control (Trading)	384.14	
	Super Withheld		
03/04/19	Wages to 31 March 2019	(130.77)	825624
10/04/19	Wages to 7 April 2019	(130.77)	825583
10/04/19	Wages to 11 April 2019	(122.50)	825584
	Total Super Withheld	(384.14)	
	Wages & Salaries		

Employee: Moran, Jason  
T.F.N. 185 312 325

Date	Memo	Amount	Trans ID
03/04/19	Wages to 31 March 2019	2,571.93	825521
10/04/19	Wages to 7 April 2019	2,011.05	825521
10/04/19	Wages to 11 April 2019	1,584.84	825521
Total Wages & Salaries		6,247.82	

Employee: Morrow, Craig  
T.F.N. 208 450 167

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(505.00)	825521
10/04/19	Wages to 7 April 2019	(215.00)	825521
Total PAYG Withheld		(720.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	116.10	825521
10/04/19	Wages to 7 April 2019	22.25	825521
Total Super Control (Trading)		138.35	
Super Withheld			
03/04/19	Wages to 31 March 2019	(116.10)	825521
10/04/19	Wages to 7 April 2019	(12.15)	825521
Total Super Withheld		(128.25)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	1,803.20	825521
10/04/19	Wages to 7 April 2019	1,092.35	825521
Total Wages & Salaries		2,895.55	

Employee: Payne, Philip  
T.F.N. 000 000 000

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(723.00)	825521
10/04/19	Wages to 7 April 2019	(95.00)	825521
Total PAYG Withheld		(818.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	121.19	825521
10/04/19	Wages to 7 April 2019	70.28	825521
Total Super Control (Trading)		191.47	
Super Withheld			
03/04/19	Wages to 31 March 2019	(121.19)	825521
10/04/19	Wages to 7 April 2019	(70.44)	825521
Total Super Withheld		(191.63)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	2,462.50	825521
10/04/19	Wages to 7 April 2019	246.00	825521
Total Wages & Salaries		2,708.50	

Employee: Phillips, Ricky  
T.F.N. 430 139 086

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(154.00)	825522
Total PAYG Withheld		(154.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	87.59	825522
Total Super Control (Trading)		87.59	
Super Withheld			
03/04/19	Wages to 31 March 2019	(87.59)	825522

Wages & Salaries  
03/04/19 Wages to 31 March 2019

Total Super Withheld	(87.00)	
Total Wages & Salaries	923.08	825522
	923.08	

Employee: Plummer, Barry  
T.F.N. 259 923 594

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(767.00)	825521
10/04/19	Wages to 7 April 2019	(380.00)	825521
Total PAYG Withheld		(1,147.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	121.19	825521
10/04/19	Wages to 7 April 2019	121.19	825521
Total Super Control (Trading)		242.38	
Super Withheld			
03/04/19	Wages to 31 March 2019	(121.19)	825521
10/04/19	Wages to 7 April 2019	(121.19)	825521
Total Super Withheld		(242.38)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	2,235.30	825521
10/04/19	Wages to 7 April 2019	1,220.10	825521
Total Wages & Salaries		3,455.40	

Employee: Prato, Karen  
T.F.N. 487 783 143

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(231.00)	825521
10/04/19	Wages to 7 April 2019	(239.00)	825521
Total PAYG Withheld		(470.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	121.19	825521
10/04/19	Wages to 7 April 2019	104.60	825521
Total Super Control (Trading)		225.79	
Super Withheld			
03/04/19	Wages to 31 March 2019	(121.19)	825521
10/04/19	Wages to 7 April 2019	(104.60)	825521
Total Super Withheld		(225.79)	
Wages & Salaries			
03/04/19	Wages to 31 March 2019	1,140.78	825521
10/04/19	Wages to 7 April 2019	1,162.80	825521
Total Wages & Salaries		2,303.58	

Employee: Rai, Rani  
T.F.N. 163 282 166

Date	Memo	Amount	Trans ID
PAYG Withheld			
03/04/19	Wages to 31 March 2019	(264.00)	825520
10/04/19	Wages to 7 April 2019	(308.00)	825520
10/04/19	Wages to 10 April 2019	(163.00)	825520
Total PAYG Withheld		(735.00)	
Super Control (Trading)			
03/04/19	Wages to 31 March 2019	117.80	825520
10/04/19	Wages to 7 April 2019	125.20	825520
10/04/19	Wages to 10 April 2019	91.20	825520
Total Super Control (Trading)		334.20	
Super Withheld			
03/04/19	Wages to 31 March 2019	(117.80)	825520
10/04/19	Wages to 7 April 2019	(125.20)	825520

Employee: Rai, Rani  
T.F.N. 163 282 186

Date	Memo	Amount	Trans ID
10/04/19	Wages to 10 April 2019	(91.20)	825592
	Total Super Withheld	(91.20)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,240.00	825593
10/04/19	Wages to 7 April 2019	1,340.00	825593
10/04/19	Wages to 10 April 2019	950.00	825592
	Total Wages & Salaries	3,530.00	

Employee: Scott, Raymond  
T.F.N. 150 589 480

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(751.00)	825591
10/04/19	Wages to 7 April 2019	(384.00)	825591
	Total PAYG Withheld	(1,135.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825591
10/04/19	Wages to 7 April 2019	121.19	825591
	Total Super Control (Trading)	242.38	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825591
10/04/19	Wages to 7 April 2019	(121.19)	825591
	Total Super Withheld	(242.38)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	2,534.32	825591
10/04/19	Wages to 7 April 2019	1,593.45	825591
	Total Wages & Salaries	4,127.77	

Employee: Spiteri, Christopher  
T.F.N. 806 815 546

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(475.00)	825592
10/04/19	Wages to 7 April 2019	(475.00)	825592
10/04/19	Wages to 10 April 2019	(393.00)	825593
	Total PAYG Withheld	(1,343.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	173.55	825592
10/04/19	Wages to 7 April 2019	173.55	825592
10/04/19	Wages to 10 April 2019	127.98	825593
	Total Super Control (Trading)	475.10	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(173.55)	825592
10/04/19	Wages to 7 April 2019	(173.55)	825592
10/04/19	Wages to 10 April 2019	(127.98)	825593
	Total Super Withheld	(475.10)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,816.92	825592
10/04/19	Wages to 7 April 2019	1,435.92	825592
10/04/19	Wages to 10 April 2019	1,347.20	825593
	Total Wages & Salaries	5,060.24	

Employee: Streader, John  
T.F.N. 325 188 281

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.00)	825592
10/04/19	Wages to 7 April 2019	(90.00)	825592
	Total PAYG Withheld	(212.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825591
10/04/19	Wages to 7 April 2019	121.19	825591
	Total Super Control (Trading)	242.38	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825591
10/04/19	Wages to 7 April 2019	(121.19)	825591
	Total Super Withheld	(242.38)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	973.24	825591
10/04/19	Wages to 7 April 2019	735.36	825591
	Total Wages & Salaries	1,608.60	

Employee: Sutton, Robert  
T.F.N. 257 220 359

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(266.00)	825591
10/04/19	Wages to 7 April 2019	(315.00)	825591
10/04/19	Wages to 10 April 2019	(310.00)	825592
	Total PAYG Withheld	(891.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	107.61	825591
10/04/19	Wages to 7 April 2019	134.51	825592
10/04/19	Wages to 10 April 2019	107.61	825592
	Total Super Control (Trading)	349.73	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(107.61)	825591
10/04/19	Wages to 7 April 2019	(134.51)	825592
10/04/19	Wages to 10 April 2019	(107.61)	825592
	Total Super Withheld	(349.73)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,222.12	825591
10/04/19	Wages to 7 April 2019	1,529.66	825592
10/04/19	Wages to 10 April 2019	1,367.98	825592
	Total Wages & Salaries	4,119.76	

Employee: Woltisbuhl, Peter  
T.F.N. 258 645 072

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(428.00)	825591
10/04/19	Wages to 7 April 2019	(100.00)	825592
	Total PAYG Withheld	(528.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825591
10/04/19	Wages to 7 April 2019	72.43	825592
	Total Super Control (Trading)	193.62	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825591
10/04/19	Wages to 7 April 2019	(72.43)	825592
	Total Super Withheld	(193.62)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,706.42	825591

Employee: Wollsbuhl, Peter  
T.F.N. 258 645 072

Date	Memo	Amount	Trans ID
10/04/19	Wages to 7 April 2019	2,768.92	825592
	Total Wages & Salaries	2,768.92	

Employee: Williams, Abraham  
T.F.N. 138 960 250

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(183.00)	825636
10/04/19	Wages to 7 April 2019	(79.00)	825598
	Total PAYG Withheld	(262.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	96.61	825636
10/04/19	Wages to 7 April 2019	72.13	825598
	Total Super Control (Trading)	168.74	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(96.41)	825636
10/04/19	Wages to 7 April 2019	(72.43)	825598
	Total Super Withheld	(168.84)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	1,916.97	825636
10/04/19	Wages to 7 April 2019	850.54	825598
	Total Wages & Salaries	2,767.51	

Employee: Williamson, John  
T.F.N. 258 018 206

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(611.00)	825637
10/04/19	Wages to 7 April 2019	(457.00)	825599
	Total PAYG Withheld	(1,068.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	121.19	825637
10/04/19	Wages to 7 April 2019	121.19	825599
	Total Super Control (Trading)	242.38	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(121.19)	825637
10/04/19	Wages to 7 April 2019	(121.19)	825599
	Total Super Withheld	(242.38)	
<b>Wages &amp; Salaries</b>			
03/04/19	Wages to 31 March 2019	2,174.27	825637
10/04/19	Wages to 7 April 2019	1,738.13	825599
	Total Wages & Salaries	3,912.40	

Employee: Wilson, Michael  
T.F.N. 184 602 055

Date	Memo	Amount	Trans ID
<b>PAYG Withheld</b>			
03/04/19	Wages to 31 March 2019	(780.00)	825638
10/04/19	Wages to 7 April 2019	(746.00)	825600
	Total PAYG Withheld	(1,526.00)	
<b>Super Control (Trading)</b>			
03/04/19	Wages to 31 March 2019	247.71	825638
10/04/19	Wages to 7 April 2019	219.40	825600
	Total Super Control (Trading)	467.11	
<b>Super Withheld</b>			
03/04/19	Wages to 31 March 2019	(247.71)	825638

Employee: Wilson, Michael  
T.F.N. 184 602 055

Date	Memo	Amount	Trans ID
10/04/19	Wages to 7 April 2019	(319.40)	825600
	Total Super Withheld	(187.11)	
	Wages & Salaries	2,607.50	825638
03/04/19	Wages to 31 March 2019	2,520.00	825600
10/04/19	Wages to 7 April 2019	5,127.50	



Annexure C

Units Held/Units Payable Superannuation Withheld - 31 March / 30 April 2014				
Fund	Employee	Member ID	Date of Birth	Amount Withheld
AMP Flexible Super	Ricky Phillip	954769575	6/03/1979	\$ 87.69
AMP Life	Benjamin Bailey	Unknown	3/08/1977	\$ 745.14
AMP Flexible Super	John Fitzpatrick	Unknown	3/11/1980	\$ 260.69
				\$ 1,093.52
ANZ Smart Choice	Robert Sutton	017013745275726	7/11/1947	\$ 349.73
				\$ 349.73
Australian Super Fund	Craig Morrow	54043427	12/04/1977	\$ 149.65
Australian Super Fund	Darlan Bracher	713577578	4/04/1976	\$ 356.89
Australian Super Fund	Eileenbeth McDonald	712437833	14/03/1975	\$ 476.36
				\$ 1,022.90
ING Life Limited	Steven Kaye	038417	14/09/1952	\$ 242.38
				\$ 242.38
MLC Masterkey Business Super	Abraham Williams	78067331	8/05/1952	\$ 169.04
MLC Masterkey Business Super	Christopher Spiteri	Unknown	14/05/1990	\$ 475.10
MLC Masterkey Business Super	Eddie Little	78901588	7/05/1969	\$ 216.85
MLC Masterkey Business Super	Federico Bolognesi	Unknown	29/10/1980	\$ 436.39
MLC Masterkey Business Super	Gary Mitchell	Unknown	16/02/1956	\$ 273.19
MLC Masterkey Business Super	Jason Albury	Unknown	11/08/1987	\$ 763.07
MLC Masterkey Business Super	Jason Moran	54370906	8/07/1973	\$ 384.14
MLC Masterkey Business Super	John Streader	53868004	15/03/1947	\$ 242.38
MLC Masterkey Business Super	John Williamson	51445300	8/05/1953	\$ 242.38
MLC Masterkey Business Super	Karen Prato	27308889	27/11/1963	\$ 225.79
MLC Masterkey Business Super	Simon Hesse	Unknown	26/11/1961	\$ 242.38
MLC Masterkey Business Super	Michael Cooper	Unknown	22/07/1983	\$ 104.35
MLC Masterkey Business Super	Michael Wilson	Unknown	3/02/1972	\$ 487.11
MLC Masterkey Business Super	Phil Payne	Unknown	7/07/1958	\$ 102.15
MLC Masterkey Business Super	Rani Rai	Unknown	1/01/1970	\$ 388.20
MLC Masterkey Business Super	Raymond Scott	Unknown	23/03/1941	\$ 242.38
MLC Masterkey Business Super	Rebecca Montika	Unknown	1/05/1966	\$ 242.38
MLC Masterkey Business Super	Terry Borland	28242439	3/12/1965	\$ 642.49
MLC Personal Super	Barry Plummett	28145309	10/02/1954	\$ 242.38
MLC Personal Super	Stephan Harrigan	4935187	14/09/1954	\$ 242.38
				\$ 6,016.33
One Care Super	Pieter Berghoef	1002623200	15/11/1959	\$ 242.38
				\$ 242.38
OnePath Limited	Samuel Kake	72359000083	23/09/1992	\$ 242.38
OnePath Limited	Stephen Guilford	72359001248	10/08/1983	\$ 242.38
				\$ 484.76
Rest - Retail Employees Superannuation Trust	Emily Borazan	710833264	11/09/1958	\$ 332.50
				\$ 332.50
Sunsuper	Karen Micallef	901002610	20/05/1978	\$ 243.09
Sunsuper	Shelley Flier	901568362	1/01/1955	\$ 80.75
				\$ 323.84
TWU Superannuation	Anthony Marson	Unknown	1/01/1970	\$ 183.50
TWU Superannuation	Darren Dickson	32141164	6/11/1967	\$ 242.38
TWU Superannuation	Erika Halleybone-Yard	Unknown	12/08/1985	\$ 90.25
TWU Superannuation	Matthew Coco	31930614	1/08/1959	\$ 328.84
TWU Superannuation	Peter Wahlshul	32159284	24/02/1957	\$ 193.61
				\$ 1,325.59
<b>Total Superannuation Withheld</b>				<b>\$ 21,141.34</b>

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## Annexure D

Morton, Ian

**From:** Mazzoze, James  
**Sent:** Wednesday, 19 June 2019 2:24 PM  
**To:** Morton, Ian  
**Subject:** FW: WITS Holdings Pty Ltd (Administrators Appointed) - Terms

FTI, see below re Workers Comp calcs.

**James Mazzoze**  
Senior Consultant  
Corporate Finance & Restructuring

FTI Consulting  
Level 21 / 600 Bourke Street  
Melbourne VIC 3000  
+61 3 9604 0600 T | +61 3 9604 0626 D  
[James.mazzoze@fticonsulting.com](mailto:James.mazzoze@fticonsulting.com)

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**From:** Adele May <Adele.May@ajg.com.au>  
**Sent:** Thursday, 30 May 2019 2:59 PM  
**To:** Mazzoze, James <James.Mazzoze@fticonsulting.com>  
**Cc:** Warwick, Kate <Kate.Warwick@fticonsulting.com>; Morton, Ian <Ian.Morton@fticonsulting.com>  
**Subject:** [EXTERNAL] WITS Holdings Pty Ltd (Administrators Appointed) - Terms

Good afternoon James,

We are pleased to provide terms and coverage available under your RiskCover agreement as shown below for the period 28/3/2019 to 31/6/2019.

#### Workers Compensation

All declarations have been sent to the relevant insurers/authorities. Using old rates available online, you may expect the following premiums. Please note however that these rates are normally increased each year and the below should only be used as a guide.

VIC - \$88,332 x 3.515% = \$3,104  
NSW - \$75,401 x 4.960% = \$3,739  
QLD - \$3,401 x 4.971% = \$169.05 (or nil)

#### Business Practices Protection

Terms have been provided, however on the application form the insured name reads as WITS Holdings Pty Ltd (in Liquidation). Should cover be obtained, this will only be for the Administration period. Can you please amend the application to read WITS Holdings Pty Ltd (Administrators Appointed) and initial the changes.

I look forward to your return email confirming acceptance of the formal terms below prior to 31/6/2019.

FTI Group (Inc) Pty Limited  
ABN 49 360 397 811 | ACN 360 397 811 | AFSL Authorised Representative # 201269325  
Level 21 Bourke Place | 600 Bourke Street | Melbourne VIC 3000 | Australia  
Postal Address | GPO Box 538 | Melbourne VIC 3001 | Australia  
+61 3 9604 0600 telephone | +61 3 9604 0699 fax | [fticonsulting.com](http://fticonsulting.com)

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# Risk Cover Terms



Date of Appointment: 28 March 2019  
 Appointment Name: WITS Holdings Pty Ltd (Administrators Appointed)  
 Occupation: Transport Company - trading  
 Our reference: 55514

## Industrial Special Risks

Situation: 147 Northbourne Road, CAMPBELLFIELD VIC 3061  
 56-60 Newton Road, WETHERILL PARK NSW 2164

### Sum Insured / Declared Values

Building	\$	Nil Insured
Plant & Equipment	\$	50,000 Minimum sum insured
Stock	\$	Nil Insured
Consequential Loss	\$	Nil Insured

Deductible: \$1,000

Premium: \$ 183.09 (Split 50/50 for the states)  
*Exclusive of statutory charges*

## Public and Products Liability

Situation: 147 Northbourne Road, CAMPBELLFIELD VIC 3061  
 56-60 Newton Road, WETHERILL PARK NSW 2164

### Limit of Liability

Public	\$	20,000,000	any one claim or series of claims arising out of any one occurrence.
Products	\$	20,000,000	any one claim or series of claims and in the aggregate during any one period of insurance.

Standard Deductible: \$1,000

Premium: \$ 1,383.56  
*Exclusive of statutory charges*

## Transport Operators

State of Location: Various, as per attached spreadsheet

### Section 1a - Own Damage

120 units - as per attached spreadsheet

### Section 1b - Third Party Liability

Non-Hazardous Goods: \$32,500,000  
 Hazardous Goods (as defined): \$1,250,000

### Section 2a - Carriers Liability

\$500,000

### Section 2b - Legal Defence

Included

### Section 3 - Liability

\$20,000,000

Standard Deductible:

\$20,000 for the 4 prime movers in dispute

### Motor Vehicle Light

\$500 \$1,000 or 1% of Sum Insured, whichever is greater, for Executive, Prestige or Exotic sedan/wagon

### Rigid/Buses/Mobile Cranes/Drill Rigs

> 2 tonne up to 10 tonne \$500

> 10 tonne (with a radius < 450kms) \$1,000, or 1% of sum insured whichever is greater

> 10 tonne (with a radius > 450kms) \$2,000, or 1% of sum insured whichever is greater

### Prime Movers/Articulated Powered Vehicles

Prime Movers (with a radius < 450kms) \$1,000, or 1% of sum insured whichever is greater

Prime Movers (with a radius > 450kms) \$2,000, or 1% of sum insured whichever is greater

### Trailers:

Trailers (with a radius < 450kms) \$1,000, or 1% of sum insured whichever is greater

Trailers (with a radius > 450kms) \$2,000, or 1% of sum insured whichever is greater

### Forklifts/Caravans

\$400, or 1% of sum insured whichever is greater

(plus age and inexperience)

Premium: \$ 27,895.60

*Exclusive of statutory charges*

## Marine Transit

Limit of Cover: Physical loss or damage to the Interest Insured

Limit: \$5,000,000 maximum. Any one vessel / conveyance / location

Excess: \$500 each and every claim.

Premium: \$ 605.00

*Exclusive of statutory charges*

## Business Practices Protections (Statutory Liability) Insurances (BPP)

Business Description: Transport Services

Address/Situation: 147 Northbourne Road, CAMPBELLFIELD VIC 3061

Underwritten By: 56-60 Newton Road, WETHERILL PARK NSW 2164

Liberty International Underwriters.

### Policy Wording

At all times coverage will be based on LIU Business Practices Policy Wording (09-18).

Subject to standard risk profile based endorsements and LIU AUS BPP Trade-On Amendments

### Policy Period:

12 months from date of acceptance

### Risk Insured:

To indemnify the Insured for any Statutory Liability Claims that result from written notice of originating legal proceedings issued against or served upon the Insured by a Regulatory Authority during the Policy Period that alleges a Statutory Breach. These payments will encompass:

- (a) Penalties
- (b) Endorseable Undertaking Expenses
- (c) Legal Costs, and;
- (d) Prosecution Costs

### Limit Of Liability:

Options below

**Territorial Limits:** Worldwide excluding North America  
**Choice Of Law & Jurisdiction:** Subject to the Laws of Australia and the Jurisdiction of the Australian Courts  
**Retrospective Date:** Date of Appointment being 28/3/2019  
 Excluding Known Claims and/or Circumstances  
**Prior & Pending Litigation Date:** Date of Appointment being 28/3/2019  
 Excluding Known Claims and/or Circumstances  
**Extended Reporting Period:** 36 Months – Refer Policy Wording for full details  
**Excess:** \$15,000 - each and every claim, Defence Costs inclusive

The maximum Excess any one Claim and/or Loss shall not exceed the Excess for the Named Organisation.

The maximum Excess any one event will not exceed the highest applicable Excess any one Claim and/or Loss.

Limit of Liability	A	B	C
Aggregate:	\$1,000,000	\$2,000,000	\$5,000,000
Statutory Liability	\$1,000,000	\$2,000,000	\$5,000,000
Inquiry Representation Costs	\$1,000,000	\$2,000,000	\$5,000,000
Employment Practices Liability	\$500,000	\$500,000	\$500,000
Premium: exclusive of statutory charges	\$2,075.70	\$3,663.00	\$7,570.20

Gallagher Service Fee: \$1,200 + charges

Please contact me should you have any questions.

Kind regards,

Adele May  
 Regional Manager - Insolvency and Turnaround – VIC/TAS/SANT



Insurance | Risk Management | Consulting

D: 03 8611 0962 | Ext 30962  
 M: 0439 294 380  
[adele.may@ag.com.au](mailto:adele.may@ag.com.au)

Gallagher – East Melbourne  
 Level 4, 289 Wellington Parade South, East Melbourne, VIC, 3002  
[www.ag.com.au](http://www.ag.com.au)

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Annexure E

MinterEllison

TAX INVOICE

Attention: Ian Morton  
Kathryn Warwick, Ross Blakely & Joseph Hansell,  
Administrators of WITS Holdings Pty Ltd  
c/o FTI Consulting  
Level 21  
600 Bourke Street  
Melbourne VIC 3000  
AUSTRALIA

Date 30 April 2018  
Invoice Number 10517754  
Our Ref EAY:BRW-1246232  
ABN 91 552 718 819

Description	WITS Holdings Pty Ltd	Australian Dollars
Professional fees		
Professional fees - taxable		50,325.00
Related services & expenses		
Services - taxable		104.88
		50,429.88
Plus GST		5,042.99
Total amount payable on receipt of invoice		AUD 55,472.87

For terms and conditions please see reverse  
For details and breakdown please see attachment

FTI Consulting (Australia) Pty Limited  
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GPO Box 788 Melbourne VIC 3001 Australia  
On 201 64000016  
T +61 3 9200 2000 F +61 3 9200 1000 [minterellison.com](http://minterellison.com)

MinterEllison



Annexure F

**TAX INVOICE**

Attention: Ian Morton  
Kathryn Warwick, Ross Blakeley & Joseph Hassell,  
administrators of WTS Holdings Pty Ltd  
c/o FTI Consulting  
Level 21  
500 Bourke Street  
Melbourne VIC 3000  
AUSTRALIA

Date 31 May 2018  
Invoice Number 10527855  
Our Ref EAY:BRW1248222  
ABN 91 559 716 819

Description	WTS Holdings Pty Ltd	Australian Dollars
Professional fees		
Professional fees - taxable		<u>24,150.00</u>
Plus GST		<u>2,415.00</u>
Total amount payable on receipt of invoice		<u>AUD 26,565.00</u>

For terms and conditions please see reverse  
For details and breakdown please see attachment

Morton, Ian

From: Mazzone, James  
Sent: Wednesday, 19 June 2019 2:05 PM  
To: Morton, Ian  
Subject: FW: WITS Holdings Pty Ltd (Administrators Appointed) (the "Company")  
Attachments: Circular to Creditors - 100419.pdf

James Mazzone  
Senior Consultant  
Corporate Finance & Restructuring

FTI Consulting  
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Melbourne VIC 3000  
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[James.Mazzone@fticonsulting.com](mailto:James.Mazzone@fticonsulting.com)

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From: Greenway, Jaymee  
Sent: Wednesday, 8 May 2019 8:25 AM  
To: Mazzone, James <James.Mazzone@fticonsulting.com>  
Subject: FW: WITS Holdings Pty Ltd (Administrators Appointed) (the "Company")

See below.

From: IBA <[IBA@energyaustralia.com.au](mailto:IBA@energyaustralia.com.au)>  
Sent: Tuesday, 7 May 2019 6:20 PM  
To: Greenway, Jaymee <[Jaymee.Greenway@fticonsulting.com](mailto:Jaymee.Greenway@fticonsulting.com)>  
Subject: [EXTERNAL] FW: WITS Holdings Pty Ltd (Administrators Appointed) (the "Company")

Hi Team,

Unfortunately the tenure of the Admin period is not feasible for EnergyAustralia to issue a final bill for. Therefore can confirm that we will not charge you for the usage for this short amount of period.

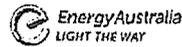
Please let me know if you require any further clarification.

Regards,

Manisha Hore  
Recoveries Specialist | Customer Experience  
T. +61 3 9190 5335  
[IBA@energyaustralia.com.au](mailto:IBA@energyaustralia.com.au)  
Locked Bag 14060, Melbourne VIC 3000

1

EnergyAustralia  
Level 33, 385 Bourke Street, Melbourne, Victoria 3000  
[energyaustralia.com.au](http://energyaustralia.com.au)



From: Greenway, Jaymee <[Jaymee.Greenway@fticonsulting.com](mailto:Jaymee.Greenway@fticonsulting.com)>  
Sent: Monday, 6 May 2019 5:43 PM  
To: IBA <[IBA@energyaustralia.com.au](mailto:IBA@energyaustralia.com.au)>  
Subject: RE: WITS Holdings Pty Ltd (Administrators Appointed) (the "Company")

Dear Monica

The Administrators occupied the premises from 28 March 2019 to 10 April 2019. As outlined in the attached, can you please forward a final invoice for the period of occupation i.e. 28 March 2019 to 10 April 2019.

We are not aware who occupied the premises post 10 April 2019.

Kind regards

Jaymee Greenway  
Junior Associate

FTI Consulting  
+61 3 9604 0540 T  
[jaymee.greenway@fticonsulting.com](mailto:jaymee.greenway@fticonsulting.com)

Level 21, Bourke Place, 600 Bourke Street  
Melbourne VIC 3000, Australia  
[www.fticonsulting.com](http://www.fticonsulting.com)

From: IBA <[IBA@energyaustralia.com.au](mailto:IBA@energyaustralia.com.au)>  
Sent: Thursday, 2 May 2019 3:56 PM  
To: Greenway, Jaymee <[Jaymee.Greenway@fticonsulting.com](mailto:Jaymee.Greenway@fticonsulting.com)>  
Subject: [EXTERNAL] FW: WITS Holdings Pty Ltd (Administrators Appointed) (the "Company")

Hi Team,

We have identified the below account as per the information you have provided:

Account Number	9354832000
Account Name	WITS HOLDINGS PTY LTD
Premise Address	55 NEWTON RD, WETHERILL PARK, NSW, 2164
Account Status	Closed
ABN/ACN	24 050 322 284

2

Please confirm if you are aware of who was operating at the site after the liquidation date.

Regards,

Monisha Hore  
Recoveries Specialist | Customer Experience  
T. +61 3 9190 5335  
[IBA@energyaustralia.com.au](mailto:IBA@energyaustralia.com.au)  
Locked Bag 14060, Melbourne VIC 3000

EnergyAustralia  
Level 33, 385 Bourke Street, Melbourne, Victoria 3000  
[energyaustralia.com.au](http://energyaustralia.com.au)

f    in G+



From: Greenway, Jaymee <[jaymee.Greenway@fticonsulting.com](mailto:jaymee.Greenway@fticonsulting.com)>  
Sent: Wednesday, 10 April 2019 11:41 AM  
To: IBA <[IBA@energyaustralia.com.au](mailto:IBA@energyaustralia.com.au)>  
Subject: WITS Holdings Pty Ltd (Administrators Appointed) (the "Company")

Dear Sir/Madam

Please find attached a letter regarding the Company.

Kind regards

Jaymee Greenway  
Junior Associate

FTI Consulting  
+61 3 9504 0640 T  
[jaymee.greenway@fticonsulting.com](mailto:jaymee.greenway@fticonsulting.com)

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Thursday, 18 July 2019 1:21 PM  
**To:** Stephen Michell  
**Cc:** John Melliush; Hansell, Joseph  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)  
**Attachments:** image001.jpg; image002.png; image003.png; image004.png

Good morning Steven

Please refer below to email from Westpac in relation to retention for sales proceeds from the truck sales to apply to third party liabilities and fees. Can you please advise whether you have any further queries in relation to the information provided and whether you are available to discuss on Monday at 10 am to discuss. Could you please also provide a copy of your report to creditors dated 9 July 2019.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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-----Original Message-----

**From:** Lansom, Melissa (WBC) <mlansom@westpac.com.au>  
**Sent:** Wednesday, 17 July 2019 2:11 PM  
**To:** Warwick, Kate <Kate.Warwick@fticonsulting.com>  
**Subject:** [EXTERNAL] Re: WITS Holdings Pty Ltd (In Liquidation)

Kate

I refer to your email below.

My email on 16 July 2019 already confirms the Banks consent that the funds could be taken from asset sales subject to the Liquidators final approval.

I'm not sure what else your after.

Regards

Melissa Lansom  
Account Manager

Credit Restructuring  
0401611027

On 16 Jul 2019, at 4:11 pm, Warwick, Kate  
<Kate.Warwick@fticonsulting.com<mailto:Kate.Warwick@fticonsulting.com>> wrote:

Hi Melissa

Thanks for your note. I had expanded the commentary in the schedule of care and preservation costs in the report in order to address the queries you had previously listed. I also amended the commentary on page 6 in relation to the equitable and statutory lien;

- \* requesting Westpac reconfirm consent for the funds to be deducted from the proceeds of the sale of the Fixed Assets to address the shortfall in third party expenses incurred in the care and preservation of Westpac's assets in the sum of \$94,473; and
- \* that funds from the proceeds of the sale of the Fixed assets be applied to meet the fees and disbursements incurred in relation to the non-circulating assets predominately represented by locating, relocating and securing the Company's fleet of trucks and trailers in the sum of \$153,658.

It would be good to discuss this with you. Could you please let me know if it suits to have a call tomorrow or after 12 on Thursday.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

FTI Consulting  
Level 21, 600 Bourke Street, Melbourne, 3000  
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+116<tel:+61%20414%20971%20116> M | +61 3 9604  
+0636<tel:+61%203%209604%200636> D  
kate.warwick@fticonsulting.com<mailto:kate.warwick@fticonsulting.com>  
Assistant: Kristal Eade +61 3 9604 0630<tel:+61%203%209604%200600>  
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<image001.jpg><https://starlight.org.au/>  
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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Monday, 22 July 2019 10:53 AM  
**To:** Stephen Michell  
**Cc:** Hansell, Joseph; John Melliush  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)

Hi Stephen

I refer to the **attached** email dated 5 July 2019. That email was sent in response to a number of specific questions that emerged from our meeting on 2 July.

It was agreed, in our meeting on 2 July, that subject to working through these limited questions, we were otherwise in broad agreement with how the various waterfalls should be treated (working from our original proposal of 7 June and your response to that proposal dated 18 June).

I understand that after writing to you on 5 July, Brendon Watkins of MinterEllison spoke with your solicitor, Luke Whiffen, on 8 July, to walk through each of the contentions as set out in my email. Whilst the discussion was held on a without prejudice basis, I understand that Luke was in broad agreement with the contentions that were submitted in my email of 5 July, subject to the following provisos:

1. It was acknowledged by Brendon Watkins that the administrators would need to make an application to the court for orders under s 90-15 of the IPS (the statutory successor to s 447A) which would address the following matters:
  - a. obtain a declaration that the administrators are properly and fairly entitled to recover fees and expenses incurred after their appointment as administrators were terminated, provided those fees and expenses arose in connection with or as a consequence of their prior appointment as administrators;
  - b. a declaration to recognise that the post-termination fees and expenses (which we have referred to in our correspondence as the QM Amounts) are protected by the same statutory lien that applies in respect of the administrator's general fees and expenses; and
  - c. an order confirming the authority of the general creditors to approve the remuneration of the administrators (including the QM Amounts).
2. Luke wanted to write to FEG to ensure that FEG didn't have any objection to the contention that Westpac is entitled to set off any surplus realisations from the Accepted Debts against other amounts owed to Westpac under its broader facilities, relying on the provisions in s 553C of the Corporations Act.

We understand that Brendon Watkins asked Luke for an email confirming your acceptance of the principles that were pressed in my email of 5 July, subject to the provisos recorded above. Could you please provide that written confirmation without further delay.

In the meantime, I note that we have, over the last few days, exchanged emails regarding interim distributions to be made from the proceeds of the bank's Accepted Debts. Whilst it is good that we have been able to move forward in relation to this limited asset pool, I am concerned that we do not yet have broad agreement on each of the waterfalls as contemplated in earlier correspondence. As noted above, I believe that agreement is within reach, once you confirm your position in response to my email of 5 July.

Should you have any queries, please don't hesitate to call me on the mobile 0414 971 116.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

## FTI Consulting

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From: Warwick, Kate

Sent: Friday, 5 July 2019 4:38 PM

To: 'Stephen Michell' <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>

Cc: 'Nick Anson' <[Nick.Anson@minterellison.com](mailto:Nick.Anson@minterellison.com)>; Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>;

Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>; Mazzone, James <[James.Mazzone@fticonsulting.com](mailto:James.Mazzone@fticonsulting.com)>;

'luke@hiltonbradley.com.au' <[luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)>

Subject: WITS Holdings Pty Ltd (In Liquidation)

Hi Stephen

Further to my email attached below I provide the following commentary as provided by Minter Ellison in relation to points 1 to 3 and 5 below.

### 1. Westpac's right of setoff

Westpac's security interests in Fixed Assets secured all amounts owing to Westpac.

Further, as the Company is now in liquidation, s 553C operates automatically to take an account of all amounts owing to Westpac. Accordingly, Westpac is entitled to set off any surplus realisations from the Accepted Debts and Westpac's Fixed Assets against the total owing owed to it by the Company. Westpac is also entitled to do so under the terms of its various facilities and securities.

### 2. Ability to claim the QM amount

In relation to the QM Amount, a court is likely to make orders (under s 90-15 of the *IPS*) that approve post appointment remuneration. In turn, this attracts the operation of the statutory lien (with the attendant priority discussed in *Weston v Carling Constructions Pty Ltd (in prov liq)* (2000) 175 ALR 202) because the lien secures remuneration approved under division 60 of the *IPS*.

Such approval for post appointment remuneration was given in *Re P.P.I. Corporation Pty Ltd* [2014] VSC 366 [41]-[45] and *Re Specialist Australian Security Group Pty Ltd (in liq)* (2018) 55 VR 433, 440.

### 3. Priority ranking of the QM Amount

Approval of post-appointment remuneration in the manner described above would effectively extend the priority conferred by the statutory lien to the QM Amount. Accordingly, the Administrators enjoy a priority over the Liquidator for the QM Amount equivalent to that enjoyed by their statutory lien and subject only to any entitlements of the Liquidator protected by a *Re Universal* lien.

### 4. Ability for the Liquidator to request the creditors approve the Administrators remuneration

An external administrator is empowered by s 75-10 of the *IPS* to convene a meeting of creditors at any time. There are no conditions placed on this power. Further, there are no relevant restrictions in either division 75 of the

IPS or division 75 of the *Insolvency Practice Rules (Corporations) 2016* (Cth) on the ability of the Liquidator to propose a resolution for the approval of the Administrators' remuneration under division 60 of the *IPS*:

Under the pre-*IPS* regime, there was some doubt that the creditors of a company in liquidation could approve by resolution remuneration that related to the prior administration (on the basis that such a resolution would not be a resolution of the creditors in the administration): *Re CMC Cairns Pty Ltd (in liq)* [2011] QSC 240.

In contrast to the previous regime, the *IPS* contains a common process for remuneration determinations of an external administrator's remuneration. This is due to the definition of 'external administrator' including relevantly administrators and court appointed liquidators and the use of the definition of 'external administrator' in s 60-10 (rather than 'administrator' or 'liquidator', respectively).

Accordingly, the Liquidator has power to call a meeting and put a resolution approving the Administrators' remuneration and that the Administrators' remuneration can properly be approved by resolution of the creditors in the liquidation in accordance with s 60-1(1) of the *IPS*.

Can I suggest as a way forward that Nick Anson of Minter Ellison reach out and discuss the above with Luke Wiffen of Hilton Bradley Lawyers.

Should you have any queries, please don't hesitate to call me on the mobile.

Kind regards

Kate

**Kate Warwick**

Senior Managing Director, Corporate Finance & Restructuring

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**From:** Warwick, Kate

**Sent:** Tuesday, 2 July 2019 5:26 PM

**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>

**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>;

Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>; Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>;

Catherine Macrae <[Catherine.Macrae@minterellison.com](mailto:Catherine.Macrae@minterellison.com)>

**Subject:** WITS Holdings Pty Ltd (In Liquidation)

Good afternoon Stephen

Thank you again for taking the time to meet this morning to discuss the position with WITS Holdings Pty Ltd (In Liquidation). As discussed in our meeting the following issues require resolution/clarification:

1. Acknowledgement of Westpac's right to set off any surplus from the realisation of the Accepted Debts and Westpac's Fixed Assets against other debts owed to the Bank;

2. Clarification by way of discussion between Minter Ellison and Hilton Bradley of the ability to claim the QM amount;
3. Clarification from Minter Ellison as to the priority of the QM claim against the respective asset classes;
4. Resolution of the QM amount; and
5. Clarification from Minter Ellison as to the ability for the Liquidator to request the creditors approve the Administrators remuneration.

As discussed I have attached the supporting documentation addressing the queries raised by Hilton Bradley Lawyers in their correspondence dated 18 June 2018. Could you please advise whether there is any additional supporting documentation outstanding.

Should you have any queries in relation to the above, please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Friday, 26 July 2019 8:18 PM  
**To:** Stephen Michell  
**Cc:** John Melliush; Hansell, Joseph  
**Subject:** FW: WITS Holdings  
**Attachments:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Stephen

Further to our discussion, email chain for your information.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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**From:** Zulema Townsend <[Zulema.Townsend@minterellison.com](mailto:Zulema.Townsend@minterellison.com)> **On Behalf Of** Brendon Watkins  
**Sent:** Friday, 26 July 2019 5:15 PM  
**To:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Cc:** Elizabeth Yick <[Elizabeth.Yick@minterellison.com](mailto:Elizabeth.Yick@minterellison.com)>  
**Subject:** [EXTERNAL] WITS Holdings

Hi Kate

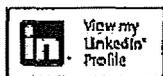
I have attached an exchange of emails with the liquidator's solicitor, confirming your consent to the initial distribution of proceeds of Accepted Debts, as proposed by the liquidator. Not sure why he says that your response is outstanding.

It is true that we haven't responded to the more recent email of 22 July, which we discussed this morning. I am drafting a response to that email as per our discussion.

Regards,

\_\_\_\_\_  
Brendon Watkins  
Partner

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brendon.watkins@minterellison.com  
**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000  
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Sensitive: Legal

## Warwick, Kate

---

**From:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Sent:** Thursday, 18 July 2019 6:19 PM  
**To:** Ned Marlow-Weir  
**Cc:** Brendon Watkins; Alister Merry; James Hulbert  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I respond to your email of 12 July 2019 following its numbered paragraphs.

1. Yes, limited to realisation of 'accepted' debts under Westpac's Invoice Finance Facility.
2. Yes, but limited to the Liquidator's disbursements for the employee retained for that purpose and the collection agent's commission.
3. Yes, Westpac has been made aware of the deduction in 2 and they have approved those deductions.

The Liquidator has written to FEG. At present communications between the Liquidator and FEG are ongoing and it is not appropriate to provide the correspondence.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | luke@hiltonbradley.com.au

Level 21, 133 Castlereagh Street, Sydney NSW 2000

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**From:** Ned Marlow-Weir <Ned.Marlow-Weir@minterellison.com>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <Luke@hiltonbradley.com.au>  
**Cc:** Brendon Watkins <Brendon.Watkins@minterellison.com>; Alister Merry <Alister.Merry@minterellison.com>; James Hulbert <james@hiltonbradley.com.au>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

ned.marlow-weir@minterellison.com

**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>;

James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Thursday, 22 August 2019 4:47 PM  
**To:** Stephen Michell  
**Cc:** John Melliush; Hansell, Joseph  
**Subject:** FW: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]  
**Attachments:** Response to 130819 PCI Email.xlsx; Annexures for estimated amounts.pdf

Hi Stephen,

I refer to your email of 13 August 2019 below.

You have advised that the Attorney General ("AG") has expressed concerns with regards to the *Quantum Meruit* claim and the operation of section 553C in respect of Westpac's entitlement to set-off. I deal with each of these items separately below. I request you provide contact details of the FEG officer/contact at the AG's office dealing with this matter; so that we may make direct contact.

### QM Claim

Please clarify the nature of the concerns expressed by the AG i.e. is the AG questioning the principle that an administrator should be entitled to be remunerated for necessary work that was performed following termination of appointment, or are they simply questioning the amount that has been claimed?

With regards to your comment in respect to seeking directions of the Court, it has always been the position of the Former Administrators that we will be applying to the Court for appropriate declarations confirming an entitlement to remuneration beyond their period of appointment, and confirming that the amount of remuneration be fixed by the creditors or the Court.

Have you made it clear to the AG that we were always intending to seek directions on these matters, and that it was always our intention that the amount that is claimed would have to be approved by creditors?

I otherwise refer to the email of Brendon Watkins below, where he asks that you advise whether you will support (or at least not oppose) our application for declarations, and whether you will be prepared to submit our remuneration to creditors for approval, assuming we secure court orders confirming the creditors' authority in that regard.

I ask that you please respond to this request.

### Additional Information Requested

With regards to your request for additional information, please see attached schedule (Schedule of Payments).

My comments on the schedule are as follows:

- Further information has been received in respect of payroll tax, road tolls and workers' compensation, however some information remains outstanding. In this regard, we have inserted a column which incorporates amounts showing known expenses. The invoices received are also attached for your reference.
- With regards to the now known expenses, we have allocated 64% to the equitable lien expenses for payroll related items in line with what has previously been allocated in earlier submissions to you. With respect to the road tolls, we have allocated 50% of the costs to the equitable lien.
- As you are aware, two tranches of funds were advanced from Westpac to defray care and preservation costs (net receipt of \$149,967) and as part of a section 560 loan for payment of employee expenses (\$165,000). We have therefore provided you with information to show from what pool of funds incurred expenses were paid from. This also includes payment of expenses directly from FTI Consulting to Caltex, which requires reimbursement, together with amounts paid from the collection from post-appointment debtor receipts.
- The total amount outstanding is \$106,897 including the reimbursement of FTI Consulting for the \$34,319 payment to Caltex. As some information remains outstanding in respect of payroll tax, road tolls and

workers compensation, we have not adjusted the overall amount outstanding at this time and this is represented as an estimate.

The Former Administrators are arranging for the payment of the outstanding payroll tax, PAYG, workers compensation and superannuation. With respect to superannuation, we are not in possession of all information to allow us to make the payments. In this regard, we seek your assistance in providing this information. My colleague, James Mazzone, will send an email under separate cover requesting missing information. Alternatively, we can pay funds to you and you can pay the superannuation funds on our behalf.

With respect to your request relating to the composition of the Administrators' Disbursements in the amount of \$4,894, we have previously provided you with a schedule showing the full amount of disbursements in the amount of \$16,314.82. The \$4,894 merely represents an allocation to the equitable lien at 30%.

#### **Fees and Disbursements Incurred Specific to Securing Vehicles**

Please see attached schedule (T&T Remuneration) which details the time incurred which specifically relates to the vehicles in the amount of \$41,920. As this amount has no relevance to FEG, I request that this amount is paid over in part satisfaction of the equitable lien.

#### **Realisations to Date**

I request that you provide me with details of your realisations to date, together with your fees and disbursement incurred to date.

#### **Waterfalls**

Finally, can you please advise whether you agree with the amendments to the proposed waterfalls, as set-out in the email from Brendon Watkins below. If an agreement on these amendments cannot be reached, we may need to seek Court directions on this matter as well.

Should you have any queries, please do not hesitate to contact me.

Kind regards

Kate

**Kate Warwick**

Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**

**Level 21, 600 Bourke Street, Melbourne, 3000**

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WITS Holdings Pty Ltd (in Liquidation)										
EL Expenses	Amount Previously Advised	Updated Known Expenses	Note	Paid from Westpac C&P Advance - \$149,967	Paid from S.560 Loan	Paid From FTI Consulting - to be reimbursed	Paid From Post-Appointment Debtor Collections	Outstanding	Description	
ACN 615 484 639 Pty Ltd - Steve Campbell and Paul Wilken	\$17,001			\$8,501	\$8,501				Salary for the CEO and CFO of the Company who assisted in the coordination of the recovery of the trucks and the debtor book employed outside of the Company.	
Administrators' Disbursements	\$4,894							\$4,894	Costs incurred by FTI employees.	
Air-Ride Rentals	\$7,154			\$7,154					Rent for NSW premises used for delivery of fleet and collection of debtors.	
Ape Trading	\$6,188			\$6,188					Planning and logistical costs incurred in recovering and securing fleet and relocating to auction house.	
Ben Bailey	\$780			\$780					Cost incurred in reconciliation of factored debtor book.	
Caltex	\$66,131			\$31,712		\$34,419			Fuel for trucks to facilitate delivery back to the premises and collection by the agent.	
Christopher Spilleri	\$1,708			\$1,708					Purchase of fuel and miscellaneous parts for company car subject to Westpac's security.	
CS Asset Holdings	\$886						\$886		Costs incurred in delivering truck from Adelaide to VIC site.	
DTW Transport Pty Ltd	\$1,361			\$1,361					Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key customers.	
ELT Recycling Australia Pty Ltd	\$3,103			\$3,103					Rent for VIC premises used for delivery of fleet and collection of debtors.	
KJS Mobile Transport Pty Ltd	\$3,368			\$3,368					Payment made to recover truck held to ransom.	
L&S Trucking	\$2,267			\$2,267					Costs incurred to facilitate collection of WIF funded debtors by completing existing orders to key customers.	
Loml Pty Ltd T/A The Loml Trust	\$4,900			\$4,900					Planning and logistical costs incurred in recovering and securing fleet and relocating to auction house.	
Mantell Heavy Towing / Transport Welding Engineering	\$1,320			\$1,320					Costs incurred in recovery of broken down prime mover from QLD.	
MC Security	\$50,322			\$50,322					24 hour security services provided at the VIC and NSW sites. Subcontractors, employees and creditors were seeking to take possession of Company assets in lieu of payment.	
Motor Vehicle Insurance and Premium	\$29,096			\$23,275			\$5,821		Insurance for vehicles.	
Net wages paid on 10 April 2019	\$52,789				\$52,789				Salaries for week following cessation of trading to recover assets.	
Net wages paid on 3 April 2019	\$16,330				\$16,330				Portion of salaries for first week regarding bringing debtors up to date, chasing debtors and recovering assets.	
PAYG	\$23,313							\$23,313	PAYG calculated for the above.	
Payroll tax - 64% of Total Amount Outstanding	\$10,285	\$2,416	1					\$10,285	Estimated payroll tax for salaries.	
Pickles Valuation	\$11,000							\$11,000	Valuation costs on fleet.	
Peter Theodorou	\$2,750			\$2,750					Responsible for debtor reconciliation and collection.	
Road Tolls - 50% of Total Amount Outstanding	\$10,510	\$3,339	2					\$10,510	Provision for road tolls in respect to organising the collection of trailers to both VIC and NSW sites.	
Samantha Hillge	\$1,260			\$1,260					Responsible for debtor reconciliation and collection.	
Superannuation	\$7,988							\$7,988	Superannuation calculated from wages.	
Workers Comp Insurance - 64% of Total Amount Outstanding	\$4,488	\$4,656	3					\$4,488	Estimated workers compensation based on salaries.	
<b>Total EL Expenses</b>	<b>\$341,191</b>	<b>\$10,410</b>		<b>\$149,967</b>	<b>\$77,620</b>	<b>\$34,419</b>	<b>\$6,707</b>	<b>\$72,478</b>		
									Add back reimbursement to FTI Consulting	\$34,419
									<b>Total Outstanding</b>	<b>\$106,897</b>

\* Denotes Estimates

Notes

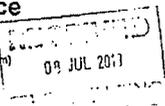
1 - Information relating to Victorian Payroll Tax remains outstanding

2 - Still awaiting invoices from Victorian and Queensland Road Toll Providers

3 - Still awaiting confirmation of New South Wales workers compensation - Expected to be similar to Victoria at \$7,000

**Payroll Tax Assessment Notice**

Issue date 01-JUL-2019  
 Enquiries 1300 139 815 (8.30 am - 5.00 pm)  
 Website www.revenue.nsw.gov.au



**Payroll Tax Revenue**

000179  
 WITS HLDGS PTY LTD (ADM APPTD)  
 CA-FTI CONSULTING  
 GPO Box 538  
 MELBOURNE VIC 3001

Client ID 153772872  
 Correspondence ID 1692662529  
 Assessment no. 10756552  
 Due date 22-JUL-2019  
 Amount due \$3 590.82

**Assessment summary**

Your assessment details for the period 28-MAR-2019 to 11-APR-2019 are:

Tax payable	3 590.82
Interest assessed as at 01-JUL-2019	0.00
Penalty tax	0.00
Interest on penalty tax	0.00
<b>Assessment Total</b>	<b>3 590.82</b>
Less amounts previously paid	0.00
<b>Total amount payable</b>	<b>\$3 590.82</b>

If you do not pay the full amount by the due date you will be charged interest. You can find information on the current rate of interest at [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au).

For more information refer to the back of this notice. If you have any questions about this assessment, contact SALLY AYDIN on 1300 139 815.

Stephen R Brady  
 Chief Commissioner of State Revenue

**Supporting information**

Name: WITS HLDGS PTY LTD (ADM APPTD)  
 Client ID: 153772872  
 Assessment no: 10756552  
 Issue date: 01-JUL-2019

**Assessment calculation**

Period 28-MAR-2019 to 11-APR-2019	82 367.71
NSW wages	82 367.71
NSW apprentices/trainee wages	0.00
Gross NSW wages	82 367.71
Interstate wages	92 210.46
Total Australian wages	174 578.17
Threshold entitlement	16 481.03
Payroll tax liability @ 5.45%	3 590.82
NSW apprentices/trainee offset	0.00
<b>Balance of payroll tax liability</b>	<b>\$3 590.82</b>

**Summary**

<b>Total payroll tax liability</b>	<b>3 590.82</b>
Interest assessed at 01-JUL-2019	0.00
Penalty tax	0.00
Interest on penalty tax	0.00
<b>Assessment total</b>	<b>3 590.82</b>
Less amount previously paid	0.00
<b>Total amount payable</b>	<b>\$3 590.82</b>

**Revenue NSW – payment options**



BPAY: Internet or phone banking.  
 Biller code: 3384 Ref: 1692 6625 29



Make online credit card payments at [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au) or phone 1300 363 291, Biller code: 3384 Ref: 1692 6625 29

\*Note: We accept MasterCard and Visa.  
 A card payment fee applies. This fee is not subject to GST.  
 Credit card payments will only be accepted online and by phone. Credit cards are not accepted for payments made by BPAY, rta/i, or Australia Post, or electronic payments.

Do not staple, pin or hold fasteners etc

Client ID	153772872
Due date	22-JUL-2019
Amount due	\$3 590.82

+00001692662529+ +001508+ <0000000000> <0000000000> +444+

Payroll Tax Act 1971  
Commissioner Assessment Notice

Payment reference: 110000222833  
Client number: 3686799  
Issue date: 26 June 2019

Or: FTI Consulting  
WITS Holdings Pty Ltd  
(Administrators Appointed)  
GPO Box 535  
MELBOURNE VIC 3001



Requies 1300 300 734

Assessed period: 28 March 2019 - 09 April 2019  
Final liability  
Due Date: 26 June 2019  
UTI Start Date: 2 May 2019

Payment Amount: \$156.70  
(If paid by the issue date)

Assessment details

	Issued:	This assessment
Queensland taxable wages:	A	\$3,402.00
Deduction:	B	\$103.00
Taxable amount (A-B):	C	\$3,299.00
Payroll Tax (C x payroll tax rate) - 4.75 % less any rebate:	D	\$156.70
Periodic liability:	E	\$0.00
Payroll Tax subtotal (D-E):	F	\$156.70
Penalty Tax:	G	\$0.00
Unpaid Tax Interest (UTI) - see over for details:	H	\$0.00
Additional payments received/Refund:	I	\$0.00
Total assessed liability (F+G+H-I):	J	\$156.70

If you believe a payment has been made or a credit held in relation to this return, please phone the Office of State Revenue on 1300 300 734.

Due date for recovery action is 26 July 2019.

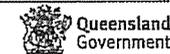
Please note that the amount of \$156.70 is the total liability as at 26 June 2019. If payment is made after this date then late payment interest may be payable based on the "Late Payment Information" shown on the following page. Any late payment interest should be included in the "Payment amount" below.

Elizabeth Gell  
Commissioner of State Revenue

Payroll Tax Act 1971  
Commissioner Assessment Notice

Employer name:  
WITS Holdings Pty Ltd (Administrators Appointed)  
Client number:  
3686799

Assessed Period: 28 March 2019 - 09 April 2019  
Due Date: 26 June 2019  
Payment Amount: \$



Please tick over for detailed payment instructions.

C110000222833C

Payroll Tax Act 1971  
Commissioner Assessment Notice



Assessment Comments

Non-payment and late payment

- In accordance with Part 5 of the *Taxation Administration Act 2001*, payroll tax which remains unpaid attracts Unpaid Tax Interest (UTI) on and from the UTI Start Date, which may be different from the due date, at the prescribed rate.
- The current UTI yearly rate is 9.95%. The rate is subject to change annually on 1 July. For more information on UTI rates, please visit our website [www.qld.gov.au/tax](http://www.qld.gov.au/tax).
- UTI has accrued from the UTI Start Date and has been calculated on the basis shown in the following table. The Commissioner has remitted \$2.24 of UTI.

From date	To date	Primary tax	Days Overdue	Daily UTI	Yearly %	Interest amount	Payment Refund	Pay to fees/ penalties	Pay to base tax
2/5/19	26/6/19	\$156.70	95	\$0.04	9.95%	\$2.24	\$0.00	\$0.00	\$0.00

- Late payment interest accrues at the rate of 9.95% per annum on any unpaid primary tax each Sunday following the issue date of this assessment or the UTI start date, whichever is the later.
- For example, in this assessment:
  - If you pay on or before 29/06/2019, no late payment interest will be payable.
  - After 29/06/2019 but on or before 06/07/2019, late payment interest of \$0.16 will be payable.
  - After 06/07/2019, additional late payment interest of \$0.28 will be payable each Sunday thereafter.

Objections and appeals

- Objections against this assessment may be lodged with the Commissioner under Part 6 of the *Taxation Administration Act 2001* within 60 days after service of the assessment notice. A person disqualified with the decision on an objection may appeal against the assessment under Part 6 of the *Taxation Administration Act 2001*.

Payment requirements and options

- The payment amount, including any accrued UTI since the issue date, is to be paid to the Office of State Revenue. The payment amount shown on this assessment does not affect any other outstanding payroll tax liabilities.
- Receipts will only be issued on request in writing.

Telephone and Internet Banking - BPAY<sup>®</sup>

Contact your bank or financial institution to make this payment from your cheque, savings or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)  
 \* Registered to BPAY Pty Ltd ABN 49 079 137 818

Direct Debit

Please contact the Office of State Revenue on 1300 300 734 if you would like to take up this option.

Pay by Credit Card

Bill Code: 47185  
Payment Reference: 110000222833  
Credit card payments must be more than \$10 and less than \$50,000.  
Only Visa or Mastercard accepted.

To pay by telephone with your card, call 1300 300 734 or to pay online go to [www.qld.gov.au/tax](http://www.qld.gov.au/tax)

Note: There is a surcharge of 0.518% on each payment made through RPO/NT.

Electronic Funds Transfer

When paying by EFT you must use the reference printed to the right. The reference on each assessment is different. Without the correct payment reference, your payment may not be applied as intended. OSR's bank account details are listed to the right.

Bank account details

Payment Reference: 110000222833  
 A/c name: Office of State Revenue Collection Account  
 A/c no: 1000005  
 BSB Code: 654413  
 Bank: Commonwealth Bank  
 Branch: Queensland Government Banking Centre

Pay by cheque

Make your cheque payable to:  
Commissioner of State Revenue  
Complete the payment slip and send it with your cheque to the address:

OFFICE OF STATE REVENUE  
GPO BOX 2348  
BRISBANE QLD 4001

14062019  
17726618301-2B  
10720 2

RECEIVED  
westlink  
M7

WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17726618301-2B  
Vehicle Number Plate XH52DJ (NSW)  
Date & time of trip 05 Apr 2019 16:45  
Location Woodstock Ave-The Horsley Dr  
Direction of travel Southerly  
Toll \$11.79  
+ administration fee \$20.00 \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:



Pay the toll by 28 June 2019

Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate a valid electronic tag account



Lodge an objection or nominate the driver by 23 June 2019. Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.

Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

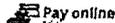


Update your personal payment details with your tag provider to bring your account in order. Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply.

Plan your trip. Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.



Pay online

Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)

Transfer a Toll Notice to your tagging provider account.

The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17726618301-2B

License Plate Number: XH52DJ

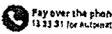
Total amount

\$31.79

(Includes admin & service fees)

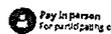


B for Code 139423  
Reference Number: 822517230182018



Pay over the phone

13 33 31 for automated payment



Pay in person

For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & internet banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

12062019  
1325150000-2B  
11220 2

RECEIVED  
28 JUN 2019

Hills M2  
ABN 28 082 329 828

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Hills M2  
Toll Notice Number 1325150000-2B  
Vehicle Number Plate XH55DT (NSW)  
Date & time of trip 06 Apr 2019 08:38  
Location Pennant Hills Rd W/B  
Direction of travel Westerly  
Toll \$11.29  
+ administration fee \$20.00 / \$2.20 (tag account)

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:



Pay the toll by 26 June 2019

Visit [linkt.com.au](http://linkt.com.au) or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account



Lodge an objection or nominate the driver by 21 June 2019.

Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.

Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:



Update your personal payment details with your tag provider to bring your account in order. Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply.

Plan your trip. Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.



Pay online

Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)

Transfer a Toll Notice to your tagging provider account.

The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 1325150000-2B

License Plate Number: XH51DT

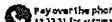
Total amount

\$31.29

(Includes admin & service fees)

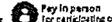


B for Code 813419  
Reference Number: 474632331303808



Pay over the phone

13 33 31 for automated payment



Pay in person

For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

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Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14062019  
17726669213-2B  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7

Toll Notice Number 17726669213-2B  
Vehicle Number/Plate XN52DJ (NSW)  
Date & time of trip 06 Apr 2019 02:19  
Location Old Walgrove Rd-Woodstock Ave  
Direction of travel Northernly  
Toll \$7.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

14062019  
17726669213-2B  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7

Toll Notice Number 17726669213-2B  
Vehicle Number/Plate XN52DJ (NSW)  
Date & time of trip 06 Apr 2019 03:32  
Location Woodstock Ave-The Horstley Cr  
Direction of travel Southernly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel. Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019. Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below.

Note: The reduced administration fee applies if you nominate a valid electronic tag account.

**!** Lodge an objection or nominate the driver by 23 June 2019. Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable. Note: If the driver doesn't pay, you may receive a Penalty Notice.

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order. Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply. Plan your trip. Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**💻** Pay online. Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au). Transfer a Toll Notice to your billing provider account. The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17726669213-2B  
License Plate Number: XN52DJ

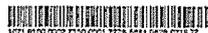
### Total amount

\$27.35

Includes administration fee

**☎** Pay over the phone. 13 33 31 for automated payment.

**👤** Pay in person. For participating outlets visit [linkt.com.au/stop](http://linkt.com.au/stop)



Telephone & Internet Banking - BPAY®. Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Bill Code 989415  
Reference Number: 6146217236666288

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel. Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019. Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below.

Note: The reduced administration fee applies if you nominate a valid electronic tag account.

**!** Lodge an objection or nominate the driver by 23 June 2019. Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable. Note: If the driver doesn't pay, you may receive a Penalty Notice.

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order. Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply. Plan your trip. Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**💻** Pay online. Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au). Transfer a Toll Notice to your billing provider account. The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17726669213-2B  
License Plate Number: XN52DJ

### Total amount

\$31.79

Includes administration fee

**☎** Pay over the phone. 13 33 31 for automated payment.

**👤** Pay in person. For participating outlets visit [linkt.com.au/stop](http://linkt.com.au/stop)



Telephone & Internet Banking - BPAY®. Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Bill Code 989415  
Reference Number: 6146217236666288

14/06/2019  
17728632771-2B  
107 2B 2



WISO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728632771-2B  
Vehicle Number/Plate DFJ055 (NSW)  
Date & time of trip 05 Apr 2019 06:04  
Location M5 Motorway-Richmond Rd  
Direction of travel Northwly  
Toll \$8.10  
+ administration fee \$20.00 / \$2.00 (tag account)

14/06/2019  
17728632771-2B  
107 2B 2



WISO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728632771-2B  
Vehicle Number/Plate XH52DJ (NSW)  
Date & time of trip 05 Apr 2018 20:14  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.00 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**✓** Before you travel next:  
Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728632771-2B  
License Plate Number: DFJ055

Total amount: **\$28.19**  
(Includes administration fee)

**☎** Pay over the phone 13 33 31 for automated payment **👤** Pay in person For participating outlets visit [linkt.com.au/tpo](http://linkt.com.au/tpo)



Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. Visit [linkt.com.au](http://linkt.com.au)

B  
Bike Code 299453  
Reference Number 1764817726726110

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
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Please contact your tag provider to bring your account in order.

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Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**✓** Before you travel next:  
Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728632771-2B  
License Plate Number: XH52DJ

Total amount: **\$31.79**  
(Includes administration fee)

**☎** Pay over the phone 13 33 31 for automated payment **👤** Pay in person For participating outlets visit [linkt.com.au/tpo](http://linkt.com.au/tpo)



Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. Visit [linkt.com.au](http://linkt.com.au)

B  
Bike Code 299453  
Reference Number 8216617726537514

14052919  
17720518301-28  
10728 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17720518301-28  
Vehicle Number Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 20:35  
Location Woodstock Ave-The Horsley Cr  
Direction of travel Southwary  
Toll \$11.70  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

Pay the toll by 28 June 2019

Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account



**Lodge an objection or nominate the driver by 23 June 2019.**

Visit [sydneymotorways.com/tollnotices](http://sydneymotorways.com/tollnotices) for more information. To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.

Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:



Update your personal payment details with your tag provider to bring your account in order

Add the vehicle's number plate to a valid tag account - contact your provider

Note: Fees may apply  
Plan your trip  
Visit: [sydneymotorways.com](http://sydneymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

#### Pay online

Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)

Transfer a Toll Notice to your billing provider account.

The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number: 17720518301-28  
License Plate Number: XN52DJ

#### Total amount:

\$31.70

Includes administration fee

#### Pay over the phone

13 33 31 for automated payment

#### Pay in person

For participating outlets visit [linkt.com.au/tpo](http://linkt.com.au/tpo)

Telephone & Internet Banking - EFTPS  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Bill Code 65643  
Reference Number: 314517720518301-28

14052919  
17720518301-28  
10728 2

RECEIVED  
24 JUN 2019



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17720518301-28  
Vehicle Number Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 16:45  
Location Woodstock Ave-The Horsley Cr  
Direction of travel Southwary  
Toll \$11.70  
+ administration fee \$20.00 / \$2.50 (tag account)

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

Pay the toll by 28 June 2019

Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account



**Lodge an objection or nominate the driver by 23 June 2019.**

Visit [sydneymotorways.com/tollnotices](http://sydneymotorways.com/tollnotices) for more information. To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.

Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:



Update your personal payment details with your tag provider to bring your account in order

Add the vehicle's number plate to a valid tag account - contact your provider

Note: Fees may apply  
Plan your trip  
Visit: [sydneymotorways.com](http://sydneymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

#### Pay online

Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)

Transfer a Toll Notice to your billing provider account.

The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number: 17720518301-28  
License Plate Number: XN52DJ

#### Total amount:

\$31.70

Includes administration fee

#### Pay over the phone

13 33 31 for automated payment

#### Pay in person

For participating outlets visit [linkt.com.au/tpo](http://linkt.com.au/tpo)

Telephone & Internet Banking - EFTPS  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Bill Code 65643  
Reference Number: 314517720518301-28

12062019  
13251500600-28  
11229 2

RECEIVED  
7 JUN 19



ABN 28 062 429 028

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Hills M2  
Toll Notice Number 13251500600-28  
Vehicle Number Plate XH55DT (NSW)  
Date & time of trip 06 Apr 2019 09:30  
Location Pennant Hills Rd W/B  
Direction of travel Wasterly  
Toll \$11.29  
+ administration fee \$20.00 / \$2.00 (tag account)

14062019  
17720668108-26  
10728 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17720668108-26  
Vehicle Number Plate XH52DJ (NSW)  
Date & time of trip 06 Apr 2019 02:19  
Location Old Waggon Rd-Woodstock Ave  
Direction of travel Northerly  
Toll \$7.35  
+ administration fee \$20.00 / \$2.00 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 26 June 2019  
Visit [lnkt.com.au](http://lnkt.com.au) or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 21 June 2019.  
Visit [sydneymotorways.com/tollnotices](http://sydneymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Paramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydneymotorways.com](http://sydneymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 13251500600-28  
License Plate Number: XH55DT

**Total amount**

**\$31.29**  
(includes administration fee)

**☎** Pay over the phone  
13 33 31 for automated payment

**🏪** Pay in person  
For participating outlets visit [lnkt.com.au/tp](http://lnkt.com.au/tp)



Telephone & Internet Banking - BPAY  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
Bif Code 21472  
Reference Number: 47461321820028

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydneymotorways.com/tollnotices](http://sydneymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Paramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydneymotorways.com](http://sydneymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17720668108-26  
License Plate Number: XH52DJ

**Total amount**

**\$27.35**  
(includes administration fee)

**☎** Pay over the phone  
13 33 31 for automated payment

**🏪** Pay in person  
For participating outlets visit [lnkt.com.au/tp](http://lnkt.com.au/tp)



Telephone & Internet Banking - BPAY  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
Bif Code 21443  
Reference Number: 81461724001328

14/06/2019  
17728572611-2B  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728572611-2B  
Vehicle Number Plate XN62DJ (NSW)  
Date & time of trip 08 Apr 2019 03:32  
Location Woodstock Ave-The Horsley Dr  
Direction of travel Southwesterly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

07272

14/06/2019  
17728572611-2B  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728572611-2B  
Vehicle Number Plate DFJ055 (NSW)  
Date & time of trip 08 Apr 2019 04:04  
Location M5 Motorway-Richmond Rd  
Direction of travel Northerly  
Toll \$8.19  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

07272

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order. It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019. Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below. Note: The reduced administration fee applies if you nominate a valid electronic tag account.

**i** Lodge an objection or nominate the driver by 23 June 2019. Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information. To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable. Note: If the driver doesn't pay, you may receive a Penalty Notice.

**✓** Before you travel next: Update your personal payment details with your tag provider to bring your account in order. Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply. Plan your trip. Visit: [sydnymotorways.com](http://sydnymotorways.com).

How to pay this toll notice  
Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au). Transfer a Toll Notice to your tolling provider's account. The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728572611-2B  
License Plate Number: XN62DJ

Total amount  
\$31.78  
(includes administration fee)

**☎** Pay over the phone 13 33 31 for automated payment. **+** Pay in person For cash-paying outlets visit [linkt.com.au/stop](http://linkt.com.au/stop)

1291 0100 0003 1793 0001 7728 6622 1020 0719 44

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Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B Code 584633  
Reference Number: 404617728572611

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order. It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019. Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below. Note: The reduced administration fee applies if you nominate a valid electronic tag account.

**i** Lodge an objection or nominate the driver by 23 June 2019. Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information. To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable. Note: If the driver doesn't pay, you may receive a Penalty Notice.

**✓** Before you travel next: Update your personal payment details with your tag provider to bring your account in order. Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply. Plan your trip. Visit: [sydnymotorways.com](http://sydnymotorways.com).

How to pay this toll notice  
Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au). Transfer a Toll Notice to your tolling provider's account. The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728572611-2B  
License Plate Number: DFJ055

Total amount  
\$28.19  
(includes administration fee)

**☎** Pay over the phone 13 33 31 for automated payment. **+** Pay in person For cash-paying outlets visit [linkt.com.au/stop](http://linkt.com.au/stop)

1291 0100 0003 8190 0001 7728 6705 1123 0719 15

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B Code 584633  
Reference Number: 174617728572611

14062019  
17728652771-2B  
107 20 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728652771-2B  
Vehicle Number/Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 20:14  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

14062019  
17728652771-2B  
107 20 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728654280-2B  
Vehicle Number/Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 20:35  
Location Woodstock Ave-The Horsley Dr  
Direction of travel Southwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
**Please contact your tag provider to bring your account in order.**

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**1** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**2** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**1** Pay online  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account  
Toll Notice Number: 17728652771-2B  
Licence Plate Number: XN52DJ

Total amount  
**\$31.79**  
(Includes administration fee)

**2** Pay over the phone 13 23 31 for automated payment  
**3** Pay in person For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

1071 0100 0000 1790 0001 7728 6257 7125 0719 96

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
Biller Code: 846423  
Reference Number: 824817728652771

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
**Please contact your tag provider to bring your account in order.**

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**1** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**2** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**1** Pay online  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account  
Toll Notice Number: 17728654280-2B  
Licence Plate Number: XN52DJ

Total amount  
**\$31.79**  
(Includes administration fee)

**2** Pay over the phone 13 23 31 for automated payment  
**3** Pay in person For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

1071 0100 0000 1790 0001 7728 6257 7125 0719 96

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
Biller Code: 846423  
Reference Number: 824817728654280

14/05/2019  
1772655769-20  
107 20 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772655769-20  
Vehicle Number Plate XH52DJ (NSW)  
Date & time of trip 05 Apr 2019 21:42  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.70  
- administration fee \$20.00 / \$2.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

14/05/2019  
1772655769-20  
107 20 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772655769-20  
Vehicle Number Plate XH52DJ (NSW)  
Date & time of trip 05 Apr 2019 22:04  
Location Woodstock Ave-The Horsley Dr  
Direction of travel Southwly  
Toll \$11.70  
- administration fee \$20.00 / \$2.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

How to pay this toll notice  
Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by using [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 1772655769-20  
License Plate Number: XH52DJ

Total amount  
\$31.70  
(includes administration fee)

**Pay over the phone** 13 23 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/ipp](http://linkt.com.au/ipp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. Visit [www.bpay.com.au](http://www.bpay.com.au)

Biller Code: 20402  
Reference Number: 42463172655769120

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

How to pay this toll notice  
Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by using [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 1772655769-20  
License Plate Number: XH52DJ

Total amount  
\$31.70  
(includes administration fee)

**Pay over the phone** 13 23 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/ipp](http://linkt.com.au/ipp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. Visit [www.bpay.com.au](http://www.bpay.com.au)

Biller Code: 20402  
Reference Number: 42463172655769120

140052018  
17720512878-28  
107 2B 2



**westlink**  
M7

WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728540510-28  
Vehicle Number/Plate XNS2DJ (NSW)  
Date & time of trip 05 Apr 2019 07:27  
Location The Horsley Dr-Elizabeth Dr  
Direction of travel Southerly  
Toll \$5.01  
+ administration fee \$20.00 / \$25.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

07736

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.

The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account



**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydneymotorways.com/tollnotices](http://sydneymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 3004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydneymotorways.com](http://sydneymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account  
The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number 17728540510-28  
License Plate Number XNS2DJ

**Total amount**

\$25.01

(Includes administration fee)



B Service Code 280453  
Reference Number 304517728540510-28

**Pay over the phone**  
13 33 31 for automated payments

**Pay in person**  
For participating outlets visit [linkt.com.au/psp](http://linkt.com.au/psp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

140052018  
17720512878-28  
107 2B 2

**westlink**  
M7

WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728512678-28  
Vehicle Number/Plate A021HJ (NSW)  
Date & time of trip 05 Apr 2019 02:15  
Location M2 Motorway-The Horsley Dr  
Direction of travel Southerly  
Toll \$24.57  
+ administration fee \$20.00 / \$24.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

07736

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.

The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account



**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydneymotorways.com/tollnotices](http://sydneymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 3004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydneymotorways.com](http://sydneymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account  
The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number 17728512678-28  
License Plate Number A021HJ

**Total amount**

\$44.57

(Includes administration fee)



B Service Code 280453  
Reference Number 8545617728512678

**Pay over the phone**  
13 33 31 for automated payments

**Pay in person**  
For participating outlets visit [linkt.com.au/psp](http://linkt.com.au/psp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14/06/2019  
17726587231-2B  
107 2A 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17726587231-2A  
Vehicle Number Plate XN26CE (NSW)  
Date & time of trip 05 Apr 2019 15:31  
Location Woodstock Ave-Old Waggrove Rd  
Direction of travel Southerly  
Toll \$7.35  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

0272

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.  
This is because we did not detect a valid electronic tag or could not match the vehicle number plate to a valid toll account.  
If you have an account, you should contact your toll provider to see why you could not pay.  
You will also need to follow one of the options below, even if you have an account.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted.  
Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**Save time and money by opening an electronic tag or pass account before you travel**  
Visit: [linkt.com.au](http://linkt.com.au)  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip and learn more about electronic tolling  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17726587231-2A  
Licence Plate Number: XN26CE

**Total amount**  
\$27.35  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/pay](http://linkt.com.au/pay)

**Bar Code E1843**  
Reference Number: 814581726587231-2A

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14/06/2019  
17726587231-2B  
107 2B 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17726587231-2B  
Vehicle Number Plate XN55DT (NEW)  
Date & time of trip 05 Apr 2019 09:42  
Location M2 Motorway-The Hawley Dr  
Direction of travel Southerly  
Toll \$24.57  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

0272

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.  
An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted.  
Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**Update your personal payment details with your tag provider to bring your account in order**  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17726587231-2B  
Licence Plate Number: XN55DT

**Total amount**  
\$44.57  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/pay](http://linkt.com.au/pay)

**Bar Code E1843**  
Reference Number: 814581726587231-2B

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14062019  
17728663182-2B  
10728 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728663182-2B  
Vehicle Number Plate XN520J (NSW)  
Date & time of trip 05 Apr 2019 23:09  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northerly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

01270

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728663182-2B  
License Plate Number: 2N420J

**Total amount**

\$31.79  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/pp](http://linkt.com.au/pp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

1071 0100 0003 1790 0001 7728 6631 7420 0718 02

**BPay Code 180433**  
Reference Number: 9249517728663182

14062019  
17728663182-2B  
10728 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728663182-2B  
Vehicle Number Plate XN70EH (NSW)  
Date & time of trip 05 Apr 2019 23:09  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northerly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

01270

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728663182-2B  
License Plate Number: 2N420J

**Total amount**

\$31.79  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/pp](http://linkt.com.au/pp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

1071 0100 0003 1790 0001 7728 6631 7420 0718 02

**BPay Code 180433**  
Reference Number: 9249517728663182

14062019  
17728565856-2B  
107 29 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728565856-2B  
Vehicle Number Plate XNS2DJ (NSW)  
Date & time of trip 05 Apr 2019 23:30  
Location Woodstock Ave-The Horeley Dr  
Direction of travel Southerly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.80 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account.

Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tnotices](http://sydnemotorways.com/tnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Paramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice.

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order.  
Add the vehicle's number plate to a valid tag account - contact your provider.  
Note: Fees may apply.  
Plan your trip.  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au).  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17728565856-2B  
License Plate Number: XNS2DJ

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

**Total amount**

\$31.79

(includes administration fee)

1071 0100 0003 1760 0001 7728 0040 2328 0719 13

BSP Bill Code 884643  
Reference Number 1044912728565856

14062019  
17728565856-2B  
107 29 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728565856-2B  
Vehicle Number Plate XNS2DJ (NSW)  
Date & time of trip 05 Apr 2019 00:23  
Location Woodstock Ave-The Horeley Dr  
Direction of travel Southerly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.80 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.

The toll for the above trip was not paid.

An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account.

Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tnotices](http://sydnemotorways.com/tnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Paramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice.

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order.  
Add the vehicle's number plate to a valid tag account - contact your provider.  
Note: Fees may apply.  
Plan your trip.  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au).  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17728565856-2B  
License Plate Number: XNS2DJ

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

**Total amount**

\$31.79

(includes administration fee)

1071 0100 0003 1760 0001 7728 0040 2328 0719 13

BSP Bill Code 884643  
Reference Number 1044912728565856

14062019  
1772866938-28  
107 20 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772866938-28  
Vehicle Number Plate XN74EW (HSW)  
Date & time of trip 06 Apr 2019 01:14  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northward  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

0202

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account



**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 1772866938-28  
License Plate Number: XN74EW

**Total amount**

\$31.79  
(Includes admin & station fee)



B Bill Code: 29663  
Reference Number: 824651772866938

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [lnkt.com.au/tp](http://lnkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, or bank card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14062019  
1772866938-28  
107 20 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772866938-28  
Vehicle Number Plate XN32DJ (HSW)  
Date & time of trip 06 Apr 2019 01:14  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northward  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

0202

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account



**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 1772866938-28  
License Plate Number: XN32DJ

**Total amount**

\$31.79  
(Includes admin & station fee)



B Bill Code: 29663  
Reference Number: 824651772866938

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [lnkt.com.au/tp](http://lnkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, credit, or bank card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14/06/2019  
17728567381-2D  
107 2D 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728567381-2D  
Vehicle Number Plate XN12DJ (NSW)  
Date & time of trip 06 Apr 2019 01:55  
Location Woodstock Ave-The Horsey Dr  
Direction of travel Southerly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

14/06/2019  
17728567401-2D  
107 2D 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728704101-2B  
Vehicle Number Plate DFJ055 (NSW)  
Date & time of trip 05 Apr 2019 11:04  
Location Richmond Rd-M5 Motorway  
Direction of travel Southerly  
Toll \$8.19  
+ administration fee \$20.00 / \$2.50 (tag account)

Trip Details: Westlink M7  
Toll Notice Number 17728704101-2B  
Vehicle Number Plate DFJ055 (NSW)  
Date & time of trip 05 Apr 2019 11:04  
Location Richmond Rd-M5 Motorway  
Direction of travel Southerly  
Toll \$8.19  
+ administration fee \$20.00 / \$2.50 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid incurring a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

**Total amount**  
\$31.79  
EXCL. GST & admin. charges (18%)

Toll notice number: 17728567381-2D  
License Plate Number: XN12DJ

**Pay over the phone** 13 93 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/ptp](http://linkt.com.au/ptp)

QR Code 255432  
Reference Number: 17728567381-2D

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid incurring a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

**Total amount**  
\$28.19  
EXCL. GST & admin. charges (18%)

Toll notice number: 17728704101-2B  
License Plate Number: DFJ055

**Pay over the phone** 13 93 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/ptp](http://linkt.com.au/ptp)

QR Code 255432  
Reference Number: 17728704101-2B

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14062019  
17728730955-2B  
107 29 2



WSD Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728730955-2B  
Vehicle Number Plate XN1405 (NSW)  
Date & time of trip 05 Apr 2019 13:48  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwaly  
Toll \$11.78  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
**Please contact your tag provider to bring your account in order.**

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

**Take action to avoid further costs:**

**Pay the toll by 28 June 2019**  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**Before you travel next:**  
Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728730955-2B  
License Plate Number: XN1405

**Total amount**  
\$31.79  
(includes all relevant admin fees)

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [lnkt.com.au/lnk](http://lnkt.com.au/lnk)

1071 0100 0003 1790 0001 7728 7309 6526 0719 42

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Bank Code: 25043  
Reference Number: 524651728730955

14062019  
17728730955-2B  
107 29 2



WSD Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728730955-2B  
Vehicle Number Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 14:27  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwaly  
Toll \$11.78  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
**Please contact your tag provider to bring your account in order.**

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

**Take action to avoid further costs:**

**Pay the toll by 28 June 2019**  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**Before you travel next:**  
Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728730955-2B  
License Plate Number: XN52DJ

**Total amount**  
\$31.70  
(includes all relevant admin fees)

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [lnkt.com.au/lnk](http://lnkt.com.au/lnk)

1071 0100 0003 1790 0001 7728 7309 6526 0719 42

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Bank Code: 25043  
Reference Number: 524651728730955

14052019  
1772831085-28  
10728 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728714935-28  
Vehicle Number Plate XN85DT (HGW)  
Date & time of trip 05 Apr 2019 12:13  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

vehicle

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Once you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17728714935-28  
License Plate Number: TH1121

**Total amount**

**\$31.79**  
(includes administration fee)

**☎** Pay over the phone  
13 23 31 for automated payment

**👤** Pay in person  
For participating outlets visit [linkt.com.au/rip](http://linkt.com.au/rip)

1571 0105 0003 1190 0001 7725 7143 3228 0719 44

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
Baw Code 285433  
Reference Number: 2140517718710268

14052019  
1772831085-28  
10728 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772831085-28  
Vehicle Number Plate XN70EW (NSW)  
Date & time of trip 03 Apr 2019 15:24  
Location The Horsley Dr-Old Wallgrove Rd  
Direction of travel Northwly  
Toll \$4.44  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

vehicle

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Once you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 1772831085-28  
License Plate Number: XN70EW

**Total amount**

**\$24.44**  
(includes administration fee)

**☎** Pay over the phone  
13 23 31 for automated payment

**👤** Pay in person  
For participating outlets visit [linkt.com.au/rip](http://linkt.com.au/rip)

1571 0105 0002 4440 0001 7725 7143 3228 0719 44

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
Baw Code 285433  
Reference Number: 8240517728310852

14062019  
17728287015-2B  
107 2B 2

RECEIVED  
17 JUN 2019



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
POB 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728287015-2B  
Vehicle Number Plate XN08CC (NSW)  
Date & time of trip 03 Apr 2019 09:09  
Location M5 Motorway-The Horsley Dr  
Direction of travel Northway  
Toll \$18.24  
+ administration fee \$20.00 / \$2.00 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

**X** Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**1** Pay the toll by 28 June 2019  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account

**2** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**3** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Notes: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**1** Pay online  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account  
The reduced administration fee applies if you nominate a valid electronic account

Toll notice number: 17728287015-2B  
License Plate number: XN08CC

**2** Pay over the phone  
13 33 31 for automated payment

**3** Pay in person  
For participating outlets visit [lnkt.com.au/stop](http://lnkt.com.au/stop)

24/7 phone & internet banking - BPAY  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

**Total amount**

\$38.24

Includes administration fee

1071 0100 0003 8240 0001 7728 2872 4324 0719 31

B E  
Baw Case #8643  
Reference Number: 87461728287015-2B

14062019  
17728287015-2B  
107 2B 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
POB 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728287015-2B  
Vehicle Number Plate XN08CC (NSW)  
Date & time of trip 03 Apr 2019 10:44  
Location The Horsley Dr-M5 Motorway  
Direction of travel Southway  
Toll \$18.24  
+ administration fee \$20.00 / \$2.00 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

**X** Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**1** Pay the toll by 28 June 2019  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account

**2** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 6004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**3** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Notes: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**1** Pay online  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account  
The reduced administration fee applies if you nominate a valid electronic account

Toll notice number: 17728287015-2B  
License Plate number: XN08CC

**2** Pay over the phone  
13 33 31 for automated payment

**3** Pay in person  
For participating outlets visit [lnkt.com.au/stop](http://lnkt.com.au/stop)

Telephone & internet banking - BPAY  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

**Total amount**

\$38.24

Includes administration fee

1071 0100 0003 8240 0001 7728 2872 4324 0719 31

B E  
Baw Case #8643  
Reference Number: 87461728287015-2B

14062019  
17728556378-28  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728556378-28  
Vehicle Number Plate XN82CV (NSW)  
Date & time of trip 05 Apr 2019 09:34  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.96 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

**Take action to avoid further costs:**

**1** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**2** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**3** Before you travel next:  
Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Notes: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**1** Pay online  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account

**2** Pay over the phone  
13 33 31 for automated payments

**3** Pay in person  
For participating outlets visit [linkt.com.au/stop](http://linkt.com.au/stop)

Telephone & Internet Banking - EPAYE  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

**Total amount**

\$31.79

Includes administration fee

1021 0100 0003 1750 0001 7728 0663 7578 0719 73

SW Code 88645  
Reference Number: 02491722856378

14062019  
17728556378-28  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 17728556378-28  
Vehicle Number Plate XN82CV (NSW)  
Date & time of trip 05 Apr 2019 14:49  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.96 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

**Take action to avoid further costs:**

**1** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**2** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**3** Before you travel next:  
Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Notes: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**1** Pay online  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account

**2** Pay over the phone  
13 33 31 for automated payments

**3** Pay in person  
For participating outlets visit [linkt.com.au/stop](http://linkt.com.au/stop)

Telephone & Internet Banking - EPAYE  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

**Total amount**

\$31.79

Includes administration fee

1021 0100 0003 1750 0001 7728 0663 7578 0719 73

SW Code 88645  
Reference Number: 02491772856378

14/06/2019  
1772550541-2B  
107 26 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728623599-2B  
Vehicle Number/Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 18:22  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

06/06/2019

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted.  
Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728623599-2B  
License Plate Number: XN52DJ

Total amount  
\$31.79  
Includes administration fee

**☎** Pay over the phone  
13 33 31 for automated payment

**👤** Pay in person  
For participating outlets visit [lnkt.com.au/ptp](http://lnkt.com.au/ptp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

1011 0100 0001 1790 0001 7728 3608 4129 0718 62  
Biller Code: 180433  
Reference Number: 821651728623599

14/06/2019  
1772550541-2B  
107 26 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728623599-2B  
Vehicle Number/Plate XN82CV (NSW)  
Date & time of trip 05 Apr 2019 18:37  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

06/06/2019

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted.  
Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [lnkt.com.au/sydney](http://lnkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [lnkt.com.au](http://lnkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728623599-2B  
License Plate Number: XN82CV

Total amount  
\$31.79  
Includes administration fee

**☎** Pay over the phone  
13 33 31 for automated payment

**👤** Pay in person  
For participating outlets visit [lnkt.com.au/ptp](http://lnkt.com.au/ptp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

1011 0100 0001 1790 0001 7728 3608 4129 0718 62  
Biller Code: 180433  
Reference Number: 821651728623599

14062019  
17728431499-2B  
107 2B 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728431499-2B  
Vehicle Number Plate DFJ06S (NSW)  
Date & time of trip 04 Apr 2019 11:13  
Location The Horsley Dr-M5 Motorway  
Direction of travel Southwily  
Toll \$5.09  
+ administration fee \$20.00 / \$2.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

072820

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728431499-2B  
License Plate Number: DFJ06S

**Total amount**  
\$26.09  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

1071 0100 0022 4440 0001 7728 4314 8928 0719 23

**File Cash 36623**  
Reference Number: 848051723481406

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14062019  
1772845529-2B  
107 2B 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772845529-2B  
Vehicle Number Plate XN42DJ (NSW)  
Date & time of trip 04 Apr 2019 15:30  
Location The Horsley Dr-Old Wallgrove Rd  
Direction of travel Northwily  
Toll \$4.44  
+ administration fee \$20.00 / \$2.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

072820

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 1772845529-2B  
License Plate Number: XN42DJ

**Total amount**  
\$24.44  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

1071 0100 0022 4440 0001 7728 4660 2928 0719 23

**File Cash 36623**  
Reference Number: 848051723481406

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

14062019  
17728402771-2B  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728402771-2B  
Vehicle Number Plate DF406S (NSW)  
Date & time of trip 04 Apr 2019 17:29  
Location The Horsley Dr-MS Motorway  
Direction of travel Southcity  
Toll \$6.08  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.

The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**S** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17728402771-2B  
License Plate Number: DF406S

**Total amount**

\$26.08

(Includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

13 33 31 for automated payment

Telephone & Internet Banking - BPAY  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
New Code 584433  
Reference Number 844291722402773

14062019  
17728402771-2B  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728402771-2B  
Vehicle Number Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 16:40  
Location The Horsley Dr-Old Walgrove Rd  
Direction of travel Northcity  
Toll \$4.44  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.

The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**S** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 17728402771-2B  
License Plate Number: XN52DJ

**Total amount**

\$24.44

(Includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & Internet Banking - BPAY  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B  
New Code 584433  
Reference Number 834511722402773

RECEIVED  
02 MAY 2019  
EastLink  
If undeliverable return to:  
EastLink, PO Box 744 Ringwood VIC 3134  
Wits Holdings Pty Ltd  
PO Box 7111  
WETHERILL PARK NSW 2164

**Toll Invoice**  
Immediate payment required

Invoice Number 116057334355  
Issue Date 6 Apr 19  
Vehicle Licence Plate 1GV4US  
EastLink Trips Listed Overleaf  
Due Date 20 Apr 19  
Total Due \$54.25

Toll Invoice from ConnectEast Pty Ltd ABN 99 191 813 313

Failure to take action will result in an Overdue Notice with higher fees.  
This is a request for payment under the EastLink Project Act 2004 for unregistered travel on EastLink by vehicle 1GV4US. Failure to pay may result in Victoria Police issuing you with an Infringement Notice (penalty exceeds \$160) for each day of unregistered travel.  
EastLink is the tollway in the east of Melbourne, connecting the Eastern, Gippsland, Frisvaton and Peninsula Link Freeways. See EastLink.com.au  
**BY THE DUE DATE YOU MUST:**  
EITHER pay this invoice in full,  
OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any tips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
OR complete the online form for changing a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/changeaccount.

**Pay now to avoid additional fees.**

If 1GV4US is not your vehicle, it may be a vehicle you rented or someone else may have nominated you as the vehicle's driver for the trip listed overleaf. Do not ignore this invoice.

**A TAG ACCOUNT IS THE CHEAPEST WAY TO USE EASTLINK - AND CITYLINK TOO!**  
Amount due on this invoice \$54.25  
Equivalent tolls for a tag account \$43.21  
A tag account could have saved you \$11.24  
OPEN A BREEZE TAG ACCOUNT TODAY  
PHONE (03) 9955 1400 OR VISIT EASTLINK.COM.AU



Detach and return this deposit slip with cheque payments only. Please do not pin or staple cheques to this deposit slip.  
ConnectEast Pty Ltd

Invoice Number 116057334355  
Issue Date 6 Apr 19  
Due Date 20 Apr 19  
Total Due \$54.25

Total \$

Page 2 of 2  
Invoice Number 116057334355  
Issue Date 6 Apr 19  
Due Date 20 Apr 19  
Total Due

Vehicle Details  
Licence Plate Number: 1GV4US State of Registration: VIC Class: HCV Total Trips: 4

Date of Toll	Time of Travel	Start - Finish	Toll Total
26 March 19	11:24 - 11:50	Monash Fwy/Princes Hwy to Dandenongth/PG	\$4.50
26 March 19	12:27 - 12:59	Greens.Dandenongth/Princes Hwy to Monas	\$4.50
28 March 19	09:25 - 09:54	Mallum/Mallum Tunnel to Monash Fwy/Prin	\$15.05
28 March 19	09:17 - 09:48	Princes Hwy/Monash Fwy to Melba Tunnel	\$15.01
Total Payments Received Thank You			\$0.00
Toll Invoice Fee			\$5.12
Victoria's Interstate Lockup Fee			\$5.10
Total GST for this Toll Invoice			\$4.93
<b>Total Due (including GST)</b>			<b>\$54.25</b>

Telephone Enquiries (03) 99551400  
Telephone Tipping Service (TTS) 13 24 77  
Event Reported Service 1800 843 752

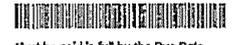


**Payment options**

**Pay now 24/7**  
directly into our system  
for peace of mind  
EastLink.com.au

**Bill** Biller Code: 404921  
Ref: 4739 7116 5273 3435 57  
Telephone & Internet Banking - BPAY™  
Connect your bank or financial institution to make the payment from your cheque savings, debit, credit card or transaction account. Here for info: www.bpay.com.au  
\*Registered to BPAY Pty Ltd  
ABN 65 079 127 816  
Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newagent outlets. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to Breeze, PO Box 744 Ringwood, VIC 3134



Underwriteable returns to:  
EastLink PO Box 744 RINGWOOD VIC 3134

000476  
Wils Holdings Pty Ltd  
PO Box 7111  
WETHERILL PARK NSW 2164

Important Notice

# Toll Invoice

Immediate payment required

Invoice Number **116057334363**  
Issue Date **6 Apr 19**  
Vehicle Licence Plate **1GV4US**  
EastLink Trips Listed Overleaf

Due Date **20 Apr 19**  
Total Due **\$41.55**

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 203

### Failure to take action will result in an Overdue Notice with higher fees.

This is a request for payment under the EastLink Project Act 2004 for unregistered travel on EastLink by vehicle 1GV4US. Failure to pay may result in Victoria Police issuing you with an Indigement Notice (penalty exceeds \$160) for each day of unregistered travel.

EastLink is the toll way in the east of Melbourne, connecting the Eastern, Northern, Frankston and Peninsula Link Freeways. See EastLink.com.au

BY THE DUE DATE YOU MUST:

- EMIT pay this invoice in full.
- OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.
- OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/charge-to-account.

## Pay now to avoid additional fees.

If 1GV4US is not your vehicle, it may be a vehicle you rented or someone else may have nominated you as the vehicle's driver for the trips listed overleaf. Do not ignore this invoice.

**A TAG ACCOUNT IS THE CHEAPEST WAY TO USE EASTLINK - AND CITYLINK TOO!**

Amount due on this invoice	\$41.55
Invoice fee (only for a tag account)	\$3.55
A tag account could have saved you	\$2.66

**OPEN A BREEZE TAG ACCOUNT TODAY**  
PHONE (03) 9955 1400 OR VISIT EASTLINK.COM.AU

**EastLink.com.au**

VISA    M.C.    Diners Club    PAYCOM

Detach and return this deposit slip with cheque payments only. Please do not pin or staple cheques to this deposit slip.

ConnectEast Pty Ltd

Invoice Number **116057334363**  
Issue Date **6 Apr 19**  
Due Date **20 Apr 19**  
Total Due **\$41.55**

Total \$

Page 2 of 2  
Invoice Number **116057334363**  
Issue Date **6 Apr 19**  
Due Date **20 Apr 19**  
Total Due

Vehicle Details	State of Registration: VIC	Class: HCV	Total Trips: 2
Licence Plate Number: 1GV4US			
Date of Toll	Time of Travel	Start - Finish	Toll Total
29 March 19	08:04 - 08:16	Mulrum Road to Tunnots Wallington Poi	\$15.03
29 March 19	11:02 - 11:15	Poies/Warrington to NeSa Tunnel	\$15.03
Total Payments Received Thank You			\$0.00
Toll Invoice Fee			\$3.55
Victoria/Interstate Lockup Fee			\$2.55
Total Due For This Toll Invoice			\$37.78
Total Due (including GST)			\$41.55

Telephone Enquiries (03) 9551400  
Telephone Typing Service (TTS) 13 20 37  
Speech Interpret Service 1300 663 727

Want to pay in person with cash or epos?

**Pay now 24/7**  
directly into our system for peace of mind

**EastLink.com.au**

**B** Biller Code: 494971  
Ref: 8139 7116 0230 343638

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution for details on how to make this payment from your cheque, savings, debit or credit card or transaction account. More info: www.bpay.com.au  
\* Provided by BPAY Pty Ltd  
ABN 69 076 123 516

Any Payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlets. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to: Breeze, PO Box 744 Ringwood, VIC 3134

06/04/2019  
14000843217-1B  
142 1B 2

RECEIVED

17 APR 2019

# WestConnex

WestConnex Pty Ltd (ACN 61 401 436) a LLN WestConnex Project Trust (ABN 71 421 111 063)

Trip Details: WestConnex  
Toll Notice Number: 14000843217-1B  
Licence Plate Number: XN70EW (NSW)  
Date & time of trip: 29 Mar 2019 15:27  
Location: Church St-James Ruse Dr  
Direction of travel: Easterly  
Toll: \$6.68  
+ administration fee: \$10.00 or \$1.10 with valid account  
Payment due date: 30 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

88230

### TOLL NOTICE

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**1** **Pay the toll**  
Visit [rms.nsw.gov.au/tollpayment](http://rms.nsw.gov.au/tollpayment), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate an existing valid electronic tag account or open an account before the payment due date.

**2** **Lodge an objection or nominate the driver by 16 April 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

#### Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

#### How to pay this toll notice

<b>Pay online:</b> Make an easy payment using a credit or debit card by visiting <a href="http://www.rms.nsw.gov.au">www.rms.nsw.gov.au</a> Transfer a Toll Notice to your tolling provider account The reduced administration fee applies if you nominate a valid electronic tolling account Toll Notice Number: 14000843217-1B Licence Plate Number: XN70EW (NSW)	<b>Total amount</b> <div style="border: 1px solid black; padding: 5px; text-align: center;">\$16.68</div>
--	--

**3** **Pay over the phone**  
1300 853 314 (24/7 self-service payment)

**4** **Pay in person**  
At any Service NSW Centre

06/04/2019  
14000847499-1B  
142 1B 2

# WestConnex

WestConnex Pty Ltd (ACN 61 401 436) a LLN WestConnex Project Trust (ABN 71 421 111 063)

Trip Details: WestConnex  
Toll Notice Number: 14000847499-1B  
Licence Plate Number: XN74EW (NSW)  
Date & time of trip: 29 Mar 2019 18:05  
Location: Church St-James Ruse Dr  
Direction of travel: Easterly  
Toll: \$6.68  
+ administration fee: \$10.00 or \$1.10 with valid account  
Payment due date: 30 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

88230

### TOLL NOTICE

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**1** **Pay the toll**  
Visit [rms.nsw.gov.au/tollpayment](http://rms.nsw.gov.au/tollpayment), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate an existing valid electronic tag account or open an account before the payment due date.

**2** **Lodge an objection or nominate the driver by 16 April 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

#### Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

#### How to pay this toll notice

<b>Pay online:</b> Make an easy payment using a credit or debit card by visiting <a href="http://www.rms.nsw.gov.au">www.rms.nsw.gov.au</a> Transfer a Toll Notice to your tolling provider account The reduced administration fee applies if you nominate a valid electronic tolling account Toll Notice Number: 14000847499-1B Licence Plate Number: XN74EW (NSW)	<b>Total amount</b> <div style="border: 1px solid black; padding: 5px; text-align: center;">\$16.68</div>
--	--

**3** **Pay over the phone**  
1300 853 314 (24/7 self-service payment)

**4** **Pay in person**  
At any Service NSW Centre

06/04/2019  
14060864916-1B  
1401B 2

# WestConnex

WCCX Pty Ltd (ACN 64 416) ALL WCCX Projects Incl (ABN 31 874 10 655)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

06/04/2019

Trip Details: WestConnex  
Toll Notice Number: 14060861621-1B  
Licence Plate Number: XN70EW (NSW)  
Date & time of trip: 29 Mar 2019 18:32  
Location: James Ruse Dr-Church St  
Direction of travel: Westward  
Toll: \$8.68  
+ administration fee: \$10.00 or \$1.10 with valid account  
Payment due date: 20 April 2019

### TOLL NOTICE

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.



An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.



Pay the toll  
Visit [rms.nsw.gov.au/tollpayment](http://rms.nsw.gov.au/tollpayment), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate an existing valid electronic tag account or open an account before the payment due date.



Lodge an objection or nominate the driver by 16 April 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay.

Before you travel next:



Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply

Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice



#### Pay online:

Make an easy payment using a credit or debit card by visiting [www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)

Transfer a Toll Notice to your tolling provider account  
The reduced administration fee applies if you nominate a valid electronic tolling account

Total amount

\$18.68

Toll Notice Number: 14060861621-1B  
Licence Plate Number: XN70EW (NSW)



Pay over the phone  
1300 883 314 (24/7 self-service payment)



Pay in person  
At any Service NSW Centre

06/04/2019  
14060864916-1B  
1401B 2

# WestConnex

WCCX Pty Ltd (ACN 64 416) ALL WCCX Projects Incl (ABN 31 874 10 655)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

06/04/2019

Trip Details: WestConnex  
Toll Notice Number: 14060864916-1B  
Licence Plate Number: XN74EW (NSW)  
Date & time of trip: 29 Mar 2019 19:48  
Location: James Ruse Dr-Church St  
Direction of travel: Westward  
Toll: \$8.68  
+ administration fee: \$10.00 or \$1.10 with valid account  
Payment due date: 20 April 2019

### TOLL NOTICE

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.



An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.



Pay the toll  
Visit [rms.nsw.gov.au/tollpayment](http://rms.nsw.gov.au/tollpayment), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate an existing valid electronic tag account or open an account before the payment due date.



Lodge an objection or nominate the driver by 16 April 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay.

Before you travel next:



Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply

Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice



#### Pay online:

Make an easy payment using a credit or debit card by visiting [www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)

Transfer a Toll Notice to your tolling provider account  
The reduced administration fee applies if you nominate a valid electronic tolling account

Total amount

\$18.68

Toll Notice Number: 14060864916-1B  
Licence Plate Number: XN74EW (NSW)



Pay over the phone  
1300 883 314 (24/7 self-service payment)



Pay in person  
At any Service NSW Centre

0504/0019  
17573958703-1B  
105 1B 2

RECEIVED  
02 MAY 2019



WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: M5 South-West Motorway  
Toll Notice Number 17573958703-1B  
Licence Plate Number XN10DU (NSW)  
Date & time of trip 28 Mar 2019 09:05  
Location Nancy Lushcut Drive  
Direction of travel Westerly  
Toll \$14.23  
+ administration fee \$10.00 or \$1.10 with valid account  
Payment due date 20 April 2019

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**\$** Pay the toll  
Visit [m5motorway.com.au](http://m5motorway.com.au), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 16 April 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

**✓** Before you travel next:  
Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Claim M5 Cashback - You may be eligible to claim your tolls if you pay with a valid tag account  
Visit: [m5motorway.com.au](http://m5motorway.com.au)

0504/0019  
17573958704-1B  
105 1B 2



WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: M5 South-West Motorway  
Toll Notice Number 17573958704-1B  
Licence Plate Number XN10DU (NSW)  
Date & time of trip 28 Mar 2019 09:05  
Location Hammondville (Mals)  
Direction of travel Easterly  
Toll \$14.23  
+ administration fee \$10.00 or \$1.10 with valid account  
Payment due date 20 April 2019

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**\$** Pay the toll  
Visit [m5motorway.com.au](http://m5motorway.com.au), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** Lodge an objection or nominate the driver by 16 April 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

**✓** Before you travel next:  
Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Claim M5 Cashback - You may be eligible to claim your tolls if you pay with a valid tag account  
Visit: [m5motorway.com.au](http://m5motorway.com.au)

PAYMENT SLIP  
Toll Notice No: 17573958703-1B

MVFN: XN10DU



Choose your E-tag Account  
NSW  Easy / beep  RMS E-tag  Room Express  Room  
VIC  CityLink  Breeze  
QLD  go via FLOW  AirportLinkM7  
Account number: \_\_\_\_\_  
Tag number: \_\_\_\_\_  
m5motorway.com.au (E-tag Account or Credit / Debit card) **PHONE** on 1300 655 652  
 MAIL this completed Toll Notice with your E-tag Account details to: Interlink Roads, PO Box 700, Moonbank NSW 1875  
OR with your cheque or money order of \$24.23 to:

**m5motorway.com.au**  
Using your E-tag Account or Credit / Debit card  
E-tag Code: 1188  
Ref: 17573958703  
b E-tag Code: 1188  
Ref: 17573958703  
INTERNET payment can be made directly from your cheque, credit or debit card account.  
PHONE credit card payment to 1300 276 448  
If your payment is declined, your contact number is:

When an E-tag payment request is declined or a cheque payment is dishonoured, a Penalty Notice may be issued.

PAYMENT SLIP  
Toll Notice No: 17573958704-1B

MVFN: XN10DU



Choose your E-tag Account  
NSW  Easy / beep  RMS E-tag  Room Express  Room  
VIC  CityLink  Breeze  
QLD  go via FLOW  AirportLinkM7  
Account number: \_\_\_\_\_  
Tag number: \_\_\_\_\_  
m5motorway.com.au (E-tag Account or Credit / Debit card) **PHONE** on 1300 655 652  
 MAIL this completed Toll Notice with your E-tag Account details to: Interlink Roads, PO Box 700, Moonbank NSW 1875  
OR with your cheque or money order of \$24.23 to:

**m5motorway.com.au**  
Using your E-tag Account or Credit / Debit card  
E-tag Code: 1188  
Ref: 17573958704  
b E-tag Code: 1188  
Ref: 17573958704  
INTERNET payment can be made directly from your cheque, credit or debit card account.  
PHONE credit card payment to 1300 276 448  
If your payment is declined, your contact number is:

When an E-tag payment request is declined or a cheque payment is dishonoured, a Penalty Notice may be issued.

06/04/2019  
1757395273-1B  
105 1B 2



Trip Details: M5 South-West Motorway  
Toll Notice Number 17573950386-1B  
Licence Plate Number DFJ069 (NSW)  
Date & time of trip 28 Mar 2019 09:15  
Location Hammondville (Main)  
Direction of travel Westerly  
Toll \$4.74  
+ administration fee \$1.00 or \$1.70 with valid account  
Payment due date 20 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

EXP 11

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**\$** Pay the toll  
Visit [m5motorway.com.au](http://m5motorway.com.au), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account



**i** Lodge an objection or nominate the driver by 16 April 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

Before you travel next:  
**✓** Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Claim M5 Cashback - You may be eligible to claim your tolls if you pay with a valid tag account  
Visit: [m5motorway.com.au](http://m5motorway.com.au)

06/04/2019  
1757395273-1B  
105 1B 2



Trip Details: M5 South-West Motorway  
Toll Notice Number 1757395273-1B  
Licence Plate Number DFJ665 (NSW)  
Date & time of trip 28 Mar 2019 06:19  
Location Hammondville (Main)  
Direction of travel Easterly  
Toll \$4.74  
+ administration fee \$1.00 or \$1.70 with valid account  
Payment due date 20 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

EXP 11

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**\$** Pay the toll  
Visit [m5motorway.com.au](http://m5motorway.com.au), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account



**i** Lodge an objection or nominate the driver by 16 April 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

Before you travel next:  
**✓** Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Claim M5 Cashback - You may be eligible to claim your tolls if you pay with a valid tag account  
Visit: [m5motorway.com.au](http://m5motorway.com.au)

PAYMENT SLIP  
Toll Notice No: 17573950386-1B

MYRN DFJ069



Choose your Etag Account  
NSW VIC QLD  
 Eway / beep  RMS ETag Room Express  Room  
Account number  
tag number  
m5motorway.com.au  
PHONE on 1300 658 452  
M&E: the completed Toll Notice with your Etag Account details to: Inverell Road PO Box 700 Murrumbidgee NSW 1875

m5motorway.com.au  
using your Etag Account or Credit / Debit card  
INTERNET payment can be made directly from your cheque, a savings or credit card account.  
PHONE credit card payment to 1300 276 408  
If your payment is declined, your contact number is:

When an Etag payment request is declined or a cheque payment is dishonoured, a Penalty Notice may be issued.

PAYMENT SLIP  
Toll Notice No: 1757395273-1B

MYRN DFJ065



Choose your Etag Account  
NSW VIC QLD  
 Eway / beep  RMS ETag Room Express  Room  
Account number  
tag number  
m5motorway.com.au  
PHONE on 1300 658 452  
M&E: the completed Toll Notice with your Etag Account details to: Inverell Road PO Box 700 Murrumbidgee NSW 1875

m5motorway.com.au  
using your Etag Account or Credit / Debit card  
INTERNET payment can be made directly from your cheque, a savings or credit card account.  
PHONE credit card payment to 1300 276 408  
If your payment is declined, your contact number is:

When an Etag payment request is declined or a cheque payment is dishonoured, a Penalty Notice may be issued.

18/04/2019  
11107378048-1B  
112 10 2



Trip Details: M1, Eastern Distributor  
Toll Notice Number 11107378048-1B  
Licence Plate Number DFJ065 (NSW)  
Date & time of trip 30 Mar 2019 18:12  
Location Woolloomooloo Nth  
Direction of travel Northwly  
Toll \$7.55  
+ administration fee \$10.00 or \$11.00 with valid account  
Payment due date 30 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2184

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**\$** **Pay the toll**  
Visit [linkt.com.au](http://linkt.com.au) or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** **Lodge an objection or nominate the driver by 25 April 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Penrith NSW 2154. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

**Before you travel next:**  
**✓** Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid incurring a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your billing provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 11107378048-1B  
Licence Plate Number: DFJ065

**Total amount**  
\$17.53  
Includes administration fee

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/outlets](http://linkt.com.au/outlets)

Telephone & Internet Banking - EPNAB  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.epay.com.au](http://www.epay.com.au)

Barcode  
EPAY Code 6202  
Reference Number: 25409110027908

18/04/2019  
13250772780-1B  
112 10 2



RECEIVED

Trip Details: Hills M2  
Toll Notice Number 13250772780-1B  
Licence Plate Number A021HJ (NSW)  
Date & time of trip 28 Mar 2019 04:42  
Location Penrith Hills Rd W/B  
Direction of travel Westwly  
Toll \$11.19  
+ administration fee \$10.00 or \$11.00 with valid account  
Payment due date 30 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2184

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**\$** **Pay the toll**  
Visit [linkt.com.au](http://linkt.com.au) or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** **Lodge an objection or nominate the driver by 25 April 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Penrith NSW 2154. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

**Before you travel next:**  
**✓** Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid incurring a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your billing provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 13250772780-1B  
Licence Plate Number: A021HJ

**Total amount**  
\$21.19  
Includes administration fee

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/outlets](http://linkt.com.au/outlets)

Telephone & Internet Banking - EPNAB  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.epay.com.au](http://www.epay.com.au)

Barcode  
EPAY Code 6202  
Reference Number: 25409110027908

18042019  
13250785006-1A  
112 14 2



ABN 28 062 329 828

Trip Details: Hills M2  
Toll Notice Number 13250818468-1B  
Licence Plate Number XN24EP (NSW)  
Date & time of trip 28 Mar 2019 14:45  
Location Pennant Hills Rd E/B  
Direction of travel Easterly  
Toll \$11.18  
+ administration fee \$18.00 or \$1.70 with valid account  
Payment due date 30 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

RM2

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

Take action before the payment due date to avoid further costs.

**\$** **Pay the toll**  
Visit [linkt.com.au](http://linkt.com.au) or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** **Lodge an objection or nominate the driver by 25 April 2019.**  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

**Before you travel next:**

**✓** Update your personal payment details with your tag provider to bring your account in order  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 13250818468-1B  
Licence Plate Number: XN24EP

**Total amount**

\$21.18  
(includes all non-refundable fees)

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/ptp](http://linkt.com.au/ptp)

1151 0100 0002 11 60 0001 3250 8184 8630 0219 20

Telephone & internet banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B Code 815472  
Reference Number: 834612323818-0584

18042019  
13250785006-1A  
112 14 2



ABN 28 062 329 828

Trip Details: Hills M2  
Toll Notice Number 13250785006-1A  
Licence Plate Number XN24EP (NSW)  
Date & time of trip 28 Mar 2019 05:40  
Location Pennant Hills Rd W/B  
Direction of travel Westerly  
Toll \$11.18  
+ administration fee \$18.00 or \$1.70 with valid account  
Payment due date 30 April 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

RM2

**TOLL NOTICE**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

This was because we did not detect a valid electronic tag or could not match your licence plate number to a valid toll account.  
If you have an account, you should contact your provider to see why you could not pay.  
You will also need to follow one of the options below, even if you have an account.

Take action before the payment due date to avoid further costs:

**\$** **Pay the toll**  
Visit [linkt.com.au](http://linkt.com.au) or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** **Lodge an objection or nominate the driver by 25 April 2019.**  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Tip: If you know who the driver was, you can simply hand them this notice and ask them to pay

**Before you travel next:**

**⌨** Save time and money by opening an electronic tag or pass account before you travel  
Visit: [linkt.com.au](http://linkt.com.au)  
Link your licence plate number to a valid tag account - contact your toll provider  
Note: Fees may apply  
Plan your trip and learn more about electronic tolling  
Visit: [sydnemotorways.com](http://sydnemotorways.com)  
Thank you.

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 13250785006-1A  
Licence Plate Number: XN24EP

**Total amount**

\$21.18  
(includes all non-refundable fees)

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [linkt.com.au/ptp](http://linkt.com.au/ptp)

1151 0100 0002 11 60 0001 3250 8184 8630 0219 17

Telephone & internet banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B Code 815472  
Reference Number: 834612323818-0581



Get in touch  
13 33 31  
linkt.com.au



If this invoice is not paid  
We'll send a Demand Notice  
including a fee of \$23.81.  
You'll have 30 days to pay.

If you don't pay the Demand Notice  
The Department of Transport and Main Roads  
or the Brisbane City Council may issue you  
with an Infringement Notice in excess of \$170,  
for the unpaid tolls.

RECEIVED  
24 APR 2019

WADLEY INTERSTATE TRANSPORT SERVICES  
66-60 NEWTON RD  
WETHERILL PARK NSW 2164

Invoice no. 1017405245

09 April 2019

Dear ,

A vehicle registered in your name has travelled on a toll road without a valid account or pass. You'll need to arrange payment for the tolls listed on this invoice.

**Not the driver?**  
You have until the due date to nominate the driver. Nominate online at [linkt.com.au/nominate](http://linkt.com.au/nominate)

**Have an account?**  
• Your account may not have had enough funds to cover the tolls  
• Your credit card, banking, or licence plate details might be out of date  
• You can only pay your invoice using your account if your account is now active

**Set up an account for future travel**  
A Linkt account is a cheaper, and easier, way to pay for toll road travel. Avoid toll invoices and admin fees by choosing an account that suits your needs. Visit [linkt.com.au](http://linkt.com.au)

Safe travels,  
The Linkt Team

You are receiving this Toll Invoice as the registered operator of a vehicle which entered a toll road without paying the toll under Chapter 6 Part 7 and/or Part 8 of the Transport Infrastructure Act 1994 (TIA). Toll invoices are issued to the registered operator of the vehicle. If you weren't driving the car at the time of travel you can nominate the driver online at [linkt.com.au](http://linkt.com.au).

**What's happened?**

You've travelled on Brisbane's Linkt network without paying.  
To review your travel details - see page 2.

**What do I do?**

Please pay the amount due by the due date using a payment option below. Additional fees may apply if you don't pay - see page 2.

**How can I avoid receiving this notice?**

No account? Set one up for future travel.  
For account options visit [linkt.com.au](http://linkt.com.au)

**What is Brisbane's Linkt network?**

Brisbane's Linkt network is an 81km integrated toll road network operated by Transurban Queensland and comprises of AirportlinkM7, Clem7, Gateway and Logan motorways, the Go Between Bridge and Legacy Way.



**Your travel details**

**Vehicle used for travel**

Type	Registration	State/Territory
HCV	XN64DT	New South Wales

**Toll travel:** This invoice only includes charges for up to 3 consecutive days from the first travel date shown below.

Date	Time	Details	Video matching fee*	Total amount
29/03/2019	06:44	Heathwood East	\$0.49	\$7.51
29/03/2019	07:12	Kuraby North	\$0.49	\$7.11
29/03/2019	09:08	Kuraby South	\$0.49	\$7.11
29/03/2019	09:37	Heathwood West	\$0.49	\$7.51
29/03/2019	10:22	Kuraby North	\$0.49	\$7.11
29/03/2019	11:01	Murrumbidgee North	\$0.49	\$12.05
29/03/2019	12:33	Heathwood West	\$0.49	\$7.51
<b>SUBTOTAL</b>			<b>\$3.43</b>	<b>\$58.91</b>

**Summary of unpaid charges:** For charge enquiries, call 13 33 31

Unpaid tolls	Video matching fee*	Administration charge*	Total due*	Due date
\$58.91	+\$3.43	+\$5.50	<b>=\$67.84</b>	<b>→ 23 APR 2019</b>

\*A later administration charge consists of one or more of these fees. This fee covers our costs to manually identify your vehicle, verify your details and send this invoice. GST included \$54.

**How to pay your toll invoice**

**Pay online at [linkt.com.au](http://linkt.com.au)**

Total amount (includes administration fee)

**\$67.84**

Due date

**23 APR 2019**

Toll Invoice Number: 1017405245  
Licence Plate Number: XN64DT

**Pay in person**

Pay in person at participating Linkt retailers or Australia Post with cash, EFTPOS or credit cards (MasterCard or Visa). Visit [linkt.com.au/pay](http://linkt.com.au/pay) for a full list of outlets.

Retail Outlet



3081000 00067840 0001014 0524 0523 0489 97

Available Post Only



\*4548 000010014012455 230419

**How to pay your toll invoice**

**Pay online at [linkt.com.au](http://linkt.com.au)**

Total amount (includes administration fee)

**\$67.84**

Due date

**23 APR 2019**

**Over the phone**  
13 33 31 for automated payment.

Billier Code: 550542  
Reference Number: 2019 91017405 2453

**Telephone & Internet Banking - BPAY®**  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au). Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be acceptable and will be returned.

\*An invoice - this toll invoice is issued by Queensland Motorway Management Pty Ltd (QMM) 023 050 320.  
• All tolling services provided by Queensland Motorway Management Pty Ltd (QMM) are operated by Queensland Motorway Management Pty Ltd (QMM) as a service provider for QMM Operations Pty Ltd (QMO) Project 7 Partnership. QMO is a joint venture between QMM and the State of Queensland.  
Linkt and Linkt Brisbane are trade marks of Transurban Queensland Pty Ltd. Copyright © Queensland Motorway Management Pty Ltd ABN 68 001 619 012.







Your rego  
XN74EW

If this invoice is not paid  
We'll send a Demand Notice  
including a fee of \$23.81.  
You'll have 30 days to pay.

If you don't pay the Demand Notice  
The Department of Transport and Main Roads  
or the Brisbane City Council may issue you  
with an Infringement Notice in excess of \$170,  
for the unpaid tolls.

**What is Brisbane's Linkt network?**

Brisbane's Linkt network is an Bkkm Integrated toll road network operated by Transurban Queensland and comprises of AirportlinkM7, Clem7, Gateway and Logan motorways, the Go Between Bridge and Legacy Way.



≡ Brisbane's Linkt network

**Your travel details**

**Vehicle used for travel**

Type	Registration	State/Territory
HCV	XN74EW	New South Wales

**Toll travel:** This invoice only includes charges for up to 3 consecutive days from the first travel date shown below.

Date	Time	Details	Video matching fee*	Toll amount
28/03/2019	12:38	Kuraby South	\$0.49	\$7.11
28/03/2019	12:28	Heathwood West	\$0.49	\$7.51
28/03/2019	22:21	Heathwood East	\$0.49	\$4.57
28/03/2019	22:34	Loganlea East	\$0.49	\$4.57
<b>SUBTOTAL</b>			\$1.95	\$26.70

**Summary of unpaid charges:** For charge enquiries, call 13 33 31

Unpaid tolls	Video matching fee*	Administration charge*	<b>Total due*</b>	<b>Date due</b>
\$26.70	\$1.95	\$8.50	<b>\$37.16</b>	<b>24 APR 2019</b>

\*A user administration charge consists of one or more of these fees. This fee covers our costs to manage, identify your vehicle, verify your details and send this invoice.  
GST Inclusive \$136

**How to pay your toll invoice**

**Pay online at [linkt.com.au](http://linkt.com.au)**

Total amount (includes administration fee)

**\$37.16**

Due date

**24 APR 2019**

**Over the phone**  
13 33 31 for automated payment.

**B** Bkkm Code: 958942  
Reference Number: E040 0635 0976 8724

**Telephone & Internet Banking - BPAY®**  
Contact your bank or financial institution to make this payment from your online banking, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au). Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be refunded.

**Facsimile:** This invoice must be the only copy forwarded to the relevant authority.

\* All Linkt services provided for Queensland Motorway (M7) Limited.

\* On toll roads operated by Queensland Motorway (M7) Limited as a service provider for Queensland Motorway (M7) Limited, the Queensland Government and the Queensland Government.

Linkt and Linkt Brisbane are trademarks of Transurban Limited and Linkt Finance by Queensland Treasury Management Pty Ltd ABN 61 012 830 919



RECEIVED

24 APR 2019

Get In touch

13 33 31  
[linkt.com.au](http://linkt.com.au)



WADLEY INTERSTATE TRANSPORT SERVICES  
56-60 NEWTON RD  
WETHERILL PARK NSW 2184

Invoice no. 3738613256

10 April 2019

Dear,

A vehicle registered in your name has travelled on a toll road without a valid account or pass. You'll need to arrange payment for the tolls listed on this invoice.

**Not the driver?**  
You have until the due date to nominate the driver. Nominate online at [linkt.com.au/nominate](http://linkt.com.au/nominate)

**Have an account?**  
• Your account may not have had enough funds to cover the tolls  
• Your credit card, banking, or licence plate details might be out of date  
• You can only pay your invoice using your account if your account is now active

**Set up an account for future travel**  
A Linkt account is a cheaper, and easier, way to pay for toll road travel. Avoid toll invoices and admin fees by choosing an account that suits your needs. Visit [linkt.com.au](http://linkt.com.au)

Safe travels,  
The Linkt Team

You are receiving this toll invoice as the registered operator of a vehicle which entered a toll road without a valid account or pass. This is in accordance with Section 6, Part 7 and/or Part 8 of the Transport Infrastructure Act 1994 (Qld). Toll invoices are issued to the registered operator of the vehicle. If you weren't driving the car at the time of travel, you can nominate the driver online at [linkt.com.au](http://linkt.com.au)

**What's happened?**

You've travelled on Brisbane's Linkt network without paying.  
To review your travel details - see page 2.

**What do I do?**

Please pay the amount due by the due date using a payment option below. Additional fees may apply if you don't pay - see page 2.



**How can I avoid receiving this notice?**

No account? Set one up for future travel.

For account options visit [linkt.com.au](http://linkt.com.au)

**How to pay your toll invoice**

**Pay online at [linkt.com.au](http://linkt.com.au)**

Total amount (includes administration fee)

**\$21.56**

Due date

**24 APR 2019**

Toll Invoice Number: 3738613256  
Licence Plate Number: 3N7505

**Pay in person**  
Pay in person at participating Linkt retailers or Australia Post with cash, EFTPOS or credit cards (MasterCard or Visa). Visit [linkt.com.au/bip](http://linkt.com.au/bip) for a full list of outlets.

**Retail Outlets**

7011 0000 0002 1500 0003 7346 125 0124 0419 61

Australia Post Only

4048 0003 3738613256 240419



Your rego  
XN15DS

If this invoice is not paid  
We'll send a Demand Notice  
including a fine of \$23.91.  
You'll have 30 days to pay.

If you don't pay the Demand Notice  
The Department of Transport and Main Roads  
or the Brisbane City Council may issue you  
with an Infringement Notice in excess of \$170,  
for the unpaid tolls.

Page 2 of 2

### What is Brisbane's Linkt network?

Brisbane's Linkt network is an 81km integrated toll road network operated by Transurban Queensland and comprises of AirportlinkM7, Clem7, Gateway and Logan motorways, the Go Between Bridge and Legacy Way.



== Brisbane's Linkt network

### Your travel details

#### Vehicle used for travel

Type	Registration	Date/Territory
HCV	XN15DS	New South Wales

Toll travel: This invoice only includes charges for up to 3 consecutive days from the first travel date shown below.

Date	Time	Details	Video matching fee*	Toll amount
26/01/2019	21:14	HOATHWOOD EAST	\$0.49	\$7.51
26/01/2019	21:23	LOGANIKIA EAST	\$0.49	\$4.57

**SUBTOTAL** \$0.98 \$12.08

Summary of unpaid charges: For charge enquiries, call 13 33 31

Unpaid tolls	Video matching fee*	Administration charges*	Total due*	Date due
\$12.08	+\$0.98	+\$8.50	== \$21.56	→ 24 APR 2019

\*A user administration charge consists of one or more of these fees. This fee covers our costs to manually identify your vehicle, verify your details and send this invoice. \*GST includes \$1.93

### How to pay your toll invoice

#### Pay online at linkt.com.au

Total amount (includes administration fee)

**\$21.56**

Due date

**24 APR 2019**

#### Over the phone 13 33 31 for automated payment.

Billar Code: 958942  
Reference Number: 8540 0313 6013 2357

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make toll payment from your debit, savings, credit, credit card or BPAY account. More info: www.bpay.com.au. Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Tax Invoicing - This tax invoice is issued by Queensland Motorways Management Pty Ltd (ABN 61 00432372).  
\* All tolling fees are payable to Queensland Motorways Pty Limited.  
\* On tolling fees Queensland Motorways Pty Limited is acting as a service provider to QRM Operations Pty Limited. Project 7 Participating LHD Operators Pty Limited and M7 Co-Op Limited.  
Linkt of Queensland is a trade mark of Transurban Linkt used under licence by Queensland Infrastructure Management Pty Ltd ABN 62 624 232 121.

PHOTO COURTESY TRANSUBURAN

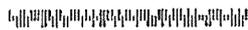


RECEIVED

24 APR 2019

Get in touch

13 33 31  
linkt.com.au



WADLEY INTERSTATE TRANSPORT SERVICES  
65-60 NEWTON RD  
WETHERILL PARK NSW 2164

Invoice no. 4101625909

11 April 2019

Dear,

A vehicle registered in your name has travelled on a toll road without a valid account or pass. You'll need to arrange payment for the tolls listed on this invoice.

#### Not the driver?

You have until the due date to nominate the driver. Nominate online at linkt.com.au/nominate

#### Have an account?

- Your account may not have had enough funds to cover the tolls
- Your credit card, banking, or licence plate details might be out of date
- You can only pay your invoice using your account if your account is now active

#### Set up an account for future travel

A Linkt account is a cheaper, and easier, way to pay for toll road travel. Avoid toll invoices and admin fees by choosing an account that suits your needs. Visit linkt.com.au

Safe travels,  
The Linkt Team

You are receiving this Toll Invoice as the registered operator of a vehicle which entered a toll road without paying the toll under Chapter 6, Part 3 and/or Part 8 of the Transport Infrastructure Act 1994 (Qld). Toll Invoices are issued to the registered operator of the vehicle. If you weren't driving the car at the time of travel, you can nominate the driver online at linkt.com.au.

#### What's happened?

You've travelled on Brisbane's Linkt network without paying.

To review your travel details - see page 2.

#### What do I do?

Please pay the amount due by the due date using a payment option below. Additional fees may apply if you don't pay - see page 2.



How can I avoid receiving this notice?

No account? Set one up for future travel.

For account options visit linkt.com.au

### How to pay your toll invoice

#### Pay online at linkt.com.au

Total amount (includes administration fee)

**\$21.56**

Due date

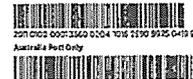
**25 APR 2019**

Toll Invoice Number: 4101625909  
Licence Plate Number: XN15DS

#### Pay in person

Pay in person at participating Linkt retailers or Australia Post with cash, EFTPOS or credit cards (MasterCard or Visa). Visit linkt.com.au/lo for a full list of outlets.

Retail Outlets



\*45148 000041016259099 255419



Your rego  
XN2SEP

If this invoice is not paid  
We'll send a Demand Notice  
including a fee of \$23.81.  
You'll have 30 days to pay.

If you don't pay the Demand Notice  
The Department of Transport and Main Roads  
or the Brisbane City Council may issue you  
with an Enforcement Notice in excess of \$170,  
for the unpaid tolls.

**What is Brisbane's Linkt network?**

Brisbane's Linkt network is an 81km integrated toll road network operated by Transurban Queensland and comprises of AirportlinkM7, Clem7, Gateway and Logan motorways, the Go Between Bridge and Legacy Way.



== Brisbane's Linkt network

**Your travel details**

Vehicle used for travel

Type	Registration	State/Territory
HCV	XN2SEP	New South Wales

Toll travel: This invoice only includes charges for up to 3 consecutive days from the first travel date shown below.

Date	Time	Details	Video matching fee*	Toll amount
29/03/2019	10:03	Loganslea West	\$0.49	\$4.57
<b>SUBTOTAL</b>			<b>\$0.49</b>	<b>\$4.57</b>

Summary of unpaid charges: For charge enquiries, call 13 33 31

Unpaid tolls	Video matching fee*	Administration charge*	<b>Total due**</b>	<b>Due date</b>
\$4.57	+\$0.49	+\$8.50	<b>\$13.56</b>	<b>25 APR 2019</b>

\* A video matching charge consists of one or more of these fees. This fee covers our costs to manually identify your vehicle, verify your details and send this invoice to you. \*\* Includes GST.

**How to pay your toll invoice**

Pay online at [linkt.com.au](http://linkt.com.au)

Total amount (includes administration fee)

**\$13.56**

Due date

**25 APR 2019**

Over the phone  
13 33 31 for automated payment.

Biller Code: 958042  
Reference Number: 5640 1410 8525 0001

Telephone & Internet Banking - EFT/IB  
Contact your bank or financial institution to make this payment from your cheque, savings, credit card or bank account. More info: [www.bank.com.au](http://www.bank.com.au). Any payments must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Toll Invoice - This toll invoice is issued by Queensland Motorways Management Pty Ltd (QMM) ABN 59 832 827.  
\* In the event of Queensland Motorways Services Pty Limited (QMS) licence suspension, the toll amount will be set to Queensland Toll Linkt Direct Pty Limited (QLD) Operator Pty Limited ABN 64 014 114 000.  
Linkt and Toll Invoices are trade marks of Transurban (Linkt) and trade marks of Queensland Motorways Management Pty Ltd (QMM) (Toll Invoices).



RECEIVED

24 APR 2019

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

17 April 2019

Get in touch  
13 33 31  
[linkt.com.au](http://linkt.com.au)

Invoice no. 3369643382

A vehicle registered in your name has travelled on a toll road without a valid account or pass. You'll need to arrange payment for the tolls listed on this invoice.

**Not the driver?**  
You have until the due date to nominate the driver. Nominate online at [linkt.com.au/transfer](http://linkt.com.au/transfer)

**Have an account?**  
Your account may not have had enough funds to cover the tolls.  
Your credit card, banking, or licence plate details might be out of date.  
You can only pay your invoice using your account if your account is now active.

**Set up an account for future travel**  
A Linkt account is a cheaper, and easier, way to pay for toll road travel. Avoid toll invoices and admin fees by choosing an account that suits your needs. Visit [linkt.com.au](http://linkt.com.au)

Safe travels,  
The Linkt Team

**What's happened?**

You've travelled on CityLink without paying.

To review your travel details - see page 2.

**What do I do?**

Please pay the amount due by the due date using a payment option below.

Penalties will apply if you don't pay - see page 2.

**Having trouble paying?**

Read more about available support. Visit [linkt.com.au/support](http://linkt.com.au/support)

**How to pay your toll invoice**

Pay online at [linkt.com.au](http://linkt.com.au)

Total amount (includes administration fee)

**\$18.53**

Due date

**03 MAY 2019**

Toll Invoice Number: 3369643382  
Licence Plate Number: 1QV2HA

Over the phone  
13 33 31 for automated payment.

Pay in person  
Pay in person at participating Linkt retail outlets with cash, EFTPOS or credit cards (MasterCard or Visa). Visit [linkt.com.au/help](http://linkt.com.au/help) for a full list of outlets.



0001 0100 0001 6230 0003 3096 4338 2103 0519 51

# Linkt

Your rego  
1OV3HA

If this invoice is not paid  
We'll send a Final Toll Invoice  
including a fee of \$25.26.  
You'll have 16 days to pay.

If you still  
don't pay  
It will become  
a matter for  
Victoria Police.

Victoria Police may issue a traffic  
fine for each day you travelled  
without paying.  
\$181 (1 day), \$322 (2 days), \$483  
(3 days)

## What is CityLink?

CityLink is a toll road connecting  
Melbourne Airport, the City and the South  
Eastern suburbs.



CityLink

## Your travel details

### Vehicle used for travel

Type	Registration	State/Territory
CAR	1OV3HA	Victoria

Toll travel: This invoice only includes charges for up to 3 consecutive days from the first travel date shown below.

Date	Time	Details	Toll amount
10/05/2019	19:30	Burnley Tunnel to Burnley St	\$5.58
Subtotal			\$5.58

Summary of unpaid charges: For charge enquiries, call 13 33 31

Unpaid tolls	Invoice fee*	Total due*	Date due
\$5.58	+	\$12.95	=
		\$18.53	→
			03 May 2019

\*This fee covers our costs to manually identify your vehicle, verify your details and send this invoice. GST included \$1.69.

## How to pay your toll invoice

Pay online at [linkt.com.au](http://linkt.com.au)

Total amount (includes admin/online fee)

**\$18.53**

Due date

**03 MAY 2019**

Toll Invoice Number: 3159543382

Licence Plate Number: 1OV3HA

Billin Code: 24976

Reference Number: 1040 0155 0643 3829

Telephone & Internet Banking - EASY  
Contact your bank or financial institution to make a 24/7 payment from your  
cheque, savings, debit, credit card or transaction account. More info:  
[www.linkt.com.au](http://www.linkt.com.au). Any payment must be for the exact amount of this  
invoice and be made by the due date. Otherwise, any amount paid will  
not be accepted and will be returned.

Toll Zones - (C) The Freeway Corporation Limited 2004. All rights reserved under the  
MOTORWAY ACT 1958, LINES AND LINKS ACT 1994 and the ROAD TRAVEL ACT 1999.  
Linkt (EastLink) Pty Ltd. Boroondra City Centre, 1000 St Albans Rd, St Albans, VIC 3011.  
Telephone: 03 9555 1400. Fax: 03 9555 1400.

Linkt and EastLink are a trade name of the Victorian United Road Services  
or (URS) Pty Ltd. Victoria United Road Services Pty Ltd.



If undeliverable return to:  
EastLink PO Box 744 RUSSELLWOOD VIC 3134

006041  
Wits Holdings Pty Ltd  
PO Box 7111  
WETHERILL PARK NSW 2164

## OVERDUE NOTICE EastLink Project Act 2004

IMMEDIATE PAYMENT REQUIRED  
[EastLink.com.au/fastpay](http://EastLink.com.au/fastpay)  
Phone (03) 9955 1400  
BRAY (details lower left)

Invoice Number	800501258944
Issue Date	23 Apr 19
Vehicle Licence Plate	1GV4US
EastLink Trips Listed Overleaf	

Due Date	7 May 19
Total Due	\$59.90

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 219 261

## FINAL request for payment for unregistered travel on EastLink

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)

Previous invoice not paid in time: 116057334355

Infringement Penalty/ies that may apply if this is unpaid: exceed \$322

DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH  
THE FREEWAY CORPORATION  
Section 204(1) of the *EastLink Project Act 2004*

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:

EITHER pay this invoice in full

OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also  
pay for any trips and fees you don't nominate. This online form is at [EastLink.com.au/nomination](http://EastLink.com.au/nomination).

OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling  
account for travel on EastLink and the account is not currently suspended. This online form is at [EastLink.com.au/charge](http://EastLink.com.au/charge)  
to account.

## IMMEDIATE PAYMENT REQUIRED

[EastLink.com.au/fastpay](http://EastLink.com.au/fastpay)  
Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only.  
Please do not pin or staple cheques to this deposit slip.

ConnectEast Pty Ltd

Billin Code: 452271

Ref: 2443-4809-5012-5834-48

Invoice Number	800501258944
Issue Date	23 Apr 19
Due Date	7 May 19
Total Due	\$59.90

Page 2 of 2  
 Invoice Number 800501258944  
 Issue Date 23 Apr 19  
 Due Date 7 May 19  
 Total Due



006042  
 Wits Holdings Pty Ltd  
 PO Box 7111  
 WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
**EastLink Project Act 2004**

IMMEDIATE PAYMENT REQUIRED  
 EastLink.com.au/ta19pay  
 Phone (03) 9955 1400  
 BPAY (details lower left)

Invoice Number 800501267762  
 Issue Date 23 Apr 19  
 Vehicle Licence Plate 1GV4US  
 EastLink Trips Listed Overleaf

Due Date 7 May 19  
 Total Due \$47.19

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 285

Date of Toll	Time of Travel	Start - Finish	Class: HCV	Total Trips: 4	Toll Total
16 March 19	11:56 - 11:56	Monash Hwy/Princes Hwy to Dandenong Bypass			\$4.50
16 March 19	12:27 - 12:30	Greens/Dandenong Bypass to Princes Hwy/Monas			\$4.50
18 March 19	08:20 - 08:34	Melburn M2/Jam Tunnel to Monash Hwy/Princ			\$15.00
18 March 19	09:17 - 09:48	Princes Hwy/Monash Hwy to M2/Jam Tunnel			\$15.00
Total Payments Received Thank You					\$0.00
Total Toll Charges - EastLink					\$39.00
Toll Invoice Fee					\$10.25
VicRoads Sentinel Lookup Fee					\$5.10
Total GST for This Toll Invoice					\$5.45
<b>Total Due (including GST)</b>					<b>\$59.80</b>

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
 Previous invoice not paid in time: 116057331363  
 Infringement Penalty/ies that may apply if this is unpaid: exceed \$161  
 DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
 Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalties you must do one of the following by the Due Date:

- EITHER pay this invoice in full
- OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.
- OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargetoaccount.

Telephone Enquiries (03) 9955 1400  
 Telephone Typing Service (TTY) 13 38 27  
 Speech Impaired Service 1300 665 727



**Payment options**

**Pay now 24/7**  
 directly into our system  
 for peace of mind

EastLink.com.au

Bill Code: 424971  
 Ref: 7443 8805 5012 5894 48

Telephone & Internet Banking - BPAY<sup>®</sup>  
 Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
 \*Registered to BPAY Pty Ltd  
 ABN 69 572 123 518

Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

MAIL Post this Payment Slip with you  
 Cheque payable to:  
 Wits, PO Box 744  
 Ringwood, VIC 3134

**IMMEDIATE PAYMENT REQUIRED**  
 EastLink.com.au/ta19pay  
 Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only.  
 Please do not pin or staple cheques to this deposit slip.  
 ConnectEast Pty Ltd

Bill Code: 494971  
 Ref: 1543 8005 5012 6776 21

Invoice Number 800501267762  
 Issue Date 23 Apr 19  
 Due Date 7 May 19  
 Total Due \$47.19

Page 2 of 2  
 Invoice Number 800501267762  
 Issue Date 23 Apr 19  
 Due Date 7 May 19  
 Total Due

Vehicle Details				
Licence Plate Number: 1GVAUS		State of Registration: VIC	Class: HCV	Total Trips: 2
Date of Toll	Time of Travel	Start - Finish	Toll Total	
29 March 19	08:04 - 08:16	Mildura-Mulden Tunnel to Wellington/Pool	\$15.05	
29 March 19	17:02 - 17:15	Police/Wellington to Melba Tunnel	\$15.05	
Total Payments Received Thank You			\$0.00	
Total Toll Charges - EastLink			\$30.10	
Toll Invoice Fee			\$10.25	
Vehicle/Licence Plate Lockup Fee			\$2.15	
Total GST For This Toll Invoice			\$4.29	
Total Due (Including GST)			\$47.19	



004637 000  
 Wirs Holdings Pty Ltd  
 PO Box 7111  
 WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
**EastLink Project Act 2004**

IMMEDIATE PAYMENT REQUIRED  
 EastLink.com.au/axipay  
 Phone (03) 9955 1400  
 BPAY (details lower left)

Invoice Number	800501423399
Issue Date	1 May 19
Vehicle Licence Plate	1GVAUS
EastLink Trips Listed Overleaf	

Due Date	15 May 19
Total Due	\$37.24

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 200

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
 Previous invoice not paid in time: 116057633236  
 Infringement Penalty/ies that may apply if this is unpaid: exceed \$161  
 DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
 Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalties you must do one of the following by the Due Date:

- EITHER pay this invoice in full
- OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.
- OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

Telephone Enquiries (03) 99551400  
 Telephone Typing Service (TTY) 13 28 77  
 Speech Impaired Service 1800 645 727



**Payment options**



Biller Code: 494971  
 Ref: 1543 4100 5212 5774 23  
 Telephone & Internet Banking - BPAY®  
 Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
 Registered to BPAY Pty Ltd  
 ABN 62 271 132 316  
 Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Neighbourly outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to: Street, PO Box 744, Ringwood, VIC 3134

**IMMEDIATE PAYMENT REQUIRED**  
 EastLink.com.au/axipay  
 Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only. Please do not pin or staple cheques to this deposit slip.  
 ConnectEast Pty Ltd

Biller Code: 494971  
 Ref: 2744 2650 5214 2332 91

Invoice Number	800501423399
Issue Date	1 May 19
Due Date	15 May 19
Total Due	\$37.24

Page 2 of 2  
 Invoice Number 800501423399  
 Issue Date 1 May 19  
 Due Date 15 May 19  
 Total Due



If undeliverable return to:  
 EastLink PO Box 744 8245 WOOD VIC 3134

007735  
 Wits Holdings Pty Ltd  
 56-60 Newton Rd  
 WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
 EastLink Project Act 2004  
 IMMEDIATE PAYMENT REQUIRED  
 EastLink.com.au/fastpay  
 Phone (03) 9955 1400  
 BPAY (details lower left)

Invoice Number	800501626850
Issue Date	8 May 19
Vehicle Licence Plate	XN08CC
EastLink Trips Listed Overleaf	
Due Date	22 May 19
Total Due	\$19.35

Tax Invoice from ConnectEast Pty Ltd ASN 99 101 213243

Vehicle Details		State of Registration: VIC	Class: HCV	Total Trips: 3
Licence Plate Number: 1GV4U5				
Date of Toll	Time of Travel	Start - Finish	Toll Total	
3 Apr 19	11:29 - 12:04	Poker/Westington to WeBnglon/Fernrie	\$3.00	
3 Apr 19	12:11 - 12:12	Fernrie/Westington to Westington/Tolic	\$1.00	
3 Apr 19	17:19 - 17:49	Poker/Westington to Melba Turned	\$15.65	
Total Payments Received Thank You				\$0.00
Total Toll Charges - Cashless				\$21.65
Toll Invoice Fee				\$10.25
Victoria Interstate Lookup Fee				\$2.35
Total Cost For This Toll Invoice				\$33.95
Total Due (including GST)				\$37.24

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
 Previous Invoice not paid in time: 116057958674  
 Infringement Penalties that may apply if this is unpaid: exceed \$161  
**DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE. WITH THE FREEWAY CORPORATION**  
 Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalties you must do one of the following by the Due Date:  
 EITHER pay this invoice in full  
 OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
 OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

Telephone Enquiries (03) 99551400  
 Telephone Typing Service (TTY) 13 14 77  
 Speech to Text Service 1300 855 727

**Want to pay in person with cash or eftpos?**  
 (Use EFTPOS payment terminals only)  
 Home - 1300 855 727

**Payment options**

**Pay now 24/7**  
 directly into our system  
 for peace of mind

EastLink.com.au

**B** Biller Code: 494971  
 Ref: 2244 2100 5014 2339 91  
 Telephone & Internet Banking - BPAY™  
 Connect your bank or financial institution to make this payment from your cheque, bankgi, debit, credit card or transaction account. More info: www.bpay.com.au  
 \*Registered to BPAY Pty Ltd  
 ABN 69 019 137 233  
 Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to:  
 Brevia, PO Box 744  
 Ringwood, VIC 3134

**IMMEDIATE PAYMENT REQUIRED**  
 EastLink.com.au/fastpay  
 Phone (03) 9955 1400

**B** Biller Code: 494971  
 Ref: 2244 2100 5016 2485 02

Detach and return this deposit slip with cheque payments only. Please do not pin or staple cheques to this deposit slip.  
 ConnectEast Pty Ltd

Invoice Number	800501626850
Issue Date	8 May 19
Due Date	22 May 19
Total Due	\$19.35

Page 2 of 2  
 Invoice Number 800501626850  
 Issue Date 8 May 19  
 Due Date 22 May 19  
 Total Due

Vehicle Details		State of Registration: NSW	Class: HCV	Total Trips: 1
Licence Plate Number: XN08CC				
Date of Toll	Time of Travel	Start - Finish	Toll Total	
5 April 19	06:48 - 08:50	Cheltenham/Princes Hwy to Princes Hwy/Mena	\$3.00	
Total Payments Received Thank You \$0.00				
Total Toll Charges - EastLink \$3.00				
Toll Invoice Fee \$10.25				
Variable Interest Look-Up Fee \$2.38				
Total GST For This Toll Invoice \$1.76				
<b>Total Due (including GST) \$19.39</b>				



If undeliverable return to:  
 EastLink, PO Box 744 WETHERILL VIC 3124

007734 400  
 Wts Holdings Pty Ltd  
 56-60 Newton Rd  
 WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
 EastLink Project Act 2004  
 IMMEDIATE PAYMENT REQUIRED  
 EastLink.com.au/fastpay  
 Phone (03) 9955 1400  
 BPAY (details lower left)

Invoice Number 800501636677  
 Issue Date 8 May 19  
 Vehicle Licence Plate XN08CC  
 EastLink Trips Listed Overleaf

Due Date 22 May 19  
 Total Due \$25.95

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 741

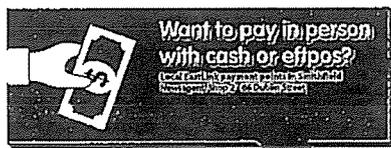
**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
 Previous Invoice not paid in time: 116057958666  
 Infringement Penalties that may apply if this is unpaid: exceed \$161  
 DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
 Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalties you must do one of the following by the Due Date:  
 EITHER pay this invoice in full

OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
 OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

Telephone Enquiries (03) 9955 1400  
 Telephone Typing Service (TTY) 13 26 77  
 Speech Impaired Service 1300 655 727



Payment options



Billier Code: 494971  
 Ref: 6244 9800 5016 2685 02

Telephone & Internet Banking - BPAY®  
 Contact your bank or financial institution to make this payment from your cheque, savings, debit, or credit card or transaction account. More info: www.bpay.com.au  
 Registered to BPAY Pty Ltd  
 ABN 69 079 137 518  
 Any Payment must be for the exact amount of this invoice and be made by the Due Date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 24-hour or Newagent outlets. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to:  
 EastLink, PO Box 744 Wetherill, VIC 3124

**IMMEDIATE PAYMENT REQUIRED**  
 EastLink.com.au/fastpay  
 Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only. Please do not pin or staple cheques to this deposit slip.  
 ConnectEast Pty Ltd

Billier Code: 494971  
 Ref: 7744 9800 5016 3667 78

Invoice Number 800501636677  
 Issue Date 8 May 19  
 Due Date 22 May 19  
 Total Due \$25.95

Page 2 of 2  
**Invoice**  
 Invoice Number 800501636677  
 Issue Date 8 May 19  
 Due Date 22 May 19  
 Total Due

Vehicle Details		State of Registration: NSW	Class: HCV	Total Trips: 3
Licence Plate Number: XN08CC				
Date of Toll	Time of Travel	Start - Finish		Toll Total
2 April 19	11:43	Cheltenham/Princes Hwy to Cheltenham/Princ		\$1.50
2 April 19	14:11 - 14:12	Princes Hwy/Cheltenham to Dandenong/Bay/Gi		\$3.00
2 April 19	16:12 - 16:16	GreensDandenong/Bay to Princes Hwy/Merata		\$4.50
Total Payments Received Thank You				\$0.00
Total Toll Charges - EastLink				\$9.00
Toll Invoice Fee				\$10.25
Victoria/Princes Hwy Lookup Fee				\$4.34
Total GST For This Toll Invoice				\$2.35
<b>Total Due (including GST)</b>				<b>\$25.95</b>



If undeliverable return to:  
 EastLink, PO Box 744 BREEZEWOOD VIC 3134

007733 000  

 Wits Holdings Pty Ltd  
 56-60 Newton Rd  
 WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
 EastLink Project Act 2004

IMMEDIATE PAYMENT REQUIRED  
 EastLink.com.au/fstipay  
 Phone (03) 9955 1400  
 BPAY (details lower left)

Invoice Number	800501642618
Issue Date	8 May 19
Vehicle Licence Plate	XN2SDJ
EastLink Trips Listed Overleaf	

Due Date	22 May 19
<b>Total Due</b>	<b>\$32.60</b>

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 226

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
 Previous invoice not paid in time: 116057968004  
**Infringement Penalty/ies that may apply if this is unpaid: exceed \$161**  
 DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
 Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:  
 EITHER pay this invoice in full

OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
 OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargesaccount.

Telephone Enquiries (03) 9955 1400  
 Telephone Typing Service (TTY) 13 34 77  
 Speech Inclusive Device 1300 655 727



**Payment options**

**Pay now 24/7**  
 directly into our system  
 for peace of mind

EastLink.com.au

**B**iller Code: 494971  
 Ref: 7244 9800 5616 1667 74  
 Telephone & Internet Banking - BPAY<sup>SM</sup>  
 Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
 \*Registered to BPAY Pty Ltd  
 ABN 83 679 137 518  
 Any Payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagents outlets. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your  
 Cheque  
 payable to:  
 Breeze, PO Box 744  
 Breezewood, VIC 3134

**IMMEDIATE PAYMENT REQUIRED**  
 EastLink.com.au/fstipay  
 Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only.  
 Please do not pin or staple cheques to this deposit slip.  
 ConnectEast Pty Ltd

**B**iller Code: 494971  
 Ref: 7244 9800 5616 1667 74

Invoice Number	800501642618
Issue Date	8 May 19
Due Date	22 May 19
<b>Total Due</b>	<b>\$32.60</b>

Page 2 of 2  
 Invoice Number 800501642618  
 Issue Date 8 May 19  
 Due Date 22 May 19  
 Total Due

**OVERDUE NOTICE**  
**EastLink Project Act 2004**

IMMEDIATE PAYMENT REQUIRED  
 EastLink.com.au/fatipay  
 Phone (03) 9955 1400  
 BPAY (details lower left)



007736  
 Wits Holdings Pty Ltd  
 56-60 Newton Rd  
 WETHERILL PARK NSW 2164

Invoice Number	800501642626
Issue Date	8 May 19
Vehicle Licence Plate	XN94DT
EastLink Trips Listed Overleaf	
Due Date	22 May 19
Total Due	\$21.00

Tax Invoice from ConnectEast Pty Ltd ASN 99 101 219 253

Vehicle Details		State of Registration: NSW	Class: HCV	Total Trips: 1
Licence Plate Number: XN25DJ				
Date of Toll	Time of Travel	Start - Finish		Toll Total
5 April 19	16:05 - 16:00	Mulrum Mulrum Tunnel to DandenongbyPass		\$18.05
Total Payments Received Thank You				\$0.00
Total Toll Charges - EastLink				\$18.05
Toll Invoice Fee				\$10.25
VicRoads Interstate Lookup Fee				\$4.34
Total GST For This Toll Invoice				\$2.96
<b>Total Due (including GST)</b>				<b>\$32.60</b>

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
 Previous invoice not paid in time: 116057968038  
**Infringement Penalties that may apply if this is unpaid: exceed \$161**  
**DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION**  
 Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalties you must do one of the following by the Due Date:  
 EITHER pay this Invoice in full  
 OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
 OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

Telephone Enquiries (03) 99551400  
 Telephone Typing Service (TTY) 13 2677  
 Speech Impaired Service 1300 855 727

**Want to pay in person with cash or eftpos?**  
 (only for toll payments made in NSW)  
 116057968038

**Pay now 24/7 directly into our system for peace of mind**  
 EastLink.com.au

BPAY Code: 490971  
 Ref: 734499201016426182  
 Telephone & Internet Banking - BPAY®  
 Contact your bank or financial institution to make this payment from your debit card, savings, credit or bill card or transaction account. More info: www.bpay.com.au  
 \*Pay to: EastLink Pty Ltd  
 A/NZ 63 029 137 518  
 Any Payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date  
 Paste this Payment Slip with your Cheque  
 PAYABLE TO:  
 EASTLINK, PO Box 744 Ringwood, VIC 3134

**IMMEDIATE PAYMENT REQUIRED**  
 EastLink.com.au/fatipay  
 Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only. Please do not pin or staple cheques to this deposit slip.  
 ConnectEast Pty Ltd

BPAY Code: 490971  
 Ref: 644426015016426182

Invoice Number	800501642626
Issue Date	8 May 19
Due Date	22 May 19
Total Due	\$21.00

Page 2 of 2  
 Invoice Number 800501642626  
 Issue Date 8 May 19  
 Due Date 22 May 19  
 Total Due

Vehicle Details		State of Registrations: NSW		Class: HCV		Total Trips: 1	
Date of Toll	Time of Travel	Start - Finish				Toll Total	
5 April 19	16:59 - 17:02	Morabivay/Princes Hwy to Dandenong/Bp/Gt				\$4.50	
Total Payments Received Thank You						\$0.00	
Total Toll Charges - Eastlink						\$4.50	
Toll Invoice Fee						\$16.25	
Motorway/Gateway Lookup Fee						\$4.14	
Total GST for This Toll Invoice						\$1.91	
Total Due (Including GST)						\$21.00	

Telephone Enquiries (03) 95551400  
 Telephone Tying Service (TTY) 13 34 37  
 Speech to Text Service 1800 655 727

**Want to pay in person with cash or eftpos?**  
 Use Eastlink's payment points at participating outlets.

**Pay now 24/7** directly into our system for peace of mind

**EastLink.com.au**

**Biller Code: 494971**  
**Ref: 6444 9100 5016 4262 61**

Telephone & Internet Banking - BPAY™  
 Contact your bank or financial institution to make BPAY payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
 \*Reg/linked to BPAY Pty Ltd  
 ABN 15 619 137 314

Any payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlet. For a map of participating outlets visit [EastLink.com.au/outlets](http://EastLink.com.au/outlets)



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to:  
**Freeze, PO Box 744 Ringwood, VIC 3134**

14062018  
 17728397002-28  
 107 28 2

**westlink M7**  
 WSO Co Pty Ltd  
 ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
 PO BOX 7111  
 WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
 Toll Notice Number 17728397002-28  
 Vehicle Number Plate DFJ055 (NSW)  
 Date & time of trip 04 Apr 2018 06:25  
 Location M5 Motorway-The Horsley Dr  
 Direction of travel Northwry  
 Toll \$6.08  
 + administration fee \$20.00 / \$2.50 (tag account)

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.  
 An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
 Please contact your tag provider to bring your account in order.  
 It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

**Take action to avoid further costs:**  
 Pay the toll by 28 June 2019  
 Visit [linkl.com.au/sydney](http://linkl.com.au/sydney), scan QR code or use the payment slip below  
 Note: The reduced administration fee applies if you nominate a valid electronic tag account

**Lodge an objection or nominate the driver by 23 June 2019.**  
 Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
 To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Penrith NSW 2124. Only original Statutory Declaration's are acceptable.  
 Note: If the driver doesn't pay, you may receive a Penalty Notice

**Before you travel next:**  
 Update your personal payment details with your tag provider to bring your account in order  
 Add the vehicle's number plate to a valid tag account - contact your provider  
 Note: Fees may apply  
 Plan your trip  
 Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**  
 Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
 Make an easy payment using a credit or debit card by visiting [linkl.com.au](http://linkl.com.au)  
 Transfer a Toll Notice to your tolling provider account.  
 The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number: 17728397002-28  
 Licence Plate Number: DFJ055

**Total amount**  
**\$26.08**  
 Includes admin-charge fee

**Pay over the phone** 13 33 31 for automated payment  
**Pay in person** For participating outlets visit [linkl.com.au/rip](http://linkl.com.au/rip)  
 1071 0100 0002 0080 0001 7728 3973 0223 0718 37

Telephone & Internet Banking - BPAY™  
 Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Biller Code 494971  
 Reference Number 84641751342323

14062019  
1772839598-2B  
107 23 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772839598-2B  
Vehicle Number Plate XN71DT (NSW)  
Date & time of trip 03 Apr 2019 10:37  
Location The Horsley Dr-Ridgmont Rd  
Direction of travel Northely  
Toll \$16.57  
+ administration fee \$20.00 / \$2.00 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

14062019  
1772839598-2B  
107 23 2



WSO Co Pty Ltd  
ABN 73 102 757 924

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

Trip Details: Westlink M7  
Toll Notice Number 1772839598-2B  
Vehicle Number Plate XN25EP (NSW)  
Date & time of trip 04 Apr 2019 06:34  
Location M2 Motorway-The Horsley Dr  
Direction of travel Southerly  
Toll \$24.57  
+ administration fee \$20.00 / \$2.00 (tag account)

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.



An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:



Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate a valid electronic tag account



Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:



Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

#### Pay online

Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 1772839598-2B  
License Plate Number: XN71DT

#### Total amount

\$35.57

(Includes administration fee)

#### Pay over the phone

13 33 31 for automated payment

#### Pay in person

For participating outlets visit [linkt.com.au/slp](http://linkt.com.au/slp)

Telephone & Internet Banking - iPAY@  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Biller Code 86463  
Reference Number: 66481773654162

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.



An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:



Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below



Note: The reduced administration fee applies if you nominate a valid electronic tag account



Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:



Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

#### Pay online

Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.

Toll Notice Number: 1772839598-2B  
License Plate Number: XN25EP

#### Total amount

\$44.57

(Includes administration fee)

#### Pay over the phone

13 33 31 for automated payment

#### Pay in person

For participating outlets visit [linkt.com.au/slp](http://linkt.com.au/slp)

Telephone & Internet Banking - iPAY@  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Biller Code 86463  
Reference Number: 66481773654162

14002019  
17728723564-28  
10728 2



WISO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728723564-28  
Vehicle Number Plate AQ33UD (NSW)  
Date & time of trip 06 Apr 2019 13:04  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northward  
Toll \$11.79  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2184

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotice](http://sydnemotorways.com/tollnotice) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid incurring a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tagging provider's account.  
The reduced administration fee applies if you nominate a valid electronic account  
Toll Notice Number: 17728723564-28  
Licence Plate Number: AQ33UD

**Total amount**

\$31.79

Includes administration fee

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

BHP Billiton  
BHP Bank  
Reference Number: 82651775723569

14002019  
17728341425-28  
10728 2



WISO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728341425-28  
Vehicle Number Plate XINTDEW (NSW)  
Date & time of trip 03 Apr 2019 16:28  
Location Old Walgrove Rd-The Horsley Dr  
Direction of travel Southerly  
Toll \$4.44  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2184

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

**i** Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotice](http://sydnemotorways.com/tollnotice) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declaration's are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid incurring a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tagging provider's account.  
The reduced administration fee applies if you nominate a valid electronic account  
Toll Notice Number: 17728341425-28  
Licence Plate Number: XINTDEW

**Total amount**

\$24.44

Includes administration fee

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

BHP Billiton  
BHP Bank  
Reference Number: 82651775723569

14042019  
1772824513-2A  
1072A 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728260582-2B  
Vehicle Number Plate DFJ055 (NSW)  
Date & time of trip 03 Apr 2019 05:39  
Location M5 Motorway-The Horsley Dr  
Direction of travel Northwly  
Toll \$0.08  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

VERLID

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.  
An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

- Take action to avoid further costs:  
Pay the toll by 28 June 2019. Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below. Note: The reduced administration fee applies if you nominate a valid electronic tag account.  
Lodge an objection or nominate the driver by 23 June 2019. Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information. To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable. Note: If the driver doesn't pay, you may receive a Penalty Notice.  
Before you travel next:  
Update your personal payment details with your tag provider to bring your account in order. Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply.  
Plan your trip. Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Clear your pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au). Transfer a Toll Notice to your tolling provider account. The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728260582-2B  
Licence Plate Number: DFJ055

**Total amount**  
\$26.08  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B SW Code 56543  
Reference Number: 8485177820023

14042019  
1772824513-2A  
1072A 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728245113-2A  
Vehicle Number Plate XN58DT (NSW)  
Date & time of trip 02 Apr 2019 20:16  
Location The Horsley Dr-M5 Motorway  
Direction of travel Southerly  
Toll \$16.24  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

VERLID

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle. The toll for the above trip was not paid.  
This is because we did not detect a valid electronic tag or could not match the vehicle number plate to a valid toll account.  
If you have an account, you should contact your toll provider to see why you could not pay. You will also need to follow one of the options below, even if you have an account.  
It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

- Take action to avoid further costs:  
Pay the toll by 28 June 2019. Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below. Note: The reduced administration fee applies if you nominate a valid electronic tag account.  
Lodge an objection or nominate the driver by 23 June 2019. Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information. To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable. Note: If the driver doesn't pay, you may receive a Penalty Notice.  
Before you travel next:  
Save time and money by opening an electronic tag or pass account before you travel. Visit: [linkt.com.au](http://linkt.com.au).  
Add the vehicle's number plate to a valid tag account - contact your provider. Note: Fees may apply.  
Plan your trip and learn more about electronic tolling. Visit: [sydnymotorways.com](http://sydnymotorways.com)

**How to pay this toll notice**

Clear your pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au). Transfer a Toll Notice to your tolling provider account. The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 17728245113-2A  
Licence Plate Number: XN58DT

**Total amount**  
\$39.24  
(includes administration fee)

**Pay over the phone**  
13 33 31 for automated payment

**Pay in person**  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

B SW Code 56543  
Reference Number: 8765177824513

14062019  
1772858513-28  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772858513-28  
Vehicle Number Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 21:42  
Location The Horsley Dr-Woodstock Ave  
Direction of travel Northwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

WETS

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**Before you travel next:**  
 Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 1772858513-28  
License Plate Number: XN52DJ

**Total amount**

\$31.79  
(Includes administration fee)

Pay over the phone  
13 33 31 for automated payment

Pay in person  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

1071 0100 0003 1700 0001 2728 0085 1208 0719 23

**Telephone & Internet Banking - BPAY**  
Contact your bank or financial institution to make this payment from your cheque, savings, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

BPay  
B Pay Code: 52963  
Reference Number: 824537296345328

14062019  
1772858513-28  
107 28 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772858513-28  
Vehicle Number Plate XN52DJ (NSW)  
Date & time of trip 05 Apr 2019 22:04  
Location Woodstock Ave-The Horsley Dr  
Direction of travel Southwly  
Toll \$11.79  
+ administration fee \$20.00 / \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

WETS

**FINAL TOLL NOTICE - You must take action now to avoid enforcement**

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.  
Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

Pay the toll by 28 June 2019  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below  
Note: The reduced administration fee applies if you nominate a valid electronic tag account

Lodge an objection or nominate the driver by 23 June 2019.  
Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

**Before you travel next:**  
 Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnemotorways.com](http://sydnemotorways.com)

**How to pay this toll notice**

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account.  
Toll Notice Number: 1772858513-28  
License Plate Number: XN52DJ

**Total amount**

\$31.79  
(Includes administration fee)

Pay over the phone  
13 33 31 for automated payment

Pay in person  
For participating outlets visit [linkt.com.au/tp](http://linkt.com.au/tp)

1071 0100 0003 1700 0001 2728 0085 1208 0719 23

**Telephone & Internet Banking - BPAY**  
Contact your bank or financial institution to make this payment from your cheque, savings, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

BPay  
B Pay Code: 52963  
Reference Number: 824537296345328

14062019  
17728540513-2B  
107 2B 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728540513-2B  
Vehicle Number Plate XNS2DJ (NSW)  
Date & time of trip 05 Apr 2019 07:27  
Location The Horsley Dr-Elizabeth Dr  
Direction of travel Southerly  
Toll \$5.01  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

14062019  
17728512678-2B  
107 2B 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 17728512678-2B  
Vehicle Number Plate AQ21HJ (NSW)  
Date & time of trip 05 Apr 2019 02:15  
Location M2 Motorway-The Horsley Dr  
Direction of travel Southerly  
Toll \$24.57  
+ administration fee \$20.00 / \$2.50 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** **Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** **Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

#### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**💻 Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number: 17728540513-2B  
License Plate Number: XNS2DJ

#### Total amount

\$25.01

(includes administration fee)

**☎ Pay over the phone**  
13 33 31 for automated payment

**👤 Pay in person**  
For participating outlets visit [linkt.com.au/ptp](http://linkt.com.au/ptp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

BPAY®  
Biller Code 88652  
Reference Number: 104917728540513

### FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.  
The toll for the above trip was not paid.

**X** An electronic tag was detected in your vehicle, however this trip could not be charged to your account as it had insufficient funds at the time of travel.

Please contact your tag provider to bring your account in order.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted. Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

**\$** **Pay the toll by 28 June 2019**  
Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account

**!** **Lodge an objection or nominate the driver by 23 June 2019.**  
Visit [sydnymotorways.com/tollnotices](http://sydnymotorways.com/tollnotices) for more information.  
To nominate the driver, a Statutory Declaration must be mailed to "Toll Compliance Services", Locked Bag 5004, Parramatta NSW 2124. Only original Statutory Declarations are acceptable.  
Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

**✓** Update your personal payment details with your tag provider to bring your account in order  
Add the vehicle's number plate to a valid tag account - contact your provider  
Note: Fees may apply  
Plan your trip  
Visit: [sydnymotorways.com](http://sydnymotorways.com)

#### How to pay this toll notice

Ensure you pay the amount in full by the due date to avoid receiving a penalty notice.

**💻 Pay online**  
Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)  
Transfer a Toll Notice to your tolling provider account.  
The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number: 17728512678-2B  
License Plate Number: AQ21HJ

#### Total amount

\$44.57

(includes administration fee)

**☎ Pay over the phone**  
13 33 31 for automated payment

**👤 Pay in person**  
For participating outlets visit [linkt.com.au/ptp](http://linkt.com.au/ptp)

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

BPAY®  
Biller Code 88652  
Reference Number: 8545617728512678

14062019  
1772600074-2A  
1072A 2



WSO Co Pty Ltd  
ABN 73 102 757 924

Trip Details: Westlink M7  
Toll Notice Number 1772600074-2A  
Vehicle Number Plate XN26CE (NSW)  
Date & time of trip 05 Apr 2019 15:31  
Location Woodstock Ave-Old Walgrove Rd  
Direction of travel Southwly  
Toll \$7.35  
+ administration fee \$20.001 \$2.90 (tag account)

WITS HOLDINGS PTY LTD  
PO BOX 7111  
WETHERILL PARK NSW 2164

FINAL TOLL NOTICE - You must take action now to avoid enforcement

Roads and Maritime Services has identified you as the registered operator of the above vehicle.

The toll for the above trip was not paid.

This is because we did not detect a valid electronic tag or could not match the vehicle number plate to a valid toll account.

If you have an account, you should contact your toll provider to see why you could not pay.

You will also need to follow one of the options below, even if you have an account.

It is an offence to drive a motor vehicle past a toll point without paying the toll in the time and manner permitted.

Enforcement action, including the issue of a Penalty Notice exceeding \$170, or civil debt recovery may commence if you do not respond to this Final Toll Notice.

Take action to avoid further costs:

Pay the toll by 28 June 2019

Visit [linkt.com.au/sydney](http://linkt.com.au/sydney), scan QR code or use

the payment slip below

Note: The reduced administration fee applies if you nominate a valid electronic tag account

Lodge an objection or nominate the driver by 23 June 2019.

Visit [sydnemotorways.com/tollnotices](http://sydnemotorways.com/tollnotices) for more information.

To nominate the driver, a Statutory Declaration must be mailed to 'Toll Compliance Services', Locked Bag 5004, Paramatta NSW 2124. Only original Statutory Declaration's are acceptable.

Note: If the driver doesn't pay, you may receive a Penalty Notice

Before you travel next:

Save time and money by opening an electronic tag or pass account before your travel

Visit [linkt.com.au](http://linkt.com.au)

Add the vehicle's number plate to a valid tag account - contact your provider

Note: Fees may apply

Plan your trip and learn more about electronic tolling

Visit: [sydnemotorways.com](http://sydnemotorways.com)

How to pay this toll notice

From a payment slip or amount full by the due date to avoid receiving a penalty notice.

Pay online

Make an easy payment using a credit or debit card by visiting [linkt.com.au](http://linkt.com.au)

Transfer a Toll Notice to your tolling provider account.

The reduced administration fee applies if you nominate a valid electronic account

Toll Notice Number: 1772600074-2A

License Plate Number: XN26CE

Pay over the phone

13 33 31 for automated payment

Pay in person

For participating outlets visit [linkt.com.au/stop](http://linkt.com.au/stop)

Telephone & Internet Banking - BPAY

Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

Total amount

\$27.35

Excludes administration fee

1071 0100 0002 7250 0011 7726 6000 1428 0179 19

Bank Code 133402

Reference Number 8149317726623754

Table with columns: LPR, Date, Toll Notice Number, Trip Date, Motorway, Lane Description, Toll, Admin Fee, Penalty. Contains multiple rows of toll data.





If undeliverable return to:  
EastLink, PO Box 744 Kingswood, VIC 3114

006041 000  
Wits Holdings Pty Ltd  
PO Box 7111  
WETHERILL PARK NSW 2164

### OVERDUE NOTICE EastLink Project Act 2004

IMMEDIATE PAYMENT REQUIRED  
EastLink.com.au/fastpay  
Phone (03) 9955 1400  
BPAY (details lower left)

Invoice Number	800501258944
Issue Date	23 Apr 19
Vehicle Licence Plate	1GV4US
EastLink Trips Listed Overleaf	

Due Date	7 May 19
Total Due	\$59.90

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 263

Page 2 of 2  
Invoice Number 800501258944  
Issue Date 23 Apr 19  
Due Date 7 May 19  
Total Due

### Invoice

Vehicle Details	State of Registrations/VIC	Class/HCV	Total Trips: 4
Licence Plate Number: 1GV4US			
Date of Toll	Time of Travel	Start - Finish	Toll Total
26 March 19	11:26 - 11:30	Monash Hwy/Princes Hwy to Dandenong Bypass	\$4.50
26 March 19	12:27 - 12:30	Green/Dandenong Bypass to Princes Hwy/Monas	\$4.50
28 March 19	08:20 - 08:24	Melburn/Melburn Tunnel to Monash Hwy/Prin	\$15.05
28 March 19	09:17 - 09:42	Princes Hwy/Monash Hwy to Melba Tunnel	\$15.05
Total Payments Received Thank You			\$10.00
Total Toll Charges - EastLink			\$19.10
Toll Invoice Fee			\$10.25
Roadside Assistance Lockup Fee			\$5.10
Total Gas For This Toll Invoice			\$5.45
Total Due (including GST)			\$59.90

### FINAL request for payment for unregistered travel on EastLink

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
Previous Invoice not paid in time: 116057334355  
Infringement Penalty/ies that may apply if this is unpaid: exceed \$322  
DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:  
EITHER pay this invoice in full  
OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

### IMMEDIATE PAYMENT REQUIRED

EastLink.com.au/fastpay  
Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only.  
Please do not pin or staple cheques to this deposit slip.  
ConnectEast Pty Ltd

Billor Code: 494971  
Ref: 7443 4800 5012 5894 48

Invoice Number	800501258944
Issue Date	23 Apr 19
Due Date	7 May 19
Total Due	\$59.90

Telephone Enquiries (03) 9955 1400  
Telephone Typing Service (TTY) 19 94 77  
Speech to Text Service 1300 555 727

### Payment options

Pay now 24/7 directly into our system for peace of mind

EastLink.com.au

Billor Code: 494971  
Ref: 7443 4800 5012 5894 48

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
Registered as BPAY Pty Ltd  
ABN 69 679 337 518

Any Payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to:  
Breeze, PO Box 744 Kingswood, VIC 3114



006042 000  
Wits Holdings Pty Ltd  
PO Box 7111  
WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
**EastLink Project Act 2004**

IMMEDIATE PAYMENT REQUIRED  
EastLink.com.au/fastpay  
Phone (03) 9555 1400  
BPAY (details lower left)

**Invoice Number 800501267762**

Issue Date 23 Apr 19  
Vehicle Licence Plate 1GV4US

EastLink Trips Listed Overleaf

**Due Date 7 May 19**  
**Total Due \$47.19**

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 217 261

Page 2 of 2  
Invoice Number 800501267762  
Issue Date 23 Apr 19  
Due Date 7 May 19  
Total Due

**Invoice**

Vehicle Details		State of Registration: VIC	Class: HCV	Total Trips: 2
Date of Toll	Time of Travel	Start - Finish	Toll Total	
29 March 19	04:04 - 08:16	Mulrum Mulrum Tunnel to Warrington Park	115.00	
29 March 19	17:02 - 17:15	Polce/Warrington to Melba Tunnel	115.00	
Total Payments Received Thank You			50.00	
Total Toll Charges - EastLink			230.16	
Toll Invoice Fee			110.25	
Variable Business Lookup Fee			12.55	
Total GST For This Toll Invoice			14.29	
<b>Total Due (including GST)</b>			<b>\$47.19</b>	

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
Previous invoice not paid in time: 116057334363  
Infringement Penalty/ies that may apply if this is unpaid: exceed \$161  
DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:  
EITHER pay this invoice in full  
OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

**IMMEDIATE PAYMENT REQUIRED**

EastLink.com.au/fastpay

Phone (03) 9555 1400

Billar Code: 404971  
Ref: 1543 4800 5212 6776 23

Detach and return this deposit slip with cheque payments only.  
Please do not pin or staple cheques to this deposit slip.  
ConnectEast Pty Ltd

**Invoice Number 800501267762**  
**Issue Date 23 Apr 19**  
**Due Date 7 May 19**  
**Total Due \$47.19**

Telephone Enquiries (03) 9555 1400  
Telephone Typing Service (TTS) 13 58 77  
Speech Impaired Service 1300 655 737

**Want to pay in person with cash or eftpos?**  
Local facilities systems please contact 1300 655 737  
1300 655 737

**Payment options**

**Pay now 24/7**  
directly into our system  
for peace of mind

**EastLink.com.au**

Billar Code: 404971  
Ref: 1543 4800 5212 6776 23  
Telephone & Internet Banking - BPAY\*  
Contact your bank or financial institution  
to make this payment from your account,  
debit card, credit card or transaction  
account. More info: www.bpay.com.au  
\*Required to BPAY Pty Ltd  
ABN 99 021 137 318  
Any payment must be for the exact amount  
of this invoice and be made by the due date.  
Otherwise, any amount paid will not be  
accepted and will be returned.

Pay in person at any participating 7-Eleven or  
Newsagent outlets. For a map of participating outlets  
visit EastLink.com.au/outlets



**Must be paid in full by the Due Date**

Pass this Payment Slip with your  
Cheque  
Payable to:  
Breeze, PO Box 748  
Wingfield, VIC 3174



If undeliverable return to:  
EastLink, PO Box 744 KINGSWOOD VIC 3134

006637 600  
Wits Holdings Pty Ltd  
PO Box 7111  
WETHERILL PARK NSW 2164

### OVERDUE NOTICE EastLink Project Act 2004

IMMEDIATE PAYMENT REQUIRED  
EastLink.com.au/istpay  
Phone (03) 9955 1400  
BPAY (details lower left)

Invoice Number	800501423399
Issue Date	1 May 19
Vehicle Licence Plate	1GVAUS
EastLink Trips Listed Overleaf	

Due Date	15 May 19
Total Due	\$37.24

Tex Invoice from ConnectEast Pty Ltd ABN 99 101 213 263

Page 2 of 2

Invoice Number 800501423399

Issue Date 1 May 19

Due Date 15 May 19

Total Due

### Invoice

Vehicle Details	State of Registration: VIC	Class: HCV	Total Trips: 3
Licence Plate Number: 1GVAUS			
Date of Toll	Time of Travel	Start - Finish	Toll Total
3 April 19	11:29 - 12:06	Police/Warrington to Warrington/Femire	\$3.00
3 April 19	12:11 - 12:12	Femire/Warrington to Warrington/Police	\$3.00
3 April 19	12:19 - 12:49	Police/Warrington to Maba Tunnel	\$15.00
Total Payments Received Thank You			\$0.00
Total Toll Charges - EastLink			\$21.00
Toll Invoice Fee			\$10.25
Vignette/Traminate Look-up Fee			\$2.55
Total Gas Fee This Toll Invoice			\$3.39
Total Due (including GST)			\$37.24

### FINAL request for payment for unregistered travel on EastLink

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
Previous Invoice not paid in time: 116057633236  
Infringement Penalty/ies that may apply if this is unpaid: exceed 5161  
DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:

- EITHER pay this invoice in full
- OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.
- OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargetoaccount.

### IMMEDIATE PAYMENT REQUIRED

EastLink.com.au/istpay  
Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only.  
Please do not pin or staple cheques to this deposit slip.  
ConnectEast Pty Ltd

Billor Code: 494971  
Ref: 2744 2000 5014 2339 91

Invoice Number	800501423399
Issue Date	1 May 19
Due Date	15 May 19
Total Due	\$37.24

Telephone Enquiries (03) 9955 6600  
Telephone Typing Service (TTY) 13 14 77  
Speech Inland Service 1300 645 727

**Want to pay in person with cash or eftpos?**  
Local EastLink payment points are available at participating outlets.

### Payment options

**Pay now 24/7**  
directly into our system for peace of mind

EastLink.com.au

Billor Code: 494971  
Ref: 2744 2000 5014 2339 91

Telephone & Internet Banking - BPAY<sup>®</sup>  
Contact your bank or financial institution to make a BPAY payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
<sup>®</sup> Applied to BPAY Pty Ltd  
ABN 99 629 112 318  
Any Payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amounts paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to: **EastLink, PO Box 744, Kingswood, VIC 3134**



if undeliverable return to:  
EastLink, PO Box 744 Ringwood VIC 3114

007735 000



Wits Holdings Pty Ltd  
56-60 Newton Rd  
WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
EastLink Project Act 2004

IMMEDIATE PAYMENT REQUIRED  
EastLink.com.au/fastpay  
Phone (03) 9955 1400  
BPAY (details lower left)

Invoice Number 800501626850

Issue Date 8 May 19  
Vehicle Licence Plate XNCBCC

EastLink Trips Listed Overleaf

Due Date 22 May 19

Total Due \$19.35

Tax Invoice from ConnectEast Pty Ltd ASN 99 101 213 263

Page 2 of 2

Invoice Number 800501626850

Issue Date 8 May 19

Due Date 22 May 19

Total Due

Invoice

Vehicle Details		State of Registration: NSW	Class: HCV	Total Trips: 1
Licence Plate Number: XNCBCC				
Date of Toll	Time of Travel	Start - Finish		Toll Total
5 April 19	00:44 - 00:50	Cheltenham/Princes Hwy to Princes Hwy/Mona		\$3.00
Total Payments Received Thank You				\$0.00
Total Toll Charges - EastLink				\$3.00
Toll Invoice Fee				\$16.35
Victoria's Electronic Lookup Fee				\$0.04
Total GST For This Toll Invoice				\$1.76
Total Due (including GST)				\$19.35

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)

Previous Invoice not paid in time: 116057958674

Infringement Penalties that may apply if this is unpaid: exceed \$161

DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION

Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/fes you must do one of the following by the Due Date:

EITHER pay this invoice in full

OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.

OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

**IMMEDIATE PAYMENT REQUIRED**

EastLink.com.au/fastpay

Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only.

Please do not pin or staple cheques to this deposit slip.

ConnectEast Pty Ltd

Billar Code: 494971  
Ref: 6264 9920 5016 2685 02

Invoice Number 800501626850  
Issue Date 8 May 19  
Due Date 22 May 19  
Total Due \$19.35

Telephone Enquiries (03) 9955 1400  
Telephone Typing Service (TTY) 13 58 77  
Speech Impaired Device 1300 616 717

**Want to pay in person with cash or eftpos?**  
Use our EastLink system to pay in person at participating 24/7 Cash & Eftpos outlets

Payment options

**Pay now 24/7**  
directly into our system for peace of mind

EastLink.com.au

Billar Code: 494971  
Ref: 6264 9920 5016 2685 02

Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
Registered to BPAY Pty Ltd  
ASN 69 039 137 518

Any Payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 24/7 Eftpos or Newagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to:  
Breeze, PO Box 744 Ringwood, VIC 3114



If undeliverable return to:  
EastLink PO Box 744 RINGWOOD VIC 3114

007734 000  
Wits Holdings Pty Ltd  
56-60 Newton Rd  
WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
EastLink Project Act 2004

**IMMEDIATE PAYMENT REQUIRED**  
EastLink.com.au/fastpay  
Phone (03) 9955 1400  
BPAY (details lower left)

<b>Invoice Number</b>	800501636677
<b>Issue Date</b>	8 May 19
<b>Vehicle Licence Plate</b>	XN08CC
<b>EastLink Trips Listed Overleaf</b>	

<b>Due Date</b>	22 May 19
<b>Total Due</b>	\$25.95

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 263

Page 2 of 2

**Invoice**

<b>Invoice Number</b>	800501636677
<b>Issue Date</b>	8 May 19
<b>Due Date</b>	22 May 19
<b>Total Due</b>	

Vehicle Details		State of Registration: NSW	Class: HCV	Total Trips: 3
Licence Plate Number: XN08CC				
Date of Toll	Time of Travel	Start - Finish		Toll Total
2 April 19	11:43	Cheltenham/Princes Hwy to Cheltenham/Princ		\$150
2 April 19	14:11 - 14:32	Princes Hwy/Cheltenham to Dandenong/BAYC		\$100
2 April 19	16:12 - 16:16	Greenland/Donnington to Princes Hwy/Monas		\$450
<b>Total Payments Received Thank You</b>				1000
<b>Total Toll Charges EastLink</b>				6500
<b>Toll Invoice Fee</b>				\$1025
<b>Vehicle Interstate Lookup Fee</b>				\$434
<b>Total GST for this Toll Invoice</b>				1236
<b>Total Due (including GST)</b>				\$25.95

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
Previous invoice not paid in time: 116057958666  
Infringement Penalty/ies that may apply if this is unpaid: exceed \$161  
DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:  
EITHER pay this invoice in full  
OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

**IMMEDIATE PAYMENT REQUIRED**

EastLink.com.au/fastpay  
Phone (03) 9955 1400

Billart Code: 494971  
Ref: 7244 6900 5016 366778

Detach and return this deposit slip with cheque payments only.  
Please do not pin or staple cheques to this deposit slip.  
ConnectEast Pty Ltd

<b>Invoice Number</b>	800501636677
<b>Issue Date</b>	8 May 19
<b>Due Date</b>	22 May 19
<b>Total Due</b>	\$25.95

Telephone Enquiries	(03) 9955 1400
Telephone Typing Service (TTY)	13 94 77
Speech Impaired Service	1300 615 727

**Want to pay in person with cash or eftpos?**  
Visit EastLink.com.au/outlets for a map of participating outlets.

**Payment options**

**Pay now 24/7**  
directly into our system for peace of mind  
EastLink.com.au

Billart Code: 494971  
Ref: 7244 6900 5016 366778

Telephone & Internet Billing - BPAY™  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
Registered to BPAY Pty Ltd  
ABN 69 639 332 310  
Any Payments must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 24-hour or Newagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



**Must be paid in full by the Due Date**  
Post this Payment Slip with your Cheque  
Payable to:  
MAIL  
EastLink, PO Box 744  
Ringwood, VIC 3114



007733 600  
Wits Holdings Pty Ltd  
56-60 Newton Rd  
WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
EastLink Project Act 2004

IMMEDIATE PAYMENT REQUIRED  
EastLink.com.au/ostpay  
Phone (03) 9955 1400  
BPAY (Details lower left)

Invoice Number	800501642618
Issue Date	8 May 19
Vehicle Licence Plate	XN2SDJ

EastLink Trips Listed Overleaf

Due Date	22 May 19
Total Due	\$32.60

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 219 269

Page 2 of 2  
Invoice Number 800501642618  
Issue Date 8 May 19  
Due Date 22 May 19  
Total Due

Date of Toll	Time of Travel	Start - Finish	Toll Total
5 April 19	16:05 - 16:20	MtKum MtKum Tunnel to Dandenongh/PTG	\$15.05
Total Payments Received Thank You			\$6.00
Total Toll Charges - EastLink			\$15.05
Toll Invoice Fee			\$16.35
Victoria's Inmate Lookup Fee			\$4.24
Total GST for This Toll Invoice			\$2.96
<b>Total Due (including GST)</b>			<b>\$32.60</b>

**FINAL request for payment for unregistered travel on EastLink**

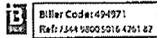
Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
Previous Invoice not paid in time: 116057968004  
Infringement Penalty/ies that may apply if this is unpaid: exceed \$161  
DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
Section 204(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:  
EITHER pay this invoice in full  
OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

**IMMEDIATE PAYMENT REQUIRED**

EastLink.com.au/ostpay

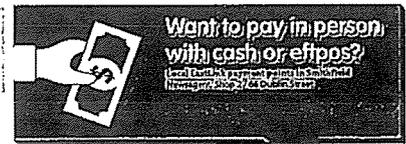
Phone (03) 9955 1400



Detach and return this deposit slip with cheque payments only.  
Please do not accept or deposit cheques to this deposit slip.  
ConnectEast Pty Ltd

Invoice Number	800501642618
Issue Date	8 May 19
Due Date	22 May 19
Total Due	\$32.60

Telephone Enquiries	(03) 9955 1400
Telephone Typing Service (TTS)	13 20 77
Speech Impaired Service	1300 655 727



**Payment options**



**Biller Code: 494971**  
**Ref: 7344 800501642618**  
Telephone & Internet Banking - BPAY®  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au  
Registered to BPAY Pty Ltd  
ABN 65 279 137 318  
Any Payment over/below the exact amount of this invoice will be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Newsagent outlet. For a map of participating outlets visit EastLink.com.au/outlets



Must be paid in full by the Due Date

Pay with Payment Slip with your Cheque payable to: **Breaza, PO Box 744 Ringwood, VIC 3114**



if undeliverable return to:  
EastLink PO Box 744 KINGWOOD VIC 3174

007736 000  
Wits Holdings Pty Ltd  
56-60 Newton Rd  
WETHERILL PARK NSW 2164

**OVERDUE NOTICE**  
**EastLink Project Act 2004**

**IMMEDIATE PAYMENT REQUIRED**  
EastLink.com.au/fastpay  
Phone (03) 9955 1400  
BPAT (details lower left)

<b>Invoice Number</b>	<b>800501642626</b>
Issue Date	8 May 19
Vehicle Licence Plate	XN94DT
EastLink Trips Listed Overleaf	
<b>Due Date</b>	<b>22 May 19</b>
<b>Total Due</b>	<b>\$21.00</b>

Tax Invoice from ConnectEast Pty Ltd ABN 99 101 213 283

Page 2 of 2

<b>Invoice Number</b>	<b>800501642626</b>
Issue Date	8 May 19
<b>Due Date</b>	<b>22 May 19</b>
<b>Total Due</b>	

Vehicle Details		State of Registration:	Class:	Total Trips:
Licence Plate Number: XN94DT		NSW	HCV	1
Date of Toll	Time of Travel	Start - Finish	Toll Total	
5 April 19	16:59 - 17:02	MonahWyway/Princestwy to DandenongBY/G	\$4.50	
Total Payments Received Thank You				\$0.00
Toll Invoice Fee				\$4.50
Variable/Distance Lookup Fee				\$1.00
Total GST For This Toll Invoice				\$1.00
<b>Total Due (including GST)</b>				<b>\$21.00</b>

**FINAL request for payment for unregistered travel on EastLink**

Issuer: EastLink Freeway Corporation (ConnectEast Pty Ltd)  
Previous invoice not paid in time: 116057968038  
Infringement Penalty/ies that may apply if this is unpaid: exceed \$161  
DRIVE VEHICLE IN A TOLL ZONE WHEN THAT VEHICLE IS NOT REGISTERED IN RESPECT OF THAT TOLL ZONE, WITH THE FREEWAY CORPORATION  
Section 704(1) of the EastLink Project Act 2004

To avoid Infringement Penalty/ies you must do one of the following by the Due Date:  
EITHER pay this invoice in full  
OR complete the online nomination form if you were not the driver for any of the trips listed overleaf. You must also pay for any trips and fees you don't nominate. This online form is at EastLink.com.au/nomination.  
OR complete the online form for charging a toll invoice to a tolling account if this vehicle is registered on a tolling account for travel on EastLink and the account is not currently suspended. This online form is at EastLink.com.au/chargeaccount.

**IMMEDIATE PAYMENT REQUIRED**

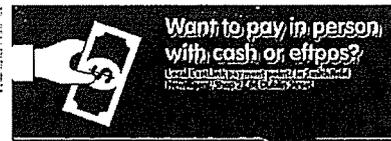
EastLink.com.au/fastpay  
Phone (03) 9955 1400

Detach and return this deposit slip with cheque payments only.  
Please do not pin or staple cheques to this deposit slip.  
ConnectEast Pty Ltd

Billor Code: 494971  
Ref: 6844 9800 5016 4262 61

<b>Invoice Number</b>	<b>800501642626</b>
Issue Date	8 May 19
<b>Due Date</b>	<b>22 May 19</b>
<b>Total Due</b>	<b>\$21.00</b>

Telephone Enquiries (03) 9955 4000  
Telephone Typing Service (TTY) 13 16 77  
Speech Impaired Service 1300 661 727



**Payment options**

**Pay now 24/7**  
directly into our system  
for peace of mind

**EastLink.com.au**

Billor Code: 494971  
Ref: 6844 9800 5016 4262 61

Telephone & Internet Banking - BPAT  
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpat.com.au  
\*Registered to BPAT Pty Ltd  
ABN 99 101 213 283

Any Payment must be for the exact amount of this invoice and be made by the due date. Otherwise, any amount paid will not be accepted and will be returned.

Pay in person at any participating 7-Eleven or Inveagant outlet. For a map of participating outlets visit EastLink.com.au/eftpos



Must be paid in full by the Due Date

Post this Payment Slip with your Cheque payable to: **EastLink, PO Box 744, Kingwood, VIC 3174**



WorkCover  
**QUEENSLAND**  
 ABN 40 877 182 766  
 GPO Box 2459  
 Brisbane QLD 4001

TAX INVOICE / PREMIUM NOTICE

Issue date: 20-May-2019

Enquiries:  
 ph. 1300 362 128

Policy Reference Number:  
 Name of Employer:

WAA00000788  
 Wita Holdings Pty Ltd (Administrators Appointed)

Attention:  
 Name of Insolvency Practitioner:  
 Address of Insolvency Practitioner:

James Mazzona  
 FTI Consulting  
 GPO Box 538  
 Melbourne VIC 3000  
 0

APPOINTMENT PERIOD

This is the Premium Notice for the Appointment period of liability

	2017/18	2018/19
Period Of Insurance	0	26/3/19 - 10/04/19
Wages	0	\$3,402.00
Assessed premium rate per \$100 gross wages paid	3.014	3.077
Assessed premium for 2017/18 **	0	
Less Provisional premium for 2017/18 **	0	
Plus Premium for 2018/19 **		\$135.20
Plus Additional Premium (late lodgement) *		0
Plus Premium penalty *		0
Plus Additional premium payable *		0
**	0	
**	0	0
<b>SUBTOTAL</b>		<b>\$135.20</b>
GST		\$13.53
Stamp Duty		\$7.44
Assessment Notice Total		<b>\$156.28</b>
Less premium paid 2017/18		0
Refund issued		0
Unpaid prior late payment charge(s)		0
Less Prior debt/written off		0
Less Premium Discount		0
Rounding (Balances < \$1)		0
<b>TOTAL PREMIUM PAYABLE</b>		<b>\$156.28</b>

\*\* GST & Stamp Duty applies. \* GST only applies

Payment details for EFT Payment:  
 Commonwealth Bank BSB 064 013 Account 1000 8320  
 Please ensure policy number is quoted as the reference

Total owing:	\$	156.28
Due Date:		12-June-2019

## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Thursday, 29 August 2019 3:56 PM  
**To:** Stephen Michell  
**Cc:** John Melliush; Hansell, Joseph  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]  
**Attachments:** Minter Ellison invoices.pdf

Hi Stephen

Please find attached copies of invoices received from Minter Ellison to date totalling \$110,553.72. Of the total invoices, \$101,283.47 has been paid directly by FTI.

I also request that you provide a response to my below email including your position as to the payment of superannuation. If you do not intend to make payment on behalf of the Former Administrators, would you please immediately provide the relevant details to effect payment including employees date of birth, super fund and super fund number.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
Level 21, 600 Bourke Street, Melbourne, 3000  
[+61 3 9604 0600 T](tel:+61396040600) | [+61 414 971 116 M](tel:+61414971116) | [+61 3 9604 0636 D](tel:+61396040636)  
[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
[www.fticonsulting.com](http://www.fticonsulting.com)

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**From:** Warwick, Kate  
**Sent:** Thursday, 22 August 2019 4:47 PM  
**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Cc:** John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>  
**Subject:** FW: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Stephen,

I refer to your email of 13 August 2019 below.

You have advised that the Attorney General ("AG") has expressed concerns with regards to the *Quantum Meruit* claim and the operation of section 553C in respect of Westpac's entitlement to set-off. I deal with each of these

items separately below. I request you provide contact details of the FEG officer/contact at the AG's office dealing with this matter; so that we may make direct contact.

### QM Claim

Please clarify the nature of the concerns expressed by the AG i.e. is the AG questioning the principle that an administrator should be entitled to be remunerated for necessary work that was performed following termination of appointment, or are they simply questioning the amount that has been claimed?

With regards to your comment in respect to seeking directions of the Court, it has always been the position of the Former Administrators that we will be applying to the Court for appropriate declarations confirming an entitlement to remuneration beyond their period of appointment, and confirming that the amount of remuneration be fixed by the creditors or the Court.

Have you made it clear to the AG that we were always intending to seek directions on these matters, and that it was always our intention that the amount that is claimed would have to be approved by creditors?

I otherwise refer to the email of Brendon Watkins below, where he asks that you advise whether you will support (or at least not oppose) our application for declarations, and whether you will be prepared to submit our remuneration to creditors for approval, assuming we secure court orders confirming the creditors' authority in that regard.

I ask that you please respond to this request.

### Additional Information Requested

With regards to your request for additional information, please see attached schedule (Schedule of Payments).

My comments on the schedule are as follows:

- Further information has been received in respect of payroll tax, road tolls and workers' compensation, however some information remains outstanding. In this regard, we have inserted a column which incorporates amounts showing known expenses. The invoices received are also attached for your reference.
- With regards to the now known expenses, we have allocated 64% to the equitable lien expenses for payroll related items in line with what has previously been allocated in earlier submissions to you. With respect to the road tolls, we have allocated 50% of the costs to the equitable lien.
- As you are aware, two tranches of funds were advanced from Westpac to defray care and preservation costs (net receipt of \$149,967) and as part of a section 560 loan for payment of employee expenses (\$165,000). We have therefore provided you with information to show from what pool of funds incurred expenses were paid from. This also includes payment of expenses directly from FTI Consulting to Caltex, which requires reimbursement, together with amounts paid from the collection from post-appointment debtor receipts.
- The total amount outstanding is \$106,897 including the reimbursement of FTI Consulting for the \$34,319 payment to Caltex. As some information remains outstanding in respect of payroll tax, road tolls and workers compensation, we have not adjusted the overall amount outstanding at this time and this is represented as an estimate.

The Former Administrators are arranging for the payment of the outstanding payroll tax, PAYG, workers compensation and superannuation. With respect to superannuation, we are not in possession of all information to allow us to make the payments. In this regard, we seek your assistance in providing this information. My colleague, James Mazzone, will send an email under separate cover requesting missing information. Alternatively, we can pay funds to you and you can pay the superannuation funds on our behalf.

With respect to your request relating to the composition of the Administrators' Disbursements in the amount of \$4,894, we have previously provided you with a schedule showing the full amount of disbursements in the amount of \$16,314.82. The \$4,894 merely represents an allocation to the equitable lien at 30%.

### Fees and Disbursements Incurred Specific to Securing Vehicles

Please see attached schedule (T&T Remuneration) which details the time incurred which specifically relates to the vehicles in the amount of \$41,920. As this amount has no relevance to FEG, I request that this amount is paid over in part satisfaction of the equitable lien.

## Realisations to Date

I request that you provide me with details of your realisations to date, together with your fees and disbursement incurred to date.

## Waterfalls

Finally, can you please advise whether you agree with the amendments to the proposed waterfalls, as set-out in the email from Brendon Watkins below. If an agreement on these amendments cannot be reached, we may need to seek Court directions on this matter as well.

Should you have any queries, please do not hesitate to contact me.

Kind regards

Kate

**Kate Warwick**

Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**

Level 21, 600 Bourke Street, Melbourne, 3000

+61 3 9604 0600 T | +61 414 971 116 M | +61 3 9604 0636 D

[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)

Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)

[www.fticonsulting.com](http://www.fticonsulting.com)

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# MinterEllison

## TAX INVOICE

Attention: Ian Merton  
 Kathryn Warwick, Ross Blakeley & Joseph Harstell,  
 administrators of WITS Holdings Pty Ltd  
 c/- FTI Consulting  
 Level 21  
 600 Bourke Street  
 Melbourne VIC 3000  
 AUSTRALIA

Date 30 April 2019  
 Invoice Number 10517754  
 Our Ref EAY.BRW.1246222  
 ABN 91 656 716 819

Description	WITS Holdings Pty Ltd	Australian Dollars
Professional fees		
Professional fees - taxable		50,325.00
Related services & expenses		
Services - taxable		104.88
		50,429.88
Plus GST		5,942.99
<b>Total amount payable on receipt of invoice</b>		<b>AUD 56,372.87</b>

For terms and conditions please see reverse  
 For details and breakdown please see attachment

## IMPORTANT INFORMATION

If you have any queries about this invoice, please contact Elizabeth Vick on +61 (3) 8608 2659 to discuss your concerns before taking any other steps. If we cannot resolve any concerns that you have about our legal costs, the following avenues may be open to you.

### Costs assessment

Unless you are a corporate or government client<sup>1</sup> (you are referred to as a Private Client below), you may have our costs assessed before the Supreme Court Costs Court (Costs Court) under Division 7 of Chapter 4.3 of the Legal Profession Uniform Law<sup>2</sup>. If you are either a Private Client or a corporate or government client you may make a complaint to the Legal Services Commissioner (LSC) in relation to a costs dispute under Division 1 of Part 5.2 of the Uniform Law. The parameters for taking such steps are as follows:

- (a) In relation to a costs assessment before the Costs Court:
- (i) you must make the application within 12 months of when our invoice was given to you, or a request for payment was made, or where there was no invoice or request made, when you paid the legal costs;
  - (ii) an application can be made outside of the 12 months period in paragraph (i) in certain circumstances but only where the delay and reasons for the delay make it just and fair to do so; and
  - (iii) there is no monetary limitation on the amount of the legal costs in relation to a costs assessment before the Costs Court.

- (b) In relation to a costs dispute before the LSC:

- (i) a monetary limit applies. You can only make a complaint to the LSC if:

- (A) the amount of the legal costs in dispute is less than \$10,000 (indexed) (irrespective of whether the total legal costs are above \$100,000 (indexed)); or
- (B) the total legal costs are less than \$100,000 (indexed).

Indexed refers to the application of an inflation adjustment based on the consumer price index; and

- (ii) you must make the application within 60 days after the legal costs have become payable; or where you have asked for an itemised invoice, within 30 days after the itemised invoice was provided to you.

The LSC may waive the time limits specified in paragraph (b)(i) if your complaint was made within 4 months after the time limit referred to therein if the delay and reasons for the delay make it just and fair to do so, provided we have not commenced legal proceedings in respect of the legal costs against you.

### Interest

If our invoice remains unpaid for 30 days or more after you have been given our invoice, we may charge interest which will accrue daily at the Cash Rate Target specified by the Reserve Bank of Australia as at the relevant date increased by 2 percentage points per annum as prescribed in the Legal Profession Uniform General Rules 2016 (General Rules).

### Notice of withdrawal of trust money

If money has been paid into our trust account by you on account of our legal costs, we hereby notify you that we will withdraw money from the trust and apply it towards payment of our legal costs that are owed, in accordance with the costs agreement between us, the Legal Profession Uniform Law and General Rules.

### GST

Related services and expenses have been reduced to allow for any tax input credit available to us.

If we have identified certain related services and expenses that are (in our opinion) not subject to GST<sup>3</sup> and it is later determined that GST is payable on these related services and expenses, you must pay us that GST amount in addition to the GST exclusive amount stated.

<sup>1</sup> The term 'corporate or government client' is defined in section 170 of the Legal Profession Uniform Law.

<sup>2</sup> If you are a 'corporate or government client', you may make an application for a costs assessment before the Costs Court if you have entered into a conditional costs agreement or a costs agreement that includes an uplift fee.

**PAYMENT OPTIONS**

	Biller Code: 215012 Ref: 105177544
	Telephone & Internet Banking - BPAY* Contact your bank or financial institution to make the payment from your cheque, savings, etc. See the website for details. More info: www.bpay.com.au

**Direct Payment**  
 Bank: ANZ Banking Group Limited  
 Branch: 324 Queen Street, Brisbane  
 BSB: 014-002  
 Account Name: MinterElison  
 Account Number: 833555107  
 Reference: 10517754  
 Swift Code: ANZBAU33M  
 Please email your remittance advice to national.deposits@minterelison.com

**Cheque**  
 Please send your cheque payable to:  
 MinterElison  
 C/- National Deposits  
 GPO Box 521  
 Sydney NSW 2001  
 AUSTRALIA

**ATTACHMENT TO TAX INVOICE**

Kathryn Warwick, Ross Blakeley & Joseph Hansell, administrators of WITS Holdings Pty Ltd Date 30 April 2019  
 Mailer 1246222  
 Description WITS Holdings Pty Ltd

Lawyer Details	Initials	Name	Title	Time (hours)	Rate / hour	Total
BRW	Brendon Watkins	Partner		22.0	650	18,700.00
NJA	Nicholas Anson	Partner		2.0	850	1,700.00
CZM	Catherine Macrae	Senior Associate		0.3	700	210.00
TD	Tim Davey	Senior Associate		0.1	675	67.50
EAY	Elizabeth Yick	Lawyer		30.6	400	12,240.00
JAK	Jack Kaya	Lawyer		1.2	350	420.00
NZM	Ned Marlow-Welz	Lawyer		35.9	375	13,837.50
AUM	Alister Merry	Graduate		9.0	350	3,150.00
<b>Total Time</b>				<b>102.1</b>	<b>AUD</b>	<b>60,325.00</b>

Narration Details			Time (hours)	Rate / hour	Total
Date	Initials	Narration			
22/03/19	BRW	Attendance on Kate Warwick; email from Ian Morton requesting security audit; reviewing documents; email to Ian in reply seeking additional documents; attendance on Ian Morton; drafting Costa Agreement and terms of retainer; commencing security audit	1.2	850	1,020.00
22/03/19	EAY	Reviewing instructions and documents provided by FTI Consulting; discussion with Brendon Watkins; phone call with Ian Morton; discussion with and supervising Ned Marlow-Welz regarding security audit	2.3	400	920.00
22/03/19	NZM	Review company and PPSR searches and facility agreements for the purpose of conducting security audit and attend Brendon Watkins and Elizabeth Yick regarding same from Ian Morton	1.7	375	637.50
25/03/19	BRW	Attending to security audit	0.2	850	170.00
25/03/19	NZM	Review and consider business finance agreement, invoice finance agreement, invoice finance agreement variation, general security agreements, commercial hire purchase agreements, equipment finance memorandum of co-ownership provisions, company searches, grantor searches, ABN lookup searches and Personal Property Securities Act 2009 (Cth) for the purpose of security audit; drafting security audit; telephone attendance on and emails to Ian Morton	7.9	375	2,992.50
26/03/19	BRW	Attending to security audit; attendance on Kate Warwick	0.4	850	340.00
26/03/19	EAY	Attending Ned Marlow-Welz; reviewing security audit draft; discussion with and supervising Ned Marlow-Welz in respect of identified gaps and other issues to be addressed in security audit	0.8	400	320.00
26/03/19	NZM	Attend Brendon Watkins and Elizabeth Yick regarding security audit letter and amending security audit	1.0	375	375.00

Date	Initials	Narration	Time (hours)	Rate / hour	Total	Date	Initials	Narration	Time (hours)	Rate / hour	Total
27/03/19	BRW	Attending to security audit; attendance on Kate Warwick discussing ATO winding up application	0.5	850	425.00						
27/03/19	EAY	Discussion with and supervising Ned Marlow-Weir regarding security audit; reviewing bank documents provided by FTI; drafting security audit; attending Brendon Watkins regarding issues identified and cross-default risks; phone call with FTI to provide verbal advice; attending Brendon Watkins	2.0	400	800.00			applicant creditor's solicitor; email to Ian Morton regarding strategy for letter to creditor's solicitor including timing and duration of adjournment sought; attend Brendon Watkins regarding strategy for letter to petitioning creditor's solicitor including consideration of timing of adjournment and email to Ian Morton regarding same; telephone attendance on Ian Morton regarding letter to petitioning creditor's solicitor; review and consider commentary regarding a 440A(2) and consequences of winding up application interceding administration; telephone conference with Ian Morton and Brendon Watkins regarding strategy for letter to petitioning creditor's solicitor			
27/03/19	NZM	Prepare for and attend telephone conference with Kate Warwick, Ian Morton, Michael McGreadie and Elizabeth Yick for the purpose of providing verbal update regarding security audit; review and consider PPSR search for KS Group Pty Ltd	0.3	375	112.50						
28/03/19	BRW	Attendance on Kate Warwick; attending to security audit	0.3	850	255.00	02/04/19	BRW	Considering options to secure an adjournment of existing wind-up application	0.3	850	255.00
28/03/19	EAY	Discussion with and supervising Ned Marlow-Weir regarding security audit; reviewing, amending and drafting security audit; attending Brendon Watkins regarding security audit and appointment of VA to WITS Holdings; considering emails from Kate Warwick and Ian Morton regarding winding up application and subcontractor issues	3.5	400	1,400.00	02/04/19	EAY	Considering and discussion with Ned Marlow-Weir regarding basis to oppose winding up application; considering (in)attendance and legal position regarding the same; email update to and discussion with Brendon Watkins; (re)writing and amending email advice to client; considering queries posed by Ross Dlakeley regarding appointment of liquidator and discussion with Ned Marlow-Weir regarding the same; phone call with client regarding employment issue	3.7	400	1,480.00
28/03/19	NZM	Review and amend security audit; emails from Kate Warwick and Ian Morton and review and consider s443A(1) regarding same	1.0	375	375.00	02/04/19	NZM	Email to Kate Warwick and Ian Morton regarding letter to applicant creditor's solicitor and telephone attendance on Kate Warwick regarding status of DOCA discussions; email to Brendon Watkins providing update regarding strategy and status of DOCA discussions; telephone attendance on Ian Morton; telephone attendance on Joseph Hanzel regarding likelihood of DOCA and strategy regarding winding up application; reviewing and considering commentary on a 440A(2) for the purpose of assessing likely prospects of success in opposing winding up application and discussions with Brendon Watkins	2.1	375	787.50
29/03/19	AUM	Considering legal principles regarding adjourning applications for winding up in order to continue a voluntary administration under s 440A of the Corporations Act	2.0	350	700.00	03/04/19	AUM	Considering legal principles surrounding circumstances in which the court will accept an alternative liquidator nomination winding up application	1.5	350	525.00
29/03/19	BRW	Considering emails (x2) from Ian Morton regarding winding-up application and refund by two creditors to deliver goods; attendance on Kate Warwick discussing options; drafting letters to creditors; drafting letter seeking adjournment of winding-up application; attending to security audit	3.2	850	2,720.00	03/04/19	BRW	Attendance on Kate Warwick to discuss wind-up application; considering PEG entitlements; drafting advice	1.1	850	935.00
29/03/19	EAY	Discussion with Brendon Watkins and Ned Marlow-Weir regarding appointment issues (including goods withheld and winding up application); phone call with Kate Warwick and Brendon Watkins; considering possible rights of subcontractors under terms of trade and at law; drafting template letters to company's contractors	2.8	400	1,120.00	03/04/19	EAY	Emails from clients; considering statutory demand and court documents filed by applicants in winding up application; considering prospects of opposing nomination of liquidator; considering whether administrators may accept appointment as receivers; discussion with and supervising Ned Marlow-Weir and Alister Merry on legal analysis; draft advice to client regarding winding up application and potential appointment	4.1	400	1,640.00
29/03/19	NZM	Considering key evidence under s 440A(2); attend Brendon Watkins and Elizabeth Yick regarding correspondence to trade suppliers and creditor's solicitor; prepare letter to creditor's solicitor seeking adjournment of winding up hearing and attend Brendon Watkins regarding same; email to Kate Warwick	2.4	375	900.00	03/04/19	NZM	Review and consider authorities regarding operation of a 440A; attend Brendon Watkins regarding s 43CC(3); review and consider commentary regarding appointment of	6.3	375	2,362.50
01/04/19	BRW	Drafting security audit; letter to plaintiff's solicitor regarding wind-up application; attendance on Ian Morton to discuss wind-up	3.0	850	2,550.00						
01/04/19	EAY	Considering emails and instructions from Ian Morton; discussion with Brendon Watkins and Ned Marlow-Weir regarding security audit and various issues arising in VA	0.7	400	280.00						
01/04/19	NZM	Review Ian Morton mark up on letter to	2.5	375	937.50						

Date	Initials	Narration	Time (hours)	Rate / hour	Total	Date	Initials	Narration	Time (hours)	Rate / hour	Total
		Eiquidator by applicant for winding up orders; telephone attendance on James Mazzone regarding originalising process and requesting copies of same, reviewing originalising process and consent to act; review and consider commentary and New South Wales Supreme Court authorities regarding disqualification from appointment as receiver and email to Brendon Watkins regarding same; telephone attendance on James Mazzone regarding employee and Fair Entitlements Guarantee issue; telephone attendance on Brendon Watkins regarding instructions from Kate Warwick and discuss questions related to employee and Fair Entitlements Guarantee issues; preparing email response to Kate Warwick regarding prospects of being appointed liquidator and attend Brendon Watkins regarding same	0.1	675	67.50	03/04/19	NZM	Telephone attendance on Kate Warwick regarding status of administration and DOCA proposal by director; attendances on Brendon Watkins regarding status of administration and strategy for winding up hearing; email to Kate Warwick and administrators and outlining options for hearing	1.6	375	600.00
03/04/19	TD	Considering employee termination issues	0.1	675	67.50	03/04/19	BRW	Considering option to pay out the petitioning creditors claim; considering risk of substitution; attendance on Kate Warwick discussing approach to winding-up application; attendance on counsel; email to Kate suggesting response to the court; considering further instructions; further email suggesting approach; drafting letter to the applicant's solicitors	1.6	850	1,360.00
04/04/19	AUM	Considering legal principles surrounding circumstances in which the court will accept an alternative liquidator nomination in winding up application	0.5	350	175.00	03/04/19	EAY	Discussion with Ned Marlow-Weir regarding legal and commercial issues to consider on client's query regarding director paying out debt owed by applicant creditor; phone call with Brendon Watkins regarding strategy and next steps; phone call with Stewart Maiden QC regarding independence point; supervising Ned Marlow-Weir	0.6	400	240.00
04/04/19	BRW	Email to Kate Warwick regarding court winding-up and potential receivership; considering potential to appoint agent for mortgagees in possession; considering ability to secure appointment as liquidator; further email to Kate Warwick; briefing counsel	1.5	850	1,275.00	03/04/19	NZM	Email from Kate Warwick regarding substituted creditor risk and attend Elizabeth Yick regarding same; review and consider commentary, authorities and Supreme Court corporations rules regarding a 465B and ability for creditor to be substituted as applicant for winding up application; email from Kate Warwick regarding filing requirements; prepare draft letter to applicant creditor's solicitor; telephone attendance on Kate Warwick regarding letter to applicant creditor's solicitor and email from Kate Warwick; attend Brendon Watkins	3.0	375	1,125.00
04/04/19	CZM	Assisting Liz Yick and Ned Marlow-Weir regarding VA 66	0.3	700	210.00	03/04/19	BRW	Emails to and from the applicant's solicitor regarding wind-up application	0.1	850	85.00
04/04/19	EAY	Emails to and from clients; discussion with Ned Marlow-Weir regarding various issues on administration raised by client; considering legal position regarding appointment as liquidator and alternative appointment as agent for mortgagees in possession; supervising Ned Marlow-Weir and Alistar Merry regarding legal considerations; considering potential conflict issues of proposed appointments; draft email advice to clients; phone calls with Brendon Watkins regarding outstanding issues; email advice to client regarding winding up application and potential appointments	4.0	400	1,600.00	10/04/19	AUM	Attending hearing winding up application for WITS Holdings Pty Ltd for reporting to clients	2.0	350	700.00
04/04/19	NJA	Supervising Ned Marlow-Weir and Elizabeth Yick regarding winding up application; AMIP appointments and evidence	1.0	850	850.00	10/04/19	BRW	Considering scope of administrator's lien over different asset classes and approach to take with liquidator; attendance on Kate Warwick advising; email to Kate Warwick confirming advice; email reporting on court winding-up; considering rights of liquidator to demand delivery of books or other assets; email to Kate Warwick with further advice; reviewing draft circular to creditors and recommending damages	2.8	850	2,380.00
04/04/19	NZM	Review and consider commentary on ability to be appointed as agent for the mortgagees in possession and reviewing Westpac's securities; reviewing and considering ARITA Code of Professional Practice regarding requirements of independence; attend Brendon Watkins email to Kate Warwick regarding appointment as liquidator or as agent for the mortgagees in possession	2.0	375	750.00	10/04/19	JAK	Reviewing and considering commentary and authorities regarding priority of administrators' statutory and equitable liens against liquidators	1.2	350	420.00
05/04/19	BRW	Email to Kate Warwick regarding preparation for court hearing; discussing preparations with Ned Marlow-Weir	0.7	850	595.00	10/04/19	NZM	Telephone attendance on Kate Warwick to discuss application of lien to certain asset classes and cooperation with incoming liquidator; email to Brendon Watkins and Elizabeth Yick regarding instructions from Kate Warwick; attend Brendon Watkins regarding administrators' statutory and equitable liens; considering priority of administrators' statutory and equitable liens against liquidators; telephone conference with Kate Warwick and Brendon Watkins regarding	4.2	375	1,575.00
05/04/19	EAY	Discussion with and supervising Ned Marlow-Weir regarding phone call with Kate Warwick; required next steps and action items to be confirmed with the client	0.3	400	120.00						

Date	Initials	Narration	Time (hours)	Rate / hour	Total
11/04/19	BRW	priority of administrators' statutory and equitable liens; preparing email advice Attendance on Kate Warwick and Joseph Hansell discussing lien and proposed negotiation with the liquidator; further attendance on Kate to discuss written proposal for liquidator	0.7	850	595.00
12/04/19	BRW	Drafting letter to liquidator regarding liens; attendance on Kate Warwick to discuss	0.6	850	510.00
15/04/19	BRW	Considering letter from liquidator; email from and to Kate Warwick	0.2	850	170.00
16/04/19	BRW	Reviewing and amending response to liquidator regarding VA fees and disbursements	0.4	850	340.00
17/04/19	BRW	Considering email from Joseph Hansell raising queries regarding Westpac's rights under its invoice finance facility	0.2	850	170.00
17/04/19	EAY	Considering email from Joseph Hansell; email to Ned Marlow-Welsh and Brendon Watkins; considering invoice finance agreement terms	0.3	400	120.00
17/04/19	NZM	Attend Brendon Watkins regarding email from Joseph Hansell; review email from Joseph Hansell; email to Elizabeth Yick and Brendon Watkins regarding same	0.4	375	150.00
18/04/19	BRW	Reviewing Westpac's invoice finance facility; drafting advice regarding Westpac's interest over book debts	0.6	850	510.00
18/04/19	EAY	Reviewing IFA and IFA variation; discussion with Brendon Watkins and Ned Marlow-Welsh; considering PPSA provisions and GSA terms; draft email advice to client	1.7	400	680.00
18/04/19	NZM	Review invoice finance facility documentation and attend Elizabeth Yick and Brendon Watkins regarding same	0.5	375	187.50
23/04/19	BRW	Attendance on Kate Warwick to discuss invoice finance facility and operations of administrator's liens; considering authorities; email to Kate Warwick reporting	0.6	850	510.00
23/04/19	EAY	Phone call with Kate Warwick and Brendon Watkins; considering rights of administrator under statutory and equitable lien; considering right of set-off under Westpac's GSA in respect of accounts held with Westpac; considering misapplied or mis-deposited funds in respect of company and administration account; attending Brendon Watkins and Nick Anson in respect of right of realisation from administrators' liens; email advice to the client	3.2	400	1,280.00
23/04/19	NJA	Attending Brendon Watkins regarding whether equitable lien has implied power of sale and whether administrator's statutory right of indemnity carries an implied power of sale	1.0	850	850.00
24/04/19	AUM	Considering legal principles regarding ability of former administrator to deal with assets in its possession pursuant to liens	3.0	350	1,050.00
24/04/19	BRW	Considering scope of statutory lien; email to Kate Warwick advising; attendance on Kate Warwick	0.8	850	680.00
24/04/19	EAY	Discussion with Brendon Watkins regarding analysis of administrator's power to realise assets under lien and advice to be provided to client	0.5	400	200.00

Date	Initials	Narration	Time (hours)	Rate / hour	Total
29/04/19	BRW	Attendance on Kate Warwick discussing use of cash on hand to meet VA liabilities and discussing Westpac collections	0.5	850	425.00
<b>Total Time</b>			<b>162.1</b>	<b>AUD</b>	<b>\$6,325.00</b>
<b>Related services &amp; expenses</b>					<b>Total</b>
Description					104.88
Search fees - online					
<b>Total Related Services &amp; Expenses</b>					<b>AUD 104.88</b>
<b>Financial Summary</b>					
			<b>Previous Invoices</b>	<b>This Invoice</b>	<b>Total Invoiced to date</b>
<b>Total Time</b>			0.00	50,325.00	50,325.00
<b>Adjusted by</b>			0.00	0.00	0.00
<b>Professional fees</b>			0.00	50,325.00	50,325.00
<b>Related services &amp; expenses</b>			0.00	104.88	104.88
<b>Plus GST</b>			0.00	5,042.99	5,042.99
<b>Total Invoiced</b>			<b>AUD 0.00</b>	<b>55,472.87</b>	<b>55,472.87</b>
<b>Fee Estimate Details</b>					<b>AUD</b>
Work in progress not billed to date					0.00
Estimate of Minter Ellison legal fees for this matter (excluding related services / expenses)					5,000.00
Estimate of Minter Ellison legal fees to complete this matter					(45,325.00)

# MinterEllison

## TAX INVOICE

Attention: Ian Morlon  
 Kathryn Warwick, Ross Blakeley & Joseph Hansell,  
 administrators of WITS Holdings Pty Ltd  
 c/o FTI Consulting  
 Level 21  
 600 Bourke Street  
 Melbourne VIC 3000  
 AUSTRALIA

Date 31 May 2019  
 Invoice Number 10527959  
 Out Ref EAY:BRW:1249222  
 ABN 91 556 716 810

Description	WITS Holdings Pty Ltd	Australian Dollars
Professional fees		
Professional fees - taxable		24,150.00
Plus GST		2,415.00
Total amount payable on receipt of invoice		AUD 26,565.00

For terms and conditions please see reverse  
 For details and breakdown please see attachment

## IMPORTANT INFORMATION

If you have any queries about this invoice, please contact Elizabeth Yick on +61 (3) 8508 2259 to discuss your concerns before taking any other steps. If we cannot resolve any concerns that you have about our legal costs, the following avenues may be open to you.

### Costs assessment

Unless you are a corporate or government client<sup>1</sup> (you are referred to as a Private Client below), you may have our costs assessed before the Supreme Court Costs Court (Costs Court) under Division 7 of Chapter 4.3 of the Legal Profession Uniform Law<sup>2</sup>. If you are either a Private Client or a corporate or government client you may make a complaint to the Legal Services Commissioner (LSC) in relation to a costs dispute under Division 1 of Part 5.2 of the Uniform Law. The parameters for taking such steps are as follows:

- (a) In relation to a costs assessment before the Costs Court:
  - (i) you must make the application within 12 months of when our invoice was given to you, or a request for payment was made, or where there was no invoice or request made, when you paid the legal costs;
  - (ii) an application can be made outside of the 12 months period in paragraph (a)(i) in certain circumstances but only where the delay and reasons for the delay make it just and fair to do so; and
  - (iii) there is no monetary limitation on the amount of the legal costs in relation to a costs assessment before the Costs Court.
- (b) In relation to a costs dispute before the LSC:
  - (i) a monetary limit applies. You can only make a complaint to the LSC if:
    - (A) the amount of the legal costs in dispute is less than \$10,050 (indexed) (irrespective of whether the total legal costs are above \$100,000 (indexed)); or
    - (B) the total legal costs are less than \$100,000 (indexed).
 Indexed refers to the application of an inflation adjustment based on the consumer price index; and
  - (ii) you must make the application within 60 days after the legal costs have become payable; or where you have asked for an itemised invoice, within 30 days after the itemised invoice was provided to you.

The LSC may waive the time limits specified in paragraph (b)(ii) if your complaint was made within 4 months after the time limit referred to therein if the delay and reasons for the delay make it just and fair to do so, provided we have not commenced legal proceedings in respect of the legal costs against you.

### Interest

If our invoice remains unpaid for 30 days or more after you have been given our invoice, we may charge interest which will accrue daily at the Cash Rate Target specified by the Reserve Bank of Australia as at the relevant date increased by 2 percentage points per annum as prescribed in the Legal Profession Uniform General Rules 2015 (General Rules).

### Notice of withdrawal of trust money

If money has been paid into our trust account by you on account of our legal costs, we hereby notify you that we will withdraw money from the trust and apply it towards payment of our legal costs that are owed, in accordance with the costs agreement between us, the Legal Profession Uniform Law and General Rules.

### GST

Related services and expenses have been reduced to allow for any tax input credit available to us.

If we have identified certain related services and expenses that are (in our opinion) not subject to GST and it is later determined that GST is payable on these related services and expenses, you must pay us that GST amount in addition to the GST exclusive amount stated.

<sup>1</sup> The term 'corporate or government client' is defined in section 170 of the Legal Profession Uniform Law.

<sup>2</sup> If you are a corporate or government client, you may make an application for a costs assessment before the Costs Court if you have entered into a conditional costs agreement or a costs agreement that includes an uplift fee.

**PAYMENT OPTIONS**

**E PAY** Biller Code: 215012  
Ref: 105279590

Telephone & Internet Banking - BPAY\*  
Contact your bank or financial institution to make the  
payment from your personal, savings, debit or  
business account. More info: www.bpay.com.au

**Direct Payment**  
Bank: ANZ Banking Group Limited  
Branch: 324 Queen Street, Brisbane  
BBS: 014-002  
Account Name: MinterEllison  
Account Number: 833555107  
Reference: 10527959  
Swift Code: ANZBAU3M  
Please email your remittance advice to [national.deposits@minter Ellison.com](mailto:national.deposits@minter Ellison.com)

**Cheque**  
Please send your cheque payable to:  
MinterEllison  
C/- National Deposits  
GPO Box 521  
Sydney NSW 2001  
AUSTRALIA

**ATTACHMENT TO TAX INVOICE**

Kathryn Warwick, Ross Blakeley & Joseph Hanneß, administrators of WTS Holdings Pty Ltd Date 31 May 2019

Matter 1248222  
Description WTS Holdings Pty Ltd

Lawyer Details			Time	Rate / hour	Total
Initials	Name	Title	(hours)		
BRW	Brandon Watkins	Partner	15.0	850	12,750.00
MRH	Michael Hughes	Partner	0.6	875	525.00
NZM	Ned Marlow-Wheir	Lawyer	26.2	375	9,825.00
AUR	Alistair Merry	Graduate	3.0	350	1,050.00
<b>Total Time</b>			<b>44.8</b>	<b>AUD</b>	<b>24,150.00</b>

**Narration Details**

Date	Initials	Narration	Time (hours)	Rate / hour	Total
30/04/19	BRW	Attendance on Kate Warwick to discuss approval of liquidator's remuneration; considering requirements and timelines	0.7	850	595.00
30/04/19	NZM	Review and consider Supreme Court Corporations Rules 2013 (Vic) and commentary regarding procedure for remuneration determination and attend Brendon Watkins regarding same	1.0	375	375.00
01/05/19	BRW	Considering options to approve remuneration; emails (x3) to Kate Warwick	0.8	850	680.00
01/05/19	NZM	Review and consider Corporations Act 2001 (Cth) regarding convening of meetings and email to Kate Warwick regarding same (0.3 hours)	0.3	375	112.50
02/05/19	BRW	Attendance on Kate Warwick discussing access to cash on hand and liquidator's concerns regarding FEC; drafting advice regarding approval of remuneration; considering liquidator's report for delivery of books relevant to administration	1.0	850	850.00
02/05/19	NZM	Telephone attendance on associate to EHM AsJ regarding practice of court in relation to applications to approve external administrator's remuneration (0.2 hours); telephone attendance on associate to Gardner AsJ regarding practice of court in relation to applications to approve external administrator's remuneration (0.2 hours); draft email to Kate Warwick regarding timetable for court application for approval of remuneration (0.6 hours); telephone attendance on associate to Gardner AsJ regarding practice of court in relation to applications to approve external administrator's remuneration (0.1 hour); review and consider letter from liquidator and Insolvency Practice Schedule (Corporations) regarding liquidator's access to books relating to external administrator; attend Brendon Watkins regarding same, and draft email Kate Warwick regarding same (0.9 hours)	2.0	375	750.00
03/05/19	BRW	Email to Kate Warwick advising on liquidator's request for books and records	0.2	850	170.00
06/05/19	BRW	Attendance on Kate Warwick; preparing	0.2	850	170.00

Date	Initials	Narration	Time (hours)	Rate / hour	Total	Date	Initials	Narration	Time (hours)	Rate / hour	Total
		advice regarding lien						and operation of lien			
07/05/19	BRW	Preparing advice for Kate Warwick in relation to liens; email to Kate Warwick	0.6	650	510.00	21/05/19	BRW	Considering email from liquidator refusing access to creditors circular; email to Kate advising on post appointment remuneration and costs	0.8	850	680.00
07/05/19	NZM	Draft email to Kate Warwick summarising position regarding statutory and equitable liens and PEG priority and attend Brendon Watkins regarding same	1.1	375	412.50	22/05/19	BRW	Attendance on Kate Warwick discussing potential court application and correspondence with Westpac and the liquidator; reviewing whether liens are defeated by a loss of control over assets; email to Kate	1.3	850	1,105.00
08/05/19	BRW	Drafting advice to Kate Warwick in relation to liens; drafting letter to liquidator	0.8	650	680.00	22/05/19	NZM	Attend telephone conference with Kate Warwick and Brendon Watkins regarding strategy for approach to asserting lien (1.1 hours); review emails from Kate Warwick regarding correspondence with liquidator and Westpac (0.3 hours); review and consider authorities, commentary and academic papers for the purpose of preparing memorandum of advice in relation to the survival of administrators' equitable and statutory liens following a loss of possession including consideration of whether possession was lost as a matter of law, preparing research memorandum regarding same (1.6 hours); email to Kate Warwick regarding preliminary views on survival of liens and attend Brendon Watkins regarding same (0.10 hour)	3.1	375	1,162.50
08/05/19	NZM	Draft email to Kate Warwick summarising legal position regarding nature and priority of liens (1.0 hour); review and consider correspondence from liquidator for the purpose of preparing draft letter to liquidator; preparing draft letter and attend Brendon Watkins regarding same and amend letter (1.3 hours); review and consider spreadsheet for the purpose of providing asset schedule with letter to liquidator's solicitor and draft email to Kate Warwick regarding same (0.5 hours)	2.8	375	1,050.00	23/05/19	BRW	Reviewing liquidator's circular to creditors; considering emails between Administrators and liquidator; preparing letter to be sent to liquidator	0.8	850	680.00
09/05/19	BRW	Considering priority ranking between administrator's and liquidator's equitable liens	0.2	850	170.00	23/05/19	NZM	Continue to review and consider authorities, commentary and academic papers for the purpose of preparing memorandum of advice in relation to the survival of administrators' equitable and statutory liens following a loss of possession including consideration of whether possession was lost as a matter of law, prepare and finalise research memorandum regarding same (1.6 hours); email from Kate Warwick regarding draft proposed waterfall with liquidator; review report to creditors (0.2 hours); attend Brendon Watkins regarding draft proposed waterfall (0.4 hours); telephone attendance on Kate Warwick regarding draft proposed waterfall (0.5 hours); preparing draft waterfall letter and email to Brendon Watkins regarding same (1.5 hours)	4.0	375	1,500.00
09/05/19	MRH	Review proposed approach with Ned Marlow-Welch; review and settle letter to liquidator; emails from and to Ned Marlow-Welch in that regard; telephone discussion with Ned Marlow-Welch regarding same	0.6	875	525.00	24/05/19	BRW	Drafting advice to administrators and letter to liquidator regarding lien and asset distribution	1.5	850	1,275.00
09/05/19	NZM	Telephone conference Kate Warwick, Ian Morton and James Mazzone regarding quantification of liens and asset schedule (0.7 hours); amend draft letter and email to Michael Hughes regarding same and telephone attendance on Kate Warwick regarding same (0.5 hours); review and consider draft asset schedules and telephone attendances on Ian Morton regarding same (0.7 hours); attend Brendon Watkins regarding same and amend draft letter (0.3 hours); telephone attendance on Kate Warwick regarding letter and email to Kate Warwick providing draft letter and requesting instructions (0.2 hours)	2.4	375	900.00	24/05/19	NZM	Review correspondence between administrator and Westpac for the purpose of preparing draft waterfall (0.3 hours); attend Brendon Watkins regarding issues with draft waterfall (0.5 hours); telephone attendance on Kate Warwick regarding draft waterfall (0.2 hours); email to Brendon Watkins and Alister Merry regarding telephone attendance on Kate Warwick and approach to draft waterfall (0.5 hours); attend Brendon Watkins regarding instructions from Kate Warwick in relation to draft waterfall for the purpose of workshopping issues including position of	2.4	375	900.00
10/05/19	NZM	Telephone attendance on Kate Warwick regarding draft letter, amend draft letter, finalise letter to liquidator and schedule, attend Brendon Watkins regarding same, email to liquidator attaching correspondence	0.5	375	187.50						
14/05/19	BRW	Considering issues raised by Kate Warwick	0.1	850	85.00						
14/05/19	NZM	Telephone attendance on Kate Warwick and James Mazzone regarding further advice (0.1 hour)	0.1	375	37.50						
15/05/19	BRW	Preparing advice to Kate Warwick regarding access to bank account and BAS/ASIC filings	0.3	850	255.00						
17/05/19	AJM	Considering legal position regarding Administrator's ability to claim remuneration and costs beyond the term of appointment	1.0	350	350.00						
17/05/19	BRW	Attendance on Kate Warwick discussing remuneration of lien, considering legal position	0.4	850	340.00						
20/05/19	AJM	Considering legal position regarding Administrator's ability to claim remuneration and costs beyond the terms of appointment	2.0	350	700.00						
20/05/19	BRW	Preparing advice on recovery of remuneration	0.8	850	680.00						

Date	Initials	Narration	Time (hours)	Rate / hour	Total
		Westpac in respect of waterfall; prepare draft waterfall (1.1 hours)			
27/05/19	BRW	Drafting letter to liquidator	0.9	850	765.00
27/05/19	NZM	Review and amend draft letter to liquidator regarding proposed payment waterfall in relation to realisations from assets of the Company (1.0 hour); review invoice finance agreement and security aids for the purpose of amending draft letter to liquidator (0.2 hours)	1.2	375	450.00
28/05/19	DRW	Preparing letter to liquidator	1.5	850	1,275.00
28/05/19	NZM	Telephone attendance on Kate Warwick regarding correspondence with Westpac (0.1 hours); review correspondence between administrators and Westpac for the purpose of determining Westpac's security position in relation to a \$60 loan and care and preservation advance (0.2 hours); attend Brendon Watkins regarding correspondence between Administrators and Westpac and amendments to draft letter; review and amend draft letter to liquidator regarding proposed payment waterfall in relation to realisations from assets of the Company on instructions from Brendon Watkins (1.0 hour); conference with Brendon Watkins to discuss and workshop issues with proposed payment waterfall including consideration of Westpac's security position and payment entitlements, personal liability of administrators for liabilities incurred, statutory priorities for employee entitlements, priority and security for a \$60 loan and advances on account of care and preservation, identification of respective asset pools, statutory and contractual set off and, priority of statutory and equitable liens (2.0 hours); review and amend draft letter to liquidator regarding proposed payment waterfall in relation to realisations from assets of the Company on instructions from Brendon Watkins including addressing all issues discussed in conference with Brendon Watkins (2.0 hours)	6.3	375	1,987.50
29/05/19	BRW	Drafting letter to Liquidator regarding liens; email to Kate Warwick with further observations	2.1	850	1,785.00
<b>Total Time</b>			<b>44.8</b>	<b>AUD</b>	<b>24,150.00</b>

Fee Estimate Details

	AUD
Work in progress not billed to date	3,145.00
Estimate of Minter Ellison legal fees for this matter (excluding related services / expenses)	5,000.00
Estimate of Minter Ellison legal fees to complete this matter	(72,620.00)

Invoice History Details

Invoice Date	Invoice Number	Fees	Costs	GST	Total	Paid	Outstanding
30/04/19	10517754	50,325.00	104.88	5,042.99	55,472.87		55,472.87
<b>Total</b>		<b>AUD 50,325.00</b>	<b>104.88</b>	<b>5,042.99</b>	<b>55,472.87</b>		<b>55,472.87</b>

Financial Summary

	Previous Invoices	This Invoice	Total Invoiced to date
Total Time	50,325.00	24,150.00	74,475.00
Adjusted by	0.00	0.00	0.00
Professional fees	50,325.00	24,150.00	74,475.00
Related services & expenses	104.88	0.00	104.88
Plus GST	5,042.99	2,415.00	7,457.99
<b>Total Invoiced</b>	<b>AUD 55,472.87</b>	<b>26,565.00</b>	<b>82,037.87</b>

# MinterEllison

## TAX INVOICE

Attention: Ian Morlan  
Kathryn Warwick, Ross Blakesley & Joseph Hansell,  
administrators of WTS Holdings Pty Ltd  
c/- FTI Consulting  
Level 21  
600 Bourke Street  
Melbourne VIC 3000  
AUSTRALIA

Date 25 June 2019  
Invoice Number 10535994  
Our Ref EAY:BRW:1248222  
ABN 91 556 716 819

Description	WTS Holdings Pty Ltd	Australian Dollars
Professional fees		
Professional fees - taxable	19,440.00	
Discount - taxable	(1,944.00)	17,496.00
Plus GST		1,749.50
Total amount payable on receipt of invoice		AUD 19,245.50

For terms and conditions please see reverse  
For details and breakdown please see attachment

## IMPORTANT INFORMATION

If you have any queries about this invoice, please contact Elizabeth Yick on +61 (3) 8608 2659 to discuss your concerns before taking any other steps. If we cannot resolve any concerns that you have about our legal costs, the following avenues may be open to you.

### Costs assessment

Unless you are a corporate or government client (you are referred to as a Private Client below), you may have our costs assessed before the Supreme Court Costs Court (Costs Court) under Division 7 of Chapter 4.3 of the Legal Profession Uniform Law<sup>1</sup>. If you are either a Private Client or a corporate or government client you may make a complaint to the Legal Services Commissioner (LSC) in relation to a costs dispute under Division 1 of Part 5.2 of the Uniform Law. The parameters for taking such steps are as follows:

- (a) In relation to a costs assessment before the Costs Court:
- (i) you must make the application within 12 months of when our invoice was given to you, or a request for payment was made, or where there was no invoice or request made, when you paid the legal costs;
  - (ii) an application can be made outside of the 12 months period in paragraph (a)(i) in certain circumstances but only where the delay and reasons for the delay make it just and fair to do so; and
  - (iii) there is no monetary limitation on the amount of the legal costs in relation to a costs assessment before the Costs Court.
- (b) In relation to a costs dispute before the LSC:
- (i) a monetary limit applies. You can only make a complaint to the LSC if:
    - (A) the amount of the legal costs in dispute is less than \$10,000 (indexed) (irrespective of whether the total legal costs are above \$100,000 (indexed)); or
    - (B) the total legal costs are less than \$100,000 (indexed).
 Indexed refers to the application of an inflation adjustment based on the consumer price index; and
  - (ii) you must make the application within 60 days after the legal costs have become payable; or where you have asked for an itemised invoice, within 30 days after the itemised invoice was provided to you.

The LSC may waive the time limits specified in paragraph (b)(ii) if your complaint was made within 4 months after the time limit referred to therein if the delay and reasons for the delay make it just and fair to do so, provided we have not commenced legal proceedings in respect of the legal costs against you.

### Interest

If our invoice remains unpaid for 30 days or more after you have been given our invoice, we may charge interest which will accrue daily at the Cash Rate Target specified by the Reserve Bank of Australia as at the relevant date increased by 2 percentage points per annum as prescribed in the Legal Profession Uniform General Rules 2015 (General Rules).

### Notice of withdrawal of trust money

If money has been paid into our trust account by you on account of our legal costs, we hereby notify you that we will withdraw money from the trust and apply it towards payment of our legal costs that we owed, in accordance with the costs agreement between us, the Legal Profession Uniform Law and General Rules.

### GST

Related services and expenses have been reduced to allow for any tax input credit available to us.

If we have identified certain related services and expenses that are (in our opinion) not subject to GST and if it is later determined that GST is payable on these related services and expenses, you must pay us that GST amount in addition to the GST exclusive amount stated.

<sup>1</sup> The term 'corporate or government client' is defined in section 170 of the Legal Profession Uniform Law.

<sup>2</sup> If you are a corporate or government client, you may make an application for a costs assessment before the Costs Court if you have entered into a conditional costs agreement or a costs agreement that includes an uplift fee.

**PAYMENT OPTIONS**

	Biller Code: 215012 Ref: 105369840
	Telephone & Internet Banking - BPAY* Contact your bank or financial institution to make a direct payment from your cheque, savings, credit or business bank account. More info: www.bpay.com.au

**Direct Payment**  
 Bank: ANZ Banking Group Limited  
 Branch: 324 Queen Street, Brisbane  
 BSB: 014-002  
 Account Name: MinterEllison  
 Account Number: 833556107  
 Reference: 10536984  
 Swift Code: ANZBAU3M  
 Please email your remittance advice to national.deposits@minter Ellison.com

**Cheque**  
 Please send your cheque payable to:  
 MinterEllison  
 C/- National Deposits  
 GPO Box 521  
 Sydney NSW 2001  
 AUSTRALIA

**ATTACHMENT TO TAX INVOICE**

Kathryn Warwick, Ross Blakely & Joseph Hansell, administrators of WITE Holdings Pty Ltd      Date: 25 June 2019  
 Matter: 1248222  
 Description: WITS Holdings Pty Ltd

Lawyer Details					
Initials	Name	Title	Time (hours)	Rate / hour	Total
BRW	Brandon Watkins	Partner	12.9	850	10,965.00
NZM	Ned Marlow-Wair	Lawyer	22.6	375	8,475.00
<b>Total Time</b>			<b>35.5</b>	<b>AUD</b>	<b>19,440.00</b>
<b>Reduced by</b>					<b>(1,944.00)</b>
					<b>17,496.00</b>

Narration Details					
Date	Initials	Narration	Time (hours)	Rate / hour	Total
30/05/19	BRW	Telephone attendance with Kate Warwick discussing letter to liquidator; reviewing letter and email to Kate; considering FEG appointment; teleconference with Kate Warwick and Joseph Hansell; making further revisions to letter; reviewing endorsement to claim for costs and fees incurred post-termination; attendance on David McEvoy; email to Kate Warwick	3.7	850	3,145.00
30/05/19	NZM	Telephone attendances on Kate Warwick regarding draft letter to liquidator (0.2 hours); attend Brendon Watkins regarding telephone conference with Kate Warwick and Joseph Hansell and correspondence between administrators and liquidators (0.3 hours); amend draft letter to liquidator following call with Kate Warwick and Joseph Hansell to incorporate updated instructions regarding asset realisation pools (0.7 hours); review correspondence between administrators and liquidator for the purpose of preparing draft letter to liquidator (0.6 hours); attend Brendon Watkins regarding correspondence between administrators and liquidator for the purpose of finalising draft letter to liquidator in advance of telephone conference with administrators (0.7 hours); prepare for and attend telephone conference with Kate Warwick and Joseph Hansell to discuss draft letter to liquidator (1.6 hours)	4.1	375	1,537.50
31/05/19	BRW	Attendance on counsel; reviewing authorities on administrator's remuneration; attendance on Kate Warwick amending letter to liquidator; email to Kate with advice; reviewing supporting schedules	1.9	850	1,615.00
31/05/19	NZM	Telephone attendance on Brendon Watkins regarding approval of post-appointment remuneration (0.2 hours); review and consider Victorian Supreme Court authorities regarding approval of post-appointment remuneration under a 50-15 of Insolvency Practice Schedule (Corporations) or quantum meruit basis (0.2 hours); emails with Supreme Court Associate regarding obtaining reasons for judgment and orders made in remuneration decision cited in Specialist Australian Security	3.6	375	1,350.00

Date	Initials	Narration	Time (hours)	Rate / hour	Total	Date	Initials	Narration	Time (hours)	Rate / hour	Total
		Group Pty Ltd (in liq) [2018] VSC 199 (0.4 hours); review order made in remuneration decision in Re Specialist Australian Security Group Pty Ltd (0.1 hours); attend Brendon Watkins regarding Re Specialist Australian Security Group Pty Ltd (in liq) [2018] VSC 199 and remuneration decision referred to in same and a 60-05 of the Insolvency Practice Schedule (Corporations) for the purpose of ascertaining approach to approval of remuneration claimed in respect of post-appointment work undertaken by former administrators (0.5 hours); telephone attendance on Mark Wallard, University of Technology Sydney, regarding s 60-05 of Schedule 2 of the Corporations Act 2001 (Cth) and former s 495E of the Corporations Act (0.5 hours); email to Mark Wallard regarding same (0.1 hours); review NSW Supreme Court authority regarding manner of approval of post-appointment remuneration by creditors (0.3 hours); revise draft letter to liquidator to incorporate legal position regarding claiming post-appointment remuneration and relevant provisions of Insolvency Practice Schedule (Corporations) (0.8 hours); telephone attendance on Kate Warwick regarding annexures to draft letter to liquidator and emails from Kate Warwick regarding same (0.4 hours); email to Brendon Watkins regarding former sections 449E and 447A sections 60-10 and 60-15 cases (0.2 hours)						conference with Kate Warwick, Ian Morton and Brendon Watkins regarding draft annexures to letter (0.6 hours); attend Brendon Watkins regarding draft email to Kate Warwick and Ian Morton regarding draft letter to liquidator (0.4 hours); amend draft letter to liquidator to reflect further instructions from Kate Warwick and Ian Morton (0.5 hours); email to Kate Warwick and attaching revised draft letter and proposed annexures and attend Brendon Watkins regarding same (0.3 hours)			
						07/05/19	BRW	Finalising letter and schedule to liquidator	0.4	850	340.00
						07/05/19	NZM	Email from Ian Morton attaching revised annexures, email to Ian Morton regarding same, telephone attendances on Ian Morton regarding revised schedules; email to Brendon Watkins regarding revisions to annexures to draft letter (0.2 hours); attend annexures to letter to liquidator for review and approval and attend Brendon Watkins regarding same (0.7 hours); prepare annexures for review and approval; email to Ian Morton and Kate Warwick regarding minor, final amendments to annexures to letter and attaching finalise annexures, email from Kate Warwick with instructions to issue letter (0.2 hours); finalise letter to liquidator, email to liquidator attaching letter and annexures (0.2 hours); finalise letter to liquidator's solicitor; email to liquidator's solicitor attaching letter (0.1 hour)	1.3	375	487.50
05/05/19	BRW	Reviewing schedules setting out remuneration and expenses claimed by administrators	1.5	850	1,275.00	18/05/19	BRW	Letter from liquidator	0.1	850	85.00
05/05/19	NZM	Prepare for and attend Brendon Watkins regarding draft annexures to letter to liquidator to workshop format and issues of same in advance of meeting with Ian Morton (1.5 hours); attend Ian Morton regarding revisions to draft annexures to letter including quantification of costs, expenses and remuneration claimed under of equitable and statutory liens (1.3 hours); email from Ian Morton regarding updated annexures, reviewing and amending draft annexures to letter following attendance on Ian Morton (1.6); email to Brendon Watkins and Alister Merry regarding draft annexures to letter and information required from, and information to be provided to, Ian Morton to finalise same (0.8 hours)	5.3	375	1,987.50	18/05/19	NZM	Email from liquidator's solicitor attaching correspondence and email to Kate Warwick regarding same; telephone attendance on Kate Warwick regarding same; review email from Ian Morton in relation to queries on expenses (0.2 hours); reviewing correspondence from liquidator's solicitor for the purpose of analysing proposed payment waterfalls and benchmarking proposed payment waterfalls against rights of secured creditor and administrations including considering assertions in relation to liquidator's Re Universal Fern and proposal in relation to administrators' quantum meruit claim (1.3 hours); draft email to Kate Warwick regarding analysis of liquidator's proposed payment waterfalls including benchmarking against payment waterfalls proposed to liquidator by administrators and issues in relation to liquidator's Re Universal (1.9 hours)	3.4	375	1,275.00
05/05/19	BRW	Reviewing schedules; conference call with Kate Warwick and Ian Morton; amending letter to liquidator; further attendance on Kate Warwick	2.7	850	2,295.00	20/05/19	BRW	Reviewing letter from the liquidator's solicitors regarding proposed waterfalls and payment of VA's remuneration and costs; drafting advice and suggested response	1.9	850	1,615.00
05/05/19	NZM	Attending Emails with Ian Morton regarding proposed annexures to letter to liquidator including advising Minter/Elison legal fees (0.5 hours); multiple telephone attendances on Ian Morton regarding form and content of annexures to letter to liquidator (0.6 hours); attend Brendon Watkins to finalise annexures to letter to liquidator and workshop FEG fees and classification of line entries including further issues to be raised with Ian Morton regarding compiling annexures (1.8 hours); prepare for and attend telephone	4.7	375	1,762.50	20/05/19	NZM	Email from Kate Warwick regarding schedule of queries in relation to invoices	0.1	375	37.50
						21/05/19	BRW	Email to Kate Warwick regarding liquidator's response to lien; attendance on Kate Warwick	0.7	850	595.00

Date	Initials	Narration	Time (hours)	Rate / hour	Total
21/06/19	NZM	Email from Kate Warwick regarding advice in relation to correspondence from liquidator (0.1 hour)	0.1	375	37.50
<b>Total Time</b>			<b>35.5</b>	<b>AUD</b>	<b>19,440.00</b>
<b>Reduced by</b>					<b>(1,944.00)</b>
					<b>17,496.00</b>

## Financial Summary

	Previous Invoices	This Invoice	Total Invoiced to date
Total Time	74,475.00	19,440.00	93,915.00
Adjusted by	0.00	(1,944.00)	(1,944.00)
Professional fees	74,475.00	17,496.00	91,971.00
Related services & expenses	104.88	0.00	104.88
Plus GST	7,457.99	1,749.60	9,207.59
<b>Total Invoiced</b>	<b>AUD 82,037.87</b>	<b>19,245.60</b>	<b>101,283.47</b>

## Fee Estimate Details

	AUD
Work in progress not billed to date	0.00
Estimate of Minter Ellison legal fees for this matter (excluding related services / expenses)	5,000.00
Estimate of Minter Ellison legal fees to complete this matter	(59,971.00)

## Invoice History Details

Invoice Date	Invoice Number	Fees	Costs	GST	Total	Paid	Outstanding
30/04/19	10517754	50,325.00	104.88	5,042.99	55,472.87		55,472.87
31/05/19	10527959	24,150.00	0.00	2,415.00	26,565.00		26,565.00
<b>Total</b>	<b>AUD</b>	<b>74,475.00</b>	<b>104.88</b>	<b>7,457.99</b>	<b>82,037.87</b>		<b>82,037.87</b>

## MinterEllison

## TAX INVOICE

Attention: Ian Morton  
 Kathryn Warwick, Ross Blakeley & Joseph Hansell,  
 administrators of WATS Holdings Pty Ltd  
 c/- FTI Consulting  
 Level 21  
 500 Bourke Street  
 Melbourne VIC 3000  
 AUSTRALIA

Date 31 July 2019  
 Invoice Number 10554535  
 Our Ref EAY:BRW.1243222  
 ABN 91 559 710 819

Description WATS Holdings Pty Ltd

Description	Australian Dollars
Professional fees	
Professional fees - taxable	8,427.50

Plus GST	842.75
<b>Total amount payable on receipt of invoice</b>	<b>AUD 9,270.25</b>

For terms and conditions please see reverse  
 For details and breakdown please see attachment

## IMPORTANT INFORMATION

If you have any queries about this invoice, please contact Elizabeth Vick on +61 (0) 8007 2029 to discuss your concerns before taking any other steps. If we cannot resolve any concerns that you have about our legal costs, the following avenues may be open to you:

### Costs assessment<sup>1</sup>

Unless you are a corporate or government client<sup>2</sup> (you are referred to as a Private Client below), you may have our costs assessed before the Supreme Court Costs Court (Costs Court) under Division 7 of Chapter 4.3 of the Legal Profession Uniform Law<sup>3</sup>. If you are either a Private Client or a corporate or government client you may make a complaint to the Legal Services Commissioner (LSC) in relation to a costs dispute under Division 1 of Part 5.2 of the Uniform Law. The parameters for taking such steps are as follows:

- (a) In relation to a costs assessment before the Costs Court:
- (i) you must make the application within 12 months of when our invoice was given to you, or a request for payment was made, or where there was no invoice or request made, when you paid the legal costs;
  - (ii) an application can be made outside of the 12 months period in paragraph (i) in certain circumstances but only where the delay and reasons for the delay make it just and fair to do so; and
  - (iii) there is no monetary limitation on the amount of the legal costs in relation to a costs assessment before the Costs Court.
- (b) In relation to a costs dispute before the LSC:
- (i) a monetary limit applies. You can only make a complaint to the LSC if:
    - (A) the amount of the legal costs in dispute is less than \$10,000 (indexed) (irrespective of whether the total legal costs are above \$100,000 (indexed)); or
    - (B) the total legal costs are less than \$100,000 (indexed).Indexed refers to the application of an inflation adjustment based on the consumer price index; and
  - (ii) you must make the application within 60 days after the legal costs have become payable; or where you have asked for an itemised invoice, within 30 days after the itemised invoice was provided to you.

The LSC may waive the time limits specified in paragraph (i) if your complaint was made within 4 months after the time limit referred to therein if the delay and reasons for the delay make it just and fair to do so, provided we have not commenced legal proceedings in respect of the legal costs against you.

### Interest

If our invoices remain unpaid for 30 days or more after you have been given our invoice, we may charge interest which will accrue daily at the Cash Rate Target specified by the Reserve Bank of Australia as at the relevant date increased by 2 percentage points per annum as prescribed in the *Legal Profession Uniform General Rules 2015 (General Rules)*.

### Notice of Withdrawal of trust money

If money has been paid into our trust account by you on account of our legal costs, we hereby notify you that we will withdraw money from the trust and apply it towards payment of our legal costs that are owed, in accordance with the costs agreement between us, the *Legal Profession Uniform Law and General Rules*.

### GST

Related services and expenses have been reduced to allow for any tax input credit available to us.

If we have identified certain related services and expenses that are (in our opinion) not subject to GST and it is later determined that GST is payable on these related services and expenses, you must pay us that GST amount in addition to the GST exclusive amount stated.

<sup>1</sup> The term 'corporate or government client' is defined in section 170 of the *Legal Profession Uniform Law*.

<sup>2</sup> If you are a 'corporate or government client', you may make an application for a costs assessment before the Costs Court if you have entered into a conditional costs agreement or a costs agreement that includes an uplift fee.

## PAYMENT OPTIONS

	Billier Code: 215012 Ref: 105545337
Telephone & Internet Banking - EPay <sup>SM</sup> Credit your bank or credit card to make the payment from your credit, loan or debit or pre-authorized account. View for more info.	

### Direct Payment

Bank: ANZ Banking Group Limited  
Branch: 324 Queen Street, Brisbane  
BSB: 014-002  
Account Name: MinterEliason  
Account Number: 833555107  
Reference: 10554535  
SWIFT Code: ANZB033M  
Please email your remittance advice to [national.deposits@mintereliason.com](mailto:national.deposits@mintereliason.com)

### Cheque

Please send your cheque payable to:  
MinterEliason  
C/- National Deposits  
GPO Box 521  
Sydney NSW 2001  
AUSTRALIA

**ATTACHMENT TO TAX INVOICE**

Kate Whittin, Ross Blakeley & Joseph Hearn, administrators of WTS  
 Hedderley Pty Ltd  
 Matter 1434222  
 Description WTS Holdings Pty Ltd

Page 1 of 3  
 31 July 2019

Lawyer Details	Title	Time (hours)	Rate / hour	Total
BRW Brenda Wozniak	Partner	5.3	875	4,637.50
NZA Catherine Maza	Partner	0.7	875	612.50
NZA Neil Macdonald	Senior Associate	1.9	725	1,377.50
		4.5	400	1,800.00
<b>Total Time</b>		<b>12.4</b>	<b>AUD</b>	<b>8,427.50</b>

Date	Inhibits	Narration	Time (Hours)	Rate / hour	Total
02/07/19	BRW	Emails from and to Catherine Maza	0.3	875	262.50
02/07/19	CZW	Telephone consultation with Kate Warwick concerning matters and other advice	1.8	725	1,305.00
02/07/19	NZA	Review and consider preparation of the liquidator's report in relation to the assets of the company, attend Catherine Maza regarding same (0.8 hours)	0.6	400	240.00
02/07/19	CZW	Oral advice and suggested response to liquidators	0.3	725	217.50
02/07/19	NZA	Oral email to Kate Warwick addressing questions in relation to priority of GM Amount	1.0	400	400.00
04/07/19	BRW	Advice to Kate Warwick regarding administrator's priority for fees and expenses	0.2	875	175.00
04/07/19	NZA	Telephone attendance on James Mazonne regarding fees applicable to CMA and email to Kate Warwick regarding same in relation to priority of GM Amount, advice to CMA regarding administrator's priority and administrator remuneration, review and approval of proposed remuneration statement	1.5	400	600.00
05/07/19	NZA	Telephone attendance on James Mazonne to email regarding remuneration stakes	0.7	875	612.50
05/07/19	NZA	Review correspondence regarding claim for CMA and predecessor liquidator's remuneration on James Mazonne to email to Kate Warwick regarding same in relation to priority of GM Amount and advice to CMA regarding administrator's priority	0.8	400	320.00
08/07/19	BRW	Review correspondence regarding claim for CMA and predecessor liquidator's remuneration on James Mazonne to email to Kate Warwick regarding same in relation to priority of GM Amount and advice to CMA regarding administrator's priority	0.7	875	612.50
11/07/19	BRW	Attendance on Kate Warwick regarding consideration of liquidator's solutions	0.1	875	87.50

Date	Inhibits	Narration	Time (Hours)	Rate / hour	Total
11/07/19	NZA	Review and consider correspondence from liquidator in relation to payment of dividends	0.1	400	40.00
12/07/19	BRW	Email to Kate Warwick regarding liquidator liquidator - drafting response to liquidator	0.2	875	175.00
12/07/19	NZA	Email to Kate Warwick providing recommendations in relation to payments of dividends to liquidator's creditors from Kate Warwick, email of liquidator's solution responding to proposal for payments in relation to Accepted Divid	0.5	400	200.00
14/07/19	BRW	Considering email from Luke Whittin concerning email from liquidator providing recommendations regarding proposed payments to liquidator	0.1	875	87.50
14/07/19	BRW	Considering email from liquidator's predecessor email to Kate Whittin regarding proposed payments to liquidator	1.1	875	962.50
22/07/19	BRW	Email from liquidator's predecessor email to Kate Whittin regarding proposed payments to liquidator and to Kate Warwick, preparing for meeting	0.3	875	262.50
26/07/19	BRW	Telephone consultation with Kate Warwick, email to Kate, email from and to the liquidator's predecessor	0.1	875	87.50
26/07/19	BRW	Preparing letter to liquidator's creditors proposing letter to liquidator's creditors proposing letter to liquidator's creditors	0.2	875	175.00
30/07/19	BRW	Preparing letter to liquidator's creditors proposing letter to liquidator's creditors, discussing claim letter with Kate Warwick, finalising letter to creditors	1.3	875	1,137.50
<b>Total Time</b>			<b>12.4</b>	<b>AUD</b>	<b>8,427.50</b>

**Final Month Summary**

Category	Invoice Number	Invoice Date	Invoice Total	This Invoice	Total Invoiced to date
Total Time			91,871.00	8,427.50	100,298.50
Accrued by			0.00	0.00	0.00
Precedent fees			91,871.00	4,497.50	100,298.50
Precedent fees & expenses			104.88	0.00	104.88
Precedent GST			8,207.19	0.00	10,000.94
<b>Total Invoiced</b>			<b>AUD 91,871.00</b>	<b>8,427.50</b>	<b>110,583.72</b>

**Fee Estimate Details**  
 Work to complete not billed to date  
 Estimate of future Earnings against fee for full matter (excluding pre-set fee) (approximate)  
 Estimate of future Earnings against fee to complete NMA matter (94,292.50)

Invoice History Details	Invoice Number	Invoice Date	Fee	Costs	GST	Total	Paid	Outstanding
	320719	10/07/18	50,215.00	104.88	5,292.29	55,472.17		55,472.17
	310219	10/07/18	24,150.00	0.00	2,418.00	26,568.00		26,568.00
	250019	17/03/18	17,483.00	0.00	1,748.30	19,231.30		19,231.30
<b>Total</b>	<b>AUD</b>		<b>91,871.00</b>	<b>104.88</b>	<b>9,200.28</b>	<b>101,233.47</b>		<b>101,233.47</b>



## Warwick, Kate

---

**From:** Stephen Michell <smichell@pcipartners.com.au>  
**Sent:** Tuesday, 13 August 2019 6:53 PM  
**To:** Hansell, Joseph  
**Cc:** John Melliush; Warwick, Kate; Morton, Ian; Kylie Wright; Tristan McGlade  
**Subject:** [EXTERNAL] RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Joseph

I refer to your email of 8 August 2019.

I note your request for the payment of funds pursuant to your claim to liens as former Administrators of the company. As you will be aware, I have been contacted by the Attorney General's ("AG") Department in respect the AG Department's anticipated claim for amounts which have been or are expected to be distributed to former employees of the company under FEG.

In this regard, the AG Department has expressed concerns with regards to your claim, including the quantum meruit claim and your views as to the operation of Section 553C in respect to Westpac's entitlement to set off.

As such, the AG Department has referred this matter to their solicitor to seek legal advice in respect of these issues. Given the circumstances, I consider it likely that I may be required to seek directions from the Court in respect of these matters, where there are conflicting views. Consequently, I am not in a position to distribute funds pursuant to your lien until I have an indication of the AG Department's position in respect of these matters.

In a telephone discussion with a representative from the AG Department on Friday 9 August 2019, they advised that they were still awaiting a response from their solicitors. I have since been advised by the AG's department that they anticipate being in a position to respond to these issues on or before 30 August 2019.

In addition to the concerns of the AG Department, I note that there are a number of issues which are further preventing me from distributing funds with respect to your claims for a lien. In this regard, you are requested to provide the following information:

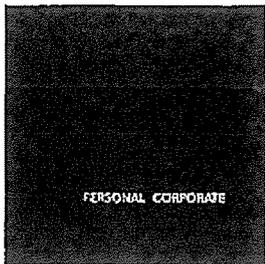
1. Attached as Annexure B to the letter from Minter Ellison dated 7 June 2019 was a schedule of invoices which are the subject of your claim. I am aware that of the \$341,191 claimed, Westpac advanced funds of \$150,000 to defray these costs. Please advise to which expenses the \$150,000 has been applied so as to identify those which remain unpaid.
2. You have made a claim for Administrators' disbursements of \$4,894. Please provide particulars of the amounts comprising this item.
3. There are a number of amounts which at the date of the schedule remained an estimate, for example Road Tolls. Please verify if these amounts have been quantified and if so, provide the final amount and evidence.

There are a number of amounts within the schedule which are identified as relating to both recovery of vehicles and debtors. In circumstances where amounts cannot be clearly identified as relating to the recovery of vehicles alone, payment of these amounts cannot be made whilst the issues relating to FEG remain unresolved.

Following receipt of an update from the AG Department with regards to their views on this matter, I will revert to you with an update.

Should you wish to discuss this matter, please contact John Melliush or myself.

Regards



**Stephen Michell**  
DIRECTOR  
T +61 3 8636 3333  
F +61 3 8636 3330  
M 0448 345 344  
L8 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
Melbourne VIC 3007  
[pcipartners.com.au](http://pcipartners.com.au)

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**BEWARE OF SCAMMERS:**

A sophisticated email scam is targeting professional service firms and their clients. We have been advised that scammers have intercepted emails with bank account details so they can substitute their own account number.

**WARNING: Please do not act on any communication from our office requesting you to transfer or deposit money without first telephoning our office on a known or separately verified number to confirm the authenticity of that request.**

**From:** Hansell, Joseph <Joseph.Hansell@fticonsulting.com>  
**Sent:** Monday, 12 August 2019 11:51 AM  
**To:** Stephen Michell <smichell@pcipartners.com.au>  
**Cc:** John Melluish <jmelluish@pcipartners.com.au>; Warwick, Kate <Kate.Warwick@fticonsulting.com>; Morton, Ian <Ian.Morton@fticonsulting.com>  
**Subject:** FW: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]  
**Importance:** High

Stephen

I refer to my email attached. Are you in a position to provide a response?

Further, I understand a response is still outstanding to the below request. Is this in a position to be dealt with also?

It would be great if we could progress both these matters.

Please do not hesitate to contact me should you wish to discuss.

Kind regards

**Joseph Hansell**  
+61 2 8247 8058 T | +61 439 589 384 M  
[joseph.hansell@fticonsulting.com](mailto:joseph.hansell@fticonsulting.com)

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**From:** Zulema Townsend <[Zulema.Townsend@minterellison.com](mailto:Zulema.Townsend@minterellison.com)> **On Behalf Of** Brendon Watkins  
**Sent:** Tuesday, 30 July 2019 3:08 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Luke

Thank you for your email below.

Although I am encouraged by your statement that the liquidator believes there are no outstanding issues apart from resolving how surplus funds should be treated under the IFA, the following matters have not been formally closed out:

1. Agreement on the priority waterfalls as set out in your letter of 18 June;
2. Your confirmation that the liquidators will support (or at least not oppose) our application to the court to extend the administrator's entitlement to remuneration beyond their period of appointment; and
3. Your client's preparedness to submit our client's remuneration to creditors for approval provided we secure court orders confirming the creditors' authority in that regard.

In terms of item 1 above, while our client is prepared to accommodate a number of the revisions to the waterfalls as set out in your letter of 18 June, we believe there are a number of deficiencies which do need to be addressed.

To that end, we have prepared the **attached** mark-up highlighting the necessary amendments (with drafting notes in a number of instances).

Could you please advise whether these amendments are agreed.

As indicated above, could you also confirm that your clients will support (or at least not oppose) our clients' application for a declaration that the administrators should be entitled to recover fees and expenses that were incurred as a consequence of their appointment as administrators, albeit that work was performed after their appointment was formally terminated under s 435C(3) of the *Corporations Act*.

As indicated, our client will be pressing for such an order pursuant to s 90-15 of the IPS (the statutory successor to s 447A), relying on the authorities to which we have previously referred.

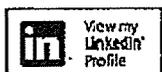
In addition, could you please confirm that your clients will support (or at least not oppose) our clients' further application for an order confirming that the creditors are authorised to approve our client's remuneration, including the remuneration incurred after their appointment was terminated.

Subject to receiving your response in connection with these matters, and subject to resolving how to treat surplus funds realised in respect of the IFA, we agree there are no outstanding issues.

Regards,

---

**Brendon Watkins**  
Partner  
T +61 3 8608 2022 M +61 419 886 003  
[brendon.watkins@minterellison.com](mailto:brendon.watkins@minterellison.com)  
**MinterEllison** Rialto Towers 525 Collins Street Melbourne VIC 3000  
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**From:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Sent:** Monday 22 July 2019 04:18 PM  
**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Ned,

I have been provided with an email of this morning from the Administrator to the Liquidator.

It is the Liquidator's position that apart from the treatment of funds subject of the IFA, and in particular FEG's entitlement to surplus funds and Westpac's ability to set-off, there are no outstanding issues. To be clear:

1. The priority waterfalls are as set out in my letter to you of 18 June 2019.
2. The Administrator's ability to claim the QM amount and to have remuneration approved by creditor's will be subject to a Court application by the Administrator.

Could you please let me know if there are any other issues that are outstanding and need the Administrator and the Liquidator to address.

Regards

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

Level 21, 133 Castlereagh Street, Sydney NSW 2000

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**From:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>  
**Sent:** Friday, 12 July 2019 5:43 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>  
**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>; James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Dear Luke

Thank you for your email.

We have sought instructions in relation to your client's request. Could you please clarify:

1. that your client's request is limited to the proceeds of the 'Accepted Debts' as defined in our letter of 7 June 2019;
2. whether your client intends to deduct any *Re Universal* costs in respect of the Accepted Debts; and
3. if your client does intend to do so, whether these costs have been agreed with Westpac and the amount of these costs.

Subject to satisfactory clarification of these matters, our clients consent to your client's request.

Could you otherwise advise whether you have written to FEG in the terms that were discussed with Brendon Watkins of our office earlier this week, and if so provide a copy of that letter?

Regards

**Ned Marlow-Weir**

Lawyer

T +61 3 8608 2765

ned.marlow-weir@minterellison.com

MinterEllison Rialto Towers 525 Collins Street Melbourne VIC 3000

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**From:** Luke Whiffen [<mailto:Luke@hiltonbradley.com.au>]

**Sent:** Thursday 11 July 2019 02:11 pm

**To:** Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>

**Cc:** Brendon Watkins <[Brendon.Watkins@minterellison.com](mailto:Brendon.Watkins@minterellison.com)>; Alister Merry <[Alister.Merry@minterellison.com](mailto:Alister.Merry@minterellison.com)>;

James Hulbert <[james@hiltonbradley.com.au](mailto:james@hiltonbradley.com.au)>

**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

See attached correspondence.

**Luke Whiffen | Director**

P | (02) 9199 1672

M | 0419 096 492

E | [luke@hiltonbradley.com.au](mailto:luke@hiltonbradley.com.au)

Level 21, 133 Castlereagh Street, Sydney NSW 2000

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## Warwick, Kate

---

**From:** Stephen Michell <smichell@pcipartners.com.au>  
**Sent:** Friday, 30 August 2019 4:40 PM  
**To:** Warwick, Kate  
**Cc:** John Melluish; Hansell, Joseph; Kylie Wright; Denis Mytcak  
**Subject:** [EXTERNAL] RE: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]  
**Attachments:** Super Fund Report FTI.xlsx; Super Fund Report FTI.pdf; RP Report 30 Aug.pdf

Dear Kate

I refer to your emails of 22 and 29 August 2019.

Please find attached employee superannuation detail reports, extracted from the company's MYOB file to enable you to make payment of employee superannuation. As I am not aware of which employees you engaged, the report includes the details of all employees within the MYOB file.

The contact at the Attorney General's ("AG") Department with whom I have been dealing is Ms Margaret Moynahan, whose contact details are as follows:

**Margaret Moynahan**

T: (07) 3223 1357 (ext 71357)

Email: [Margaret.Moynahan@jobs.gov.au](mailto:Margaret.Moynahan@jobs.gov.au)

Whilst the AG has expressed concerns generally with regards to the quantum meruit ("QM") claim and operation of Section 553C of the Act, they have not provided me with specifics as to the nature of those concerns. In this regard, I have been advised by the AG Department that they are presently seeking legal advice in respect of the matter and upon the AG's request, provided information relating to these particular aspects of the claim.

My correspondence to the AG Department notes your views that a court is likely to make orders pursuant to Section 90-15 of the Insolvency Practice Schedule (Corporations) ("the IPS") and that creditors have capacity under the provisions of the IPS to approve that remuneration at a meeting convened by me, but does not specify your intention to make a court application with regards to the QM claim.

With regards to your request that I support, or not oppose, an application by you for declarations as to your remuneration and various claims, I will be guided by the advice of my legal advisors. At this time, in circumstances where an application is yet to be prepared and I have not been afforded the opportunity of legal advice in respect of the application, I am not in a position to provide a definitive response as to whether I will support, or not oppose, the application. Following the completion of your application, I invite you to provide a copy of the application to myself and my solicitors for review, following which I will notify you of my intentions in that regard.

Given the circumstances of the liquidation and the need for an application to court in respect of your QM claim, I am of the view that it is appropriate that approval of your remuneration also be sought from the Court. Accordingly, I do not propose to convene a meeting of creditors for the purpose of considering the remuneration of the Former Administrators.

I acknowledge receipt of the additional information provided with your email and thank you for providing it. I am presently conducting a review of that information and will revert to you upon completion of that review.

Attached is a Receipt and Payments report for the liquidation. My remuneration and disbursements are presently as follows, all exclusive of GST where applicable:

Remuneration (general) - \$278,703  
Disbursements - \$43,286

Remuneration (Westpac debtors) - \$34,200  
Remuneration (Westpac vehicles) - \$48,984  
Disbursements (Westpac vehicles) - \$1,939.20

Included in the disbursements figure of \$43,286 are net wages of \$16,451.12 paid to employees engaged to assist in the debt recovery process which were advanced by PCI Partners and for which PCI Partners are yet to be reimbursed.

In addition, I note the following liabilities incurred in respect of entitlements of employees who are engaged in the debt recovery process, which are yet to be paid:

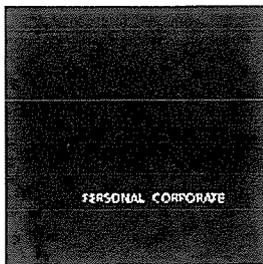
- Superannuation - \$1,473.17
- PAYG - \$10,534

Lastly, with regards to your query in respect to the waterfalls, at this time, I do not accept the proposed waterfalls within the amended letter contained in the email of Brendon Watkins dated 30 July 2019. Item (iv) under the "Accepted Debt/IFA" heading assumes an acceptance that Westpac are entitled to a set off pursuant to Section 553C of the Act. As this matter is the subject of ongoing legal advice and concerns raised by the AG, I am not in a position to accept the waterfalls as proposed by Mr Watkins.

I am presently liaising with my solicitor in respect of this matter and as you are aware, also expect to have a response from the AG on or about 30 August 2019 following their receipt of their own legal advice on this issue.

Following this, I will correspond with you further.

Regards



**Stephen Michell**  
DIRECTOR  
T +61 3 8636 3333  
F +61 3 8636 3330  
M 0448 345 344  
L8 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
Melbourne VIC 8007  
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**WARNING: Please do not act on any communication from our office requesting you to transfer or deposit money without first telephoning our office on a known or separately verified number to confirm the authenticity of that request.**

**From:** Warwick, Kate <Kate.Warwick@fticonsulting.com>  
**Sent:** Thursday, 29 August 2019 3:56 PM  
**To:** Stephen Michell <smichell@pcipartners.com.au>  
**Cc:** John Melluish <jmelluish@pcipartners.com.au>; Hansell, Joseph <Joseph.Hansell@fticonsulting.com>  
**Subject:** WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Stephen

Please find attached copies of invoices received from Minter Ellison to date totalling \$110,553.72. Of the total invoices, \$101,283.47 has been paid directly by FTI.

I also request that you provide a response to my below email including your position as to the payment of superannuation. If you do not intend to make payment on behalf of the Former Administrators, would you please immediately provide the relevant details to effect payment including employees date of birth, super fund and super fund number.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**

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**From:** Warwick, Kate

**Sent:** Thursday, 22 August 2019 4:47 PM

**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>

**Cc:** John Melluish <[jmelluish@pcipartners.com.au](mailto:jmelluish@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>

**Subject:** FW: WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) [ME-ME.FID5015055]

Hi Stephen,

I refer to your email of 13 August 2019 below.

You have advised that the Attorney General ("AG") has expressed concerns with regards to the *Quantum Meruit* claim and the operation of section 553C in respect of Westpac's entitlement to set-off. I deal with each of these items separately below. I request you provide contact details of the FEG officer/contact at the AG's office dealing with this matter; so that we may make direct contact.

**QM Claim**

Please clarify the nature of the concerns expressed by the AG i.e. is the AG questioning the principle that an administrator should be entitled to be remunerated for necessary work that was performed following termination of appointment, or are they simply questioning the amount that has been claimed?

With regards to your comment in respect to seeking directions of the Court, it has always been the position of the Former Administrators that we will be applying to the Court for appropriate declarations confirming an entitlement to remuneration beyond their period of appointment, and confirming that the amount of remuneration be fixed by the creditors or the Court.

Have you made it clear to the AG that we were always intending to seek directions on these matters, and that it was always our intention that the amount that is claimed would have to be approved by creditors?

I otherwise refer to the email of Brendon Watkins below, where he asks that you advise whether you will support (or at least not oppose) our application for declarations, and whether you will be prepared to submit our remuneration to creditors for approval, assuming we secure court orders confirming the creditors' authority in that regard.

I ask that you please respond to this request.

### **Additional Information Requested**

With regards to your request for additional information, please see attached schedule (Schedule of Payments).

My comments on the schedule are as follows:

- Further information has been received in respect of payroll tax, road tolls and workers' compensation, however some information remains outstanding. In this regard, we have inserted a column which incorporates amounts showing known expenses. The invoices received are also attached for your reference.
- With regards to the now known expenses, we have allocated 64% to the equitable lien expenses for payroll related items in line with what has previously been allocated in earlier submissions to you. With respect to the road tolls, we have allocated 50% of the costs to the equitable lien.
- As you are aware, two tranches of funds were advanced from Westpac to defray care and preservation costs (net receipt of \$149,967) and as part of a section 560 loan for payment of employee expenses (\$165,000). We have therefore provided you with information to show from what pool of funds incurred expenses were paid from. This also includes payment of expenses directly from FTI Consulting to Caltex, which requires reimbursement, together with amounts paid from the collection from post-appointment debtor receipts.
- The total amount outstanding is \$106,897 including the reimbursement of FTI Consulting for the \$34,319 payment to Caltex. As some information remains outstanding in respect of payroll tax, road tolls and workers compensation, we have not adjusted the overall amount outstanding at this time and this is represented as an estimate.

The Former Administrators are arranging for the payment of the outstanding payroll tax, PAYG, workers compensation and superannuation. With respect to superannuation, we are not in possession of all information to allow us to make the payments. In this regard, we seek your assistance in providing this information. My colleague, James Mazzone, will send an email under separate cover requesting missing information. Alternatively, we can pay funds to you and you can pay the superannuation funds on our behalf.

With respect to your request relating to the composition of the Administrators' Disbursements in the amount of \$4,894, we have previously provided you with a schedule showing the full amount of disbursements in the amount of \$16,314.82. The \$4,894 merely represents an allocation to the equitable lien at 30%.

### **Fees and Disbursements Incurred Specific to Securing Vehicles**

Please see attached schedule (T&T Remuneration) which details the time incurred which specifically relates to the vehicles in the amount of \$41,920. As this amount has no relevance to FEG, I request that this amount is paid over in part satisfaction of the equitable lien.

### **Realisations to Date**

I request that you provide me with details of your realisations to date, together with your fees and disbursement incurred to date.

### **Waterfalls**

Finally, can you please advise whether you agree with the amendments to the proposed waterfalls, as set-out in the email from Brendon Watkins below. If an agreement on these amendments cannot be reached, we may need to seek Court directions on this matter as well.

Should you have any queries, please do not hesitate to contact me.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**

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**Receipts and Payments Summary By Account: WITSO10 - WITS Holdings Pty Ltd (In Liquidation)**  
**Bank, Cash and Cash Investment Accounts: All Dates (Gross Method)**

Type	Account	GST	Total
<b>TRADING PAYMENTS</b>			
	Control Completion Bonus		(5,000.00)
	PAYD Control (Trading): PAYD Withheld		5,522.00
	Super		(1,299.61)
	Super Control (Trading): Super Paid (Received)		(1,775.38)
	Super Control (Trading): Super Withheld		1,299.61
	Wages & Salaries		(13,880.15)
	Wages & Salaries: Unused Annual Leave		(1,653.49)
		0.00	(16,347.02)
	<b>Net Trading Receipts and Payments</b>	<b>0.00</b>	<b>(16,587.02)</b>
<b>NON-TRADING RECEIPTS</b>			
	Accounts Receivable: Administrator Post Appointment	371.23	53,766.50
	Accounts Receivable: Administrator Pre-Appointment		45,969.33
	Accounts Receivable: Liquidator Invoices		45,094.54
	Accounts Receivable: Non-Factored Debtors		126,343.16
	Accounts Receivable: Westpac Factored Debtors		371,882.51
	Cancellation of Motor Vehicle Registration		450.00
	Closure of Bank Account		10,479.54
	Interest Received		243.4
	Pre-Appointment Insurance refund		250.78
	Sale of Asset: Plant and Equipment (non-Westpac)	10,646.83	117,115.10
	Sale of Assets: Motor Vehicle	1,914.45	21,059.00
	Sale of Assets: PALM Recycling	1,100.00	12,100.00
	Sale of Assets: Sale of Plant and Equipment (Westpac)		3,616,983.64
		312,849.20	4,421,516.76
<b>NON-TRADING PAYMENTS</b>			
	Auctioneer Expenses (non Westpac asset)	(206.50)	(2,271.50)
	Bank Charges		(37.60)
	Commission: Grays (VIC) Pty Ltd	(27.50)	(102.50)
	Commission: Grays (Westpac)	(8,273.07)	(91,003.71)
	Commission: Grays (non-Westpac sale)	(267.90)	(2,946.90)
	Debt Collection Commission: Administrator Invoices	(777.92)	(8,356.53)
	Debt Collection Commission: Dates Paid prior to Ap	(819.41)	(9,556.85)
	Debt Collection Commission: Liquidator Invoices	(233.30)	(3,336.23)
	Debt Collection Commission: Pre-Appointment Non-Fa	(1,439.28)	(15,831.81)
	Debt Collection Commission: Westpac Factored Debtors	(3,566.93)	(39,159.72)
	Grays Agreed Expenses (Westpac)	(5,551.66)	(61,068.20)
	GST Control: GST Inputs (Outputs)		(1,529.00)
	Insurance (Westpac)	(3,243.74)	(46,222.77)
	Insurance: Workcover	(316.06)	(3,476.61)
	Payment to Westpac - Secured Creditor		(2,740,572.51)
	Removal of Pallet Recycling	(350.00)	(6,050.00)
	Searches	(20.60)	(226.60)
	Tyre Disposal (Westpac)	(2,000.00)	(22,000.00)
	Westpac - Secured Creditor (Holden Col)		(8,618.08)
	Westpac: IFF Facility (Secured Creditor Payment)		(204,628.82)
		(28,092.07)	(3,298,700.10)
	<b>Net Non-Trading Receipts and Payments</b>	<b>314,841.13</b>	<b>1,122,816.66</b>
	<b>Net Receipts (Payments)</b>	<b>314,841.13</b>	<b>1,106,229.64</b>

## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Thursday, 17 October 2019 11:53 AM  
**To:** Stephen Michell  
**Cc:** John Melliush; Hansell, Joseph; Morton, Ian  
**Subject:** WITS Holdings Pty Limited (In Liquidation)  
**Attachments:** Letter to PCI Partners.pdf

Good morning Stephen

Please find attached correspondence for your attention. Should you have any queries or wish to discuss please call me on the mobile.

Kind regards

Kate  
Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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17 October 2019

Mr Stephen Michell  
PCI Partners Pty Ltd  
8/179 Queen St  
MELBOURNE VIC 3000

Dear Sir

WTS Holdings Pty Ltd (In Liquidation) (Company)

I refer to previous correspondence in relation to this matter.

In particular, I refer to MinterEllison's letter dated 7 June 2019 ("the 7 June 2019 Letter"), a copy of which is attached at Appendix A for your convenience. In the 7 June 2019 Letter, the costs and expenses incurred by the former Administrators were separated into three categories:

- Costs and Expenses Subject to the Equitable Lien ("EL Expenses");
- Costs and Expenses Subject to the Statutory Lien ("SL Expenses"); and
- Quantum Meruit Claim ("QM Expenses").

The same terminology has been adopted in this letter. You will note that the amounts claimed are different to those claimed in the 7 June 2019 Letter. These updated figures are explained below.

**EL Expenses**

At paragraph 1.4 (a) of the 7 June 2019 Letter, the EL Expenses were estimated to be \$191,191. This represented total costs of \$341,191 less the care and preservation advance from Westpac Banking Corporation ("Westpac") of \$150,000.

Since the issue of the 7 June 2019 Letter, I have received further information from suppliers as to the amounts outstanding. As a result, the EL Expenses have decreased by \$10,780 to \$180,411. At Appendix B, I have provided an updated schedule which outlines these figures. The relevant changes are highlighted in yellow.

**SL Expenses**

At paragraph 1.7(a) of the 7 June 2019 Letter, the SL Expenses were estimated to be \$495,417 (this amount includes the EL Expenses).

Since the issue of the 7 June 2019 Letter, certain SL Expenses have been updated from estimates to known amounts. As a result, the SL Expenses have decreased by \$17,872 to \$477,546. See Appendix B highlighting the changes in yellow.

**QM Expenses**

At paragraph 1.8 of the 7 June 2019 Letter, it was stated that the expenses comprising the QM Expenses were capped to the end of May 2019 and that if the arrangements in the 7 June 2019 Letter were not accepted by the Liquidator, the former Administrators reserved their right to claim additional amounts incurred after May 2019. On the basis that the Liquidator has not accepted the arrangements proposed in the 7 June 2019 Letter, I am now seeking to claim the additional amounts incurred.

Since the 7 June 2019 Letter, I have incurred a further \$34,181 in legal fees, increasing the QM Expenses to \$75,786. These changes are highlighted in yellow in Appendix B.

**Payment of Expenses**

With respect to the expenses advised above, the amounts incurred were in excess of the advances received from Westpac and as such, some have been funded directly by FTI Consulting (Australia) Pty Ltd ("FTI Consulting").

To date, the former Administrators have received no funds from the Liquidator, despite an agreement being put in place whereby sales undertaken in the Voluntary Administration would be collected by a third-party collection agency to be subsequently remitted to the former Administrators.

Total expenses are currently estimated to be \$703,331 as per the schedule at Appendix B (being the aggregate of the SL and QM Expenses). Only a proportion of payroll taxes and utilities remain as an estimate at the time of writing. The total expenses calculated in the 7 June 2019 Letter were \$687,022 (which can be calculated by reference to Annexure A of the 7 June 2019 Letter).

Costs and expenses have been paid to date from one of four sources of funds:

- The care and preservation advance (\$150,000, for which the former Administrators remain liable); or
- The section 560 loan (\$165,000, for which the former Administrators remain liable); or
- FTI Consulting; or
- Post-appointment receipts (\$74,730.96).

The post-appointment receipts are comprised of the proceeds of refunds, debtor receipts and a minor asset sale. These receipts were available to the former Administrators to meet some of the costs and expenses of the administration.

I request that the Liquidator remit to the Former Administrators, the amount of \$620,865.04 calculated as follows:

Expenses Incurred	\$703,331.00
Less: Estimated Amounts	\$7,735.00
Less: Post-appointment receipts	\$74,730.96
<b>Net Payable</b>	<b><u>\$620,865.04</u></b>

FTI Consulting (Australia) Pty Limited  
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You will see that I am not, at this point, seeking reimbursement of amounts that are still estimated (totalling \$7,735). I will be seeking reimbursement of these amounts once final figures are confirmed.

The amount requested assumes that the Liquidator has not repaid Westpac for the care and preservation advance or the section 560 loan. Please confirm whether the Liquidator has repaid any of these advances and, if so, please provide evidence of the repayment.

In the event that satisfactory evidence of repayment is provided the total amount claimed will be reduced by the amount of the repayment.

As previously advised, the former Administrators are in the process of preparing an application to the Court to seek approval of their remuneration. If the reimbursement of the expenses does not occur by 21 October 2019, we will join the Liquidator to the application seeking an order that the expenses are paid forthwith.

Should you have any queries, please do not hesitate to contact either myself or Joseph Hansell.

Yours faithfully



Kate Warwick  
Senior Managing Director  
FTI Consulting (Australia) Pty Ltd

Encls.

Appendix A



# MinterEllison

7 June 2019

## BY EMAIL

S J Michell  
Liquidator  
PCI Partners  
Level 6, 179 Queens Street  
MELBOURNE VIC 3000

Dear Mr Michell

Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation)

### 1. Background

- 1.1 We act for Messrs Warwick, Blakeley and Hansell in their capacities as former joint and several administrators (Administrators) of WITS Holdings Pty Ltd ACN 050 322 284 (in liquidation) (Company).
- 1.2 The Administrators were in office from 28 March 2018 until 10 April 2019. The administration ended by operation of s 435C(3)(a) of the Corporations Act 2001 (CA) (Act) when the Company was wound up by order of the Supreme Court of Victoria and Mr Stephen Michell of PCI Partners was appointed liquidator of the Company (Liquidator).
- 1.3 Westpac Banking Corporation ABN 33 007 457 141 (Westpac) holds a number of securities which secure a number of facilities as detailed under in section 2 below.
- 1.4 The Liquidator acknowledges that the Administrators assert an equitable lien under the *Re Universal principle* (Equitable Lien) for costs, expenses and remuneration incurred in gathering, preserving or realising assets that are subject to Westpac's fixed asset security, totalling \$296,681 being:
  - (a) \$191,181 on account of costs and expenses (EL Expenses); and
  - (b) \$105,690 on account of remuneration (EL Remuneration).
- 1.5 For the avoidance of doubt, the amount claimed in this letter under the Equitable Lien has already been reduced by \$150,000 (Equitable Lien Advance) due to this amount being paid (as an advance secured by Westpac's existing securities) to the Administrators by Westpac to defray preservation costs, at the commencement of the administration.
- 1.6 The Liquidator acknowledges that the Administrators also assert a statutory lien under s 443F of the Act (Statutory Lien) for all of their costs, expenses and remuneration incurred in connection with the administration for the period of their appointment, and otherwise assert an entitlement to recover their costs, expenses and remuneration for the period after their appointment was terminated (where fees and costs have been incurred in the performance or exercise of their residual functions, powers and duties as Administrators) on the basis of:
  - (a) a quantum meruit assessment, recognising the benefit to the Company of the work that was undertaken; or

- (b) the recognised power of the courts to make orders approving post-appointment remuneration (and by extension, post-appointment costs and expenses) under s 90-16 of schedule 2 to the Act (being the statutory successor to the former s 447A of the Act).

- 1.7 As at the date of this letter, the total amount claimed is \$692,670, being:
  - (a) in respect of the Statutory Lien, \$495,417 on account of costs and expenses during the administration period (SL Expenses), and \$308,053 on account of remuneration for the administration period (SL Remuneration) (collectively the SL Amount); and
  - (b) in respect of the quantum meruit claim, \$41,605 on account of costs and expenses after the administration terminated (QM Expenses), and \$57,504 on account of remuneration after the administration terminated (QM Remuneration) (collectively the QM Amount).
- 1.8 Please note that the amounts claimed in respect of the QM Expenses and QM Remuneration have been capped to the end of May 2019. If the arrangements proposed in this letter are not accepted by you, the Administrators reserve their rights to claim additional amounts incurred after the relevant dates.
- 1.9 The amounts secured by the Statutory Lien are secured against all assets of the Company. However, the Statutory Lien is subordinate to any perfected security interest over non-circulating assets, or a 'retention of title' security that is properly perfected on the PPSR.
- 1.10 For the avoidance of doubt, the amounts secured by the Statutory Lien include:
  - (a) the \$296,681 that is otherwise also claimed under the Equitable Lien; and
  - (b) an amount advanced by Westpac to the Company for the purpose of paying employee entitlements, being \$165,000 (s 560 Loan), recognising that the Administrators remain personally liable for this amount under s 443A of the Act.

We haven't included the earlier Equitable Lien Advance in this number.

- 1.11 The Administrators' acknowledge that to the extent:
  - (a) Westpac is able to recover the s 560 Loan in the manner set out in this letter; or
  - (b) the amount secured by the Equitable Lien is paid out;there will be a dollar-for-dollar reduction in the amount secured by the Statutory Lien.
- 1.12 Attached to this letter are 5 annexures providing details of the calculations supporting the amounts claimed in paragraphs 1.4 and 1.7. More particularly:
  - (a) Annexure A summarises the 'headline' amounts claimed;
  - (b) Annexure B provides further detail of the EL Expenses, SL Expenses and QM Expenses;
  - (c) Annexure C provides further detail of the EL Remuneration;
  - (d) Annexure D provides further detail of the SL Remuneration; and
  - (e) Annexure E provides further detail of the QM Remuneration.
- 1.13 In working through Annexure C and Annexure D (the Annexures relating to EL Remuneration and SL Remuneration), you will notice there are a number of items with mixed attribution. These are shaded in blue and green and have been apportioned in accordance with the legend in the respective Annexures.
- 1.14 The Administrators acknowledge that their remuneration is subject to approval by the creditors of the Company or the court.
- 1.15 With this background in mind, the Administrators and Liquidator seek to agree (in the terms set out in this letter) how funds realised from various asset classes will be distributed to satisfy the Administrators' claim to remuneration, costs and expenses and the Liquidator's costs, expenses and remuneration, having regard to Westpac's rights and any priority entitlements afforded to employees under the Act.

1.16 To this end, we have recognised the following 6 asset pools:

- (a) realisations from the collection of 'accepted debts' (Accepted Debts) under Westpac Invoice Finance Facility (IFA);
- (b) non-circulating asset realisations of assets that are subject to Westpac's various fixed securities (Westpac Fixed Assets);
- (c) circulating asset realisations held by the Administrators (Administrator Realisations);
- (d) debtor realisations which relate to invoices raised by the Administrators to the extent these have not already been recovered by the Administrators (Administration Debtors);
- (e) other circulating asset realisations effected by the Liquidator (Liquidation Proceeds); and
- (f) non-circulating asset realisations of assets that are subject to a fixed security in favour of other secured creditor. The Administrators do not seek reimbursement from this asset pool, and we do not otherwise propose to deal with this asset pool in this letter.

2. Westpac's security and payment entitlements

2.1 Westpac has extended the following facilities to the Company:

- (a) the IFA;
- (b) Equipment Finance Facilities covered by a Business Finance Agreement dated on or about 18 March 2016 (WITS EF's);
- (c) Temporary Overdraft Facility;
- (d) the s 560 Loan; and
- (e) the Equitable Lien Advance.

2.2 Westpac also extended a Corporate Credit Card Facility to the WITS Group, however, we have not seen the facility documentation for this facility and accordingly, cannot determine which entity in the WITS Group is the relevant borrowing entity. We do not otherwise propose to deal with this facility in this letter.

2.3 Subject to the specific waterfall noted in respect of each asset pool in sections 3 to 7 below, Westpac is entitled to be repaid in the following manner from the following asset pools:

- (a) from the Accepted Debts, any amount owing under the IFA;
- (b) from the Westpac Fixed Assets (subject to the Administrators' having a first claim to extent of their Equitable Lien), any amount owing under the WITS EF's, Temporary Overdraft Facility, a 560 Loan and Equitable Lien Advance;
- (c) to the extent there is a surplus under either paragraph (a) or (b), that surplus can be used to satisfy any deficiency in the other paragraph, applying either contractual or statutory set off;
- (d) to the extent any amounts still remain owing to Westpac under any facility:
  - (i) if the shortfall is in respect of the s 560 Loan, the Administrators will satisfy this as and when their Statutory Lien is satisfied; and
  - (ii) the shortfall will otherwise be recovered from the Liquidation Proceeds, subject to:
    - (A) the Administrators' entitlement to recover costs, expenses and remuneration;
    - (B) the Liquidator's entitlement to costs, expenses and remuneration; and
    - (C) employee entitlements under s 556(e)-(h) of the Act.

3. Waterfall for distributions from the Accepted Debts

3.1 Realisations from the Accepted Debts are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG Capital Pty Ltd ACN 162 064 237 (CFMG) where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) otherwise to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (c) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (d) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

4. Waterfall for distributions from the Westpac Fixed Assets

4.1 Realisations from the Westpac Fixed Assets are to be paid in the following manner and order:

- (a) to the Administrators in satisfaction of their EL Expenses;
- (b) to the Administrators in satisfaction of their EL Remuneration;
- (c) ranking equally with paragraph (b), a 10% collection fee (being 10% of the total realisations from the Westpac Fixed Assets) payable to the Liquidator;
- (d) to Westpac in accordance with paragraphs 2.3(a)-(c) above;
- (e) if a surplus remains after the exercise of any set off rights by Westpac, then to the Administrators on account of the SL Amount and the QM Amount; and
- (f) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

5. Waterfall for distributions from the Administrator Realisations

5.1 The Administrator Realisations are to be paid in the following manner and order:

- (a) to the Administrators in reduction of the SL Amount and the QM Amount; and
- (b) if a surplus remains, to the Liquidator for his costs, expenses and remuneration.

6. Waterfall for distributions from the Administration Debtors

6.1 Realisations from the Administration Debtors are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of the SL Amount and the QM Amount; and
- (c) if a surplus remains, to the Liquidator for his costs, expense and remuneration.

7. Waterfall for distributions from the Liquidation Proceeds

7.1 Realisations from the Liquidation Proceeds are to be paid in the following manner and order:

- (a) a 7% collection fee payable to CFMG where payments have been made to CFMG, or where the payment otherwise relates to collection activities undertaken by CFMG;
- (b) to the Administrators in satisfaction of their SL Expenses and QM Expenses;
- (c) to the Administrators in satisfaction of their SL Remuneration and QM Remuneration;
- (d) ranking equally with (c), a 10% collection fee (being 10% of the total realisations from the Liquidation Proceeds) payable to the Liquidator;
- (e) to the Liquidator for his costs, expenses and remuneration;





## Warwick, Kate

---

**From:** Stephen Michell <smichell@pcipartners.com.au>  
**Sent:** Friday, 18 October 2019 5:34 PM  
**To:** Warwick, Kate  
**Cc:** Hansell, Joseph; John Melliush; Kylie Wright; Denis Mytcak  
**Subject:** [EXTERNAL] WITS Holdings Pty Limited (In Liquidation)  
  
**Categories:** Red Category

Dear Kate

I refer to your letter dated 17 October 2019 and note your request for payment of \$620,865.04 on or before 21 October 2019 in respect of expenses incurred by the former Administrators.

I note that included in that claim you have sought payment of expenses relating to your quantum meruit ("QM") claim in the amount of \$75,786. In circumstances where you are yet to receive an order from the Court confirming that these amounts are in fact recoverable by you, it is not appropriate for me to make payment of any funds to you in this regard. I further note that the priority of your QM claim, to the extent that it is payable, is still subject to dispute. My solicitor is drafting correspondence to Minter Ellison in this regard.

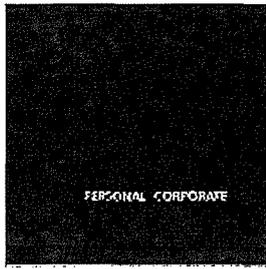
In relation to payment of the balance, I advise that I have not yet made sufficient recoveries to enable that claim to be paid in full. There are however amounts that I am in a position to forward to you. Specifically, funds totaling \$191,000 which were withheld from the proceeds of the company's motor vehicles that were distributed to Westpac in respect of your claim to an equitable lien. I note your advice that these costs have now reduced to \$180,141. Please provide me with confirmation from Westpac that they accept the quantum of your claim to these expenses. A review of the material provided in support of these expenses is presently being conducted and I anticipate being in a position to distribute the funds withheld to your office during the course of next week, subject to any additional queries that may be required to be addressed and confirmation in writing from Westpac. Please note that I do not propose to remit funds in relation to any amounts that are not yet substantiated or that are subject to court approval.

In addition an amount of approximately \$102,000 in respect of trade on sales debtors for your administration period has been recovered, of which my office has received approximately \$75,000. A reconciliation of these debtors is also being prepared at present, following completion of which I will remit the value of trade on debtors recovered by me, less my expenses and costs in recovering those amounts.

Please note however that this amount will be adjusted for any pre appointed non factored debtor amounts received directly by you that should have been paid to me as Liquidator. I understand this amount to be in the order of \$24,000. Likewise Westpac have received monies to which you are entitled and I will provide you with those details. You should seek recovery of those amounts directly from Westpac.

Save for payments in respect of the equitable lien and the trade on debtor receipts, I do not intend to remit further funds in respect of your claim (which includes pre-appointment non factored debtors, and debtor invoices raised by me as Liquidator) until such time as the waterfall priorities are agreed upon. I hope that this can be resolved between us shortly.

Regards



**Stephen Michell**  
DIRECTOR

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F +61 3 8636 3330

M 0448 345 344

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Melbourne VIC 3000

PO Box 246 Collins St West  
Melbourne VIC 8007

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Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Wednesday, 23 October 2019 4:24 PM  
**To:** Stephen Michell  
**Cc:** John Melliush; Hansell, Joseph  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)

Good afternoon Stephen

I refer to your email dated 18 October and provide confirmation received from Westpac earlier this afternoon. Please let me know if you have any queries.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
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[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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**From:** Lansom, Melissa <[melissa.lansom@westpac.com.au](mailto:melissa.lansom@westpac.com.au)>  
**Sent:** Wednesday, 23 October 2019 3:26 PM  
**To:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Subject:** [EXTERNAL] RE: WITS Holdings Pty Ltd (In Liquidation)

Kate,

The bank confirms acceptance of these charges.

Regards.

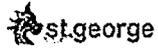
**Melissa Lansom**  
Account Manager

---

Level 8,  
275 Kent Street  
SYDNEY NSW 2000

M +61 401 611 027  
[mlansom@westpac.com.au](mailto:mlansom@westpac.com.au)

**Westpac** GROUP



---

**From:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Sent:** Tuesday, 22 October 2019 4:02 PM  
**To:** Lansom, Melissa <[melissa.lansom@westpac.com.au](mailto:melissa.lansom@westpac.com.au)>  
**Subject:** WITS Holdings Pty Ltd (In Liquidation)

Good afternoon Melissa

You may recall that funds totalling \$191,191 were withheld by the liquidator from the proceeds of the sale of the company's motor vehicles in respect of the Administrator's equitable lien. We have now received final invoices for all expenses excluding one being payroll tax for Victoria. As a result of receiving these final invoices the amount of \$190,191 has reduced to \$180,411. I have attached a revised schedule below for your information.

**EL Expenses - 28 March 2019 - 16 October 2019**

EL Expenses	Previously Advised Amounts	Further Invoices Received	Revised Gross Amount	Description
ACN 615 484 639 Pty Ltd - Steve Campbell and Paul Wilker	\$17,001	\$0	\$17,001	Salary for the CI trucks and the c
Administrators' Disbursements	\$4,894	\$0	\$4,894	Services purcha
Air-Ride Rentals	\$7,154	\$0	\$7,154	Rent for NSW pr
Ape Trading	\$6,188	\$0	\$6,188	Planning and lo
Ben Bailey	\$780	\$0	\$780	Cost incurred in
Caltex	\$66,131	\$0	\$66,131	Fuel for trucks t
Christopher Spiteri	\$1,708	\$0	\$1,708	Purchase of fue
CS Asset Holdings	\$886	\$0	\$886	Costs incurred i
DTW Transport Pty Ltd	\$1,361	\$0	\$1,361	Costs incurred t
ELT Recycling Australia Pty Ltd	\$3,103	\$0	\$3,103	Rent for VIC pre
KJS Mobile Transport Pty Ltd	\$3,368	\$0	\$3,368	Payment made t
L&S Trucking	\$2,267	\$0	\$2,267	Costs incurred t
Lomi Pty Ltd T/A The Lomi Trust	\$4,900	\$0	\$4,900	Planning and lo
Mansell Heavy Towing / Transport Welding Engineering	\$1,320	\$0	\$1,320	Costs incurred i
MC Security	\$50,322	\$0	\$50,322	24 hour securit creditors were s
Motor Vehicle Insurance and Premium	\$29,096	\$0	\$29,096	Insurance for vi
Net wages paid on 10 April 2019	\$52,789	\$0	\$52,789	Salaries for wee
Net wages paid on 3 April 2019	\$16,330	\$0	\$16,330	Portion of salar
PAYG	\$23,313	\$0	\$23,313	PAYG calculatec
Payroll tax - NSW		\$2,315	\$2,315	Actual NSW pay
Payroll tax - QLD	\$10,285	\$101	\$101	Actual QLD payr
Payroll tax - VIC*		\$2,557	\$2,557	Actual VIC payri
Pickles Valuation	\$11,000	\$0	\$11,000	Valuation costs
Peter Theodorou	\$2,750	\$0	\$2,750	Responsible for
Road Tolls	\$10,510	\$3,339	\$3,339	Road tolls in re:
Samantha Hitige	\$1,260	\$0	\$1,260	Responsible for
Superannuation	\$7,988	\$7,130	\$7,130	Superannuator
Workers Compensation - NSW*		\$2,393	\$2,393	NSW workers cc
Workers Compensation - QLD	\$4,488	\$100	\$100	QLD workers co
Workers Compensation - VIC		\$4,556	\$4,556	VIC workers con
<b>Total EL Expenses</b>	<b>\$341,191</b>	<b>\$22,491</b>	<b>\$330,411</b>	
Less: Equitable Lien Advance	(\$150,000)		(\$150,000)	
<b>EL Expenses</b>	<b>\$191,191</b>		<b>\$180,411</b>	

The liquidator has requested that Westpac again confirm you confirm acceptance of this quantum. Could you please provide this confirmation at your earliest convenience.

Should you have any queries please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate  
Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

FTI Consulting

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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-----Original Message-----

From: Warwick, Kate  
Sent: Monday, 22 July 2019 11:10 AM  
To: 'Lansom, Melissa (WBC)' <mlansom@westpac.com.au>  
Subject: FW: WITS Holdings Pty Ltd (In Liquidation)

Good morning Melissa

I have attached my email to John Melliush confirming the equitable lien amounts below for your information. Please let me know if you have any queries.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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-----Original Message-----

From: Warwick, Kate  
Sent: Monday, 22 July 2019 10:43 AM  
To: John Melliush <jmelliush@pcipartners.com.au>  
Cc: Hansell, Joseph <Joseph.Hansell@fticonsulting.com>  
Subject: RE: WITS Holdings Pty Ltd (In Liquidation)

Hi John

Thank you for your email and I confirm the amounts detailed in your email below in relation to the EL expenses and remuneration are correct.

Should you have any queries please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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-----Original Message-----

From: John Melliush <jmelliush@pcipartners.com.au>  
Sent: Thursday, 18 July 2019 5:42 PM  
To: Warwick, Kate <Kate.Warwick@fticonsulting.com>  
Subject: [EXTERNAL] RE: WITS Holdings Pty Ltd (In Liquidation)

Hi Kate,

The receipt of truck and trailer proceeds is imminent. Prior to making payment to Westpac it is proposed to deduct \$191,191 in relation to your EL expenses and \$105,690 in respect of your EL remuneration. Can you please confirm that these numbers are correct.

Thanks,

John

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**WARNING:** Please do not act on any communication from our office requesting you to transfer or deposit money without first telephoning our office on a known or separately verified number to confirm the authenticity of that request.

-----Original Message-----

From: Warwick, Kate <Kate.Warwick@fticonsulting.com>  
Sent: Thursday, 18 July 2019 1:21 PM  
To: Stephen Michell <smichell@pcipartners.com.au>  
Cc: John Melliush <jmelliush@pcipartners.com.au>; Hansell, Joseph <Joseph.Hansell@fticonsulting.com>  
Subject: FW: WITS Holdings Pty Ltd (In Liquidation)

Good morning Steven

Please refer below to email from Westpac in relation to retention for sales proceeds from the truck sales to apply to third party liabilities and fees. Can you please advise whether you have any further queries in relation to the information provided and whether you are available to discuss on Monday at 10 am to discuss. Could you please also provide a copy of your report to creditors dated 9 July 2019.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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-----Original Message-----

From: Lansom, Melissa (WBC) <mlansom@westpac.com.au>  
Sent: Wednesday, 17 July 2019 2:11 PM  
To: Warwick, Kate <Kate.Warwick@fticonsulting.com>  
Subject: [EXTERNAL] Re: WITS Holdings Pty Ltd (In Liquidation)

Kate

I refer to your email below.

My email on 16 July 2019 already confirms the Banks consent that the funds could be taken from asset sales subject to the Liquidators final approval.

I'm not sure what else your after.

Regards

Melissa Lansom  
Account Manager  
Credit Restructuring  
0401611027

On 16 Jul 2019, at 4:11 pm, Warwick, Kate  
<Kate.Warwick@fticonsulting.com<mailto:Kate.Warwick@fticonsulting.com>> wrote:

Hi Melissa

Thanks for your note. I had expanded the commentary in the schedule of care and preservation costs in the report in order to address the queries you had previously listed. I also amended the commentary on page 6 in relation to the equitable and statutory lien;

- \* requesting Westpac reconfirm consent for the funds to be deducted from the proceeds of the sale of the Fixed Assets to address the shortfall in third party expenses incurred in the care and preservation of Westpac's assets in the sum of \$94,473; and

- \* that funds from the proceeds of the sale of the Fixed assets be applied to meet the fees and disbursements incurred in relation to the non-circulating assets predominately represented by locating, relocating and securing the Company's fleet of trucks and trailers in the sum of \$153,658.

It would be good to discuss this with you. Could you please let me know if it suits to have a call tomorrow or after 12 on Thursday.

Kind regards

Kate

Kate Warwick  
Senior Managing Director, Corporate Finance & Restructuring

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+0636<tel:+61%203%209604%200636> D  
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Assistant: Kristal Eade +61 3 9604 0630<tel:+61%203%209604%200600>  
|kristal.eade@fticonsulting.com<mailto:kristal.eade@fticonsulting.com>  
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Westpac Banking Corporation (ABN 33 007 457 141)

Westpac Institutional Bank is a division of Westpac Banking Corporation

Subject: WITS and PCI Partners  
Date: 11/04/2019 9:51 AM  
From: "Allen, Paul" <Paul.Allen@fticonsulting.com>  
To: "Warwick, Kate" <Kate.Warwick@fticonsulting.com>

---

Hi Kate

Steve Michel and Kylie Wright of PCI Partners called in and asked for you earlier when you were on the conference call.

I spoke to them.

Steve cant make the 11.30am meeting as he has a mediation.

They would still like to speak to you today.

Their numbers are:

Steve Direct Line 8636 3355 Mob: 0448 345 344

Kylie Mob 0408 352 452

Regards

**Paul Allen**  
Managing Director, Corporate Finance & Restructuring

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Subject: RE: WITS Holdings Pty Ltd (in Liquidation)  
Date: 10/04/2019 4:51 PM  
From: "Blakeley, Ross" <Ross.Blakeley@fticonsulting.com>  
To: "Kylie Wright" <kwright@pcipartners.com.au>  
"Stephen Michell" <smichell@pcipartners.com.au>, "Tristan McGlade"  
<tmcglade@pcipartners.com.au>, "Hansell, Joseph"  
Cc: <Joseph.Hansell@fticonsulting.com>, "Warwick, Kate"  
<Kate.Warwick@fticonsulting.com>

---

Thanks Kylie. We will revert ASAP on your below specific questions.

I understand that John Melluish from your Sydney office has contacted Joe Hansell in our Sydney office and they have arranged to meet in the morning to run through in some detail.

Regards

Ross

**Ross Blakeley**  
Senior Managing Director, Corporate Finance & Restructuring

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[ross.blakeley@fticonsulting.com](mailto:ross.blakeley@fticonsulting.com)

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From: Kylie Wright <kwright@pcipartners.com.au>  
Sent: Wednesday, 10 April 2019 4:00 PM  
To: Blakeley, Ross <Ross.Blakeley@fticonsulting.com>  
Cc: Stephen Michell <smichell@pcipartners.com.au>; Tristan McGlade <tmcglade@pcipartners.com.au>  
Subject: WITS Holdings Pty Ltd (in Liquidation)

Dear Ross

Thank you for your time earlier today. As discussed, Stephen Michell of this office was appointed Liquidator of the abovenamed company on 10 April 2019.

A copy of the Court Order is attached for your reference. I note your advice that the company ceased to trade last week, however, remains employing staff at present in Melbourne and potentially Sydney.

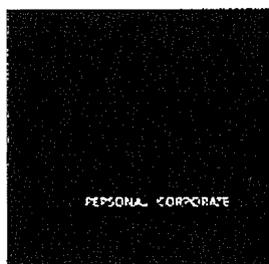
I also note your advice that the assets, including debtors are subject to security in favour of Westpac Banking Group and that the fleet of vehicles are predominantly located at Grays.

I should be grateful if you could provide the following information in the first instance, to assist the Liquidator in this matter:

1. Details of the appropriate contact person at your firm for this matter;
2. The appropriate contact person at Westpac;
3. The appropriate contact person at Grays;
4. Whether you hold any cash at present in respect of the company;
5. The name of the key employee in Melbourne who is presently assisting with debtor collection; and
6. Details of the amounts claimed by FTI pursuant to Section 443F of the Corporations Act 2001.

Should you wish to discuss this matter, please do not hesitate to contact me.

Regards



**Kylie Wright**  
Principal  
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F +61 3 8636 3330  
  
L8 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
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Subject: FW: WITS Holdings Pty Ltd (in Liquidation)  
Date: 10/04/2019 5:53 PM  
From: "Warwick, Kate" <Kate.Warwick@fticonsulting.com>  
To: "Stephen Michell" <smichell@pcipartners.com.au>  
Cc: "Hansell, Joseph" <Joseph.Hansell@fticonsulting.com>, "Blakeley, Ross" <Ross.Blakeley@fticonsulting.com>

---

Hi Stephen

Further to Kylie's email below would you be available to meet tomorrow at 11.30 to discuss. I understand that John Melluish from your Sydney office was also planning on meeting with Joe Hansell in Sydney. If John could meet with Joe at 11.30 also and we can then teleconference Sydney in to the discussion. Could you please provide your thoughts when you have a moment.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
Level 21, 600 Bourke Street, Melbourne, 3000  
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[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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**From:** Blakeley, Ross <Ross.Blakeley@fticonsulting.com>  
**Sent:** Wednesday, 10 April 2019 4:51 PM  
**To:** Kylie Wright <kwright@pcipartners.com.au>  
**Cc:** Stephen Michell <smichell@pcipartners.com.au>; Tristan McGlade <tmcglade@pcipartners.com.au>; Hansell, Joseph <Joseph.Hansell@fticonsulting.com>; Warwick, Kate <Kate.Warwick@fticonsulting.com>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation)

Thanks Kylie. We will revert ASAP on your below specific questions.

I understand that John Melluish from your Sydney office has contacted Joe Hansell in our Sydney office and they have arranged to meet in the morning to run through in some detail.

Regards

Ross

**Ross Blakeley**

Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**

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**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>

**Sent:** Wednesday, 10 April 2019 4:00 PM

**To:** Blakeley, Ross <[Ross.Blakeley@fticonsulting.com](mailto:Ross.Blakeley@fticonsulting.com)>

**Cc:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>; Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>

**Subject:** WITS Holdings Pty Ltd (in Liquidation)

Dear Ross

Thank you for your time earlier today. As discussed, Stephen Michell of this office was appointed Liquidator of the abovenamed company on 10 April 2019.

A copy of the Court Order is attached for your reference. I note your advice that the company ceased to trade last week, however, remains employing staff at present in Melbourne and potentially Sydney.

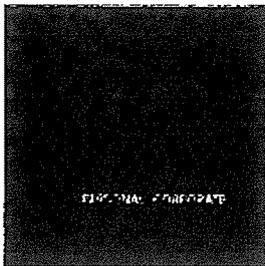
I also note your advice that the assets, including debtors are subject to security in favour of Westpac Banking Group and that the fleet of vehicles are predominantly located at Grays.

I should be grateful if you could provide the following information in the first instance, to assist the Liquidator in this matter:

1. Details of the appropriate contact person at your firm for this matter;
2. The appropriate contact person at Westpac;
3. The appropriate contact person at Grays;
4. Whether you hold any cash at present in respect of the company;
5. The name of the key employee in Melbourne who is presently assisting with debtor collection; and
6. Details of the amounts claimed by FTI pursuant to Section 443F of the Corporations Act 2001.

Should you wish to discuss this matter, please do not hesitate to contact me.

Regards



**Kylie Wright**  
Principal  
T +61 3 8636 3333  
F +61 3 8636 3330  
  
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Subject: WITS Holdings Pty Ltd (In  
Date: 12/04/2019 4:03 PM  
From: "Kylie Wright" <kwright@pcipartners.com.au>  
To: "ross.blakeley@fticonsulting.com" <ross.blakeley@fticonsulting.com>,  
"kate.warwick@fticonsulting.com" <kate.warwick@fticonsulting.com>,  
"joseph.hansell@fticonsulting.com" <joseph.hansell@fticonsulting.com>  
Cc: "John Melluish" <jmelluish@pcipartners.com.au>, "Stephen Michell"  
<smichell@pcipartners.com.au>

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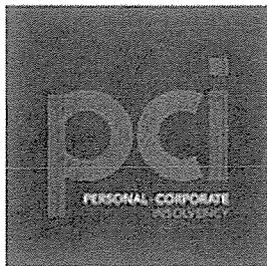
Dear Kate, Ross & Joe

I understand that we were to expect a letter from your office and/or Minters by lunch time today.

Could you please advise when we can expect to receive the letter.

Should you wish to discuss this matter, please do not hesitate to contact Stephen, John or myself.

Regards



Kylie Wright  
Principal  
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Subject: WITS Holdings Pty Ltd (in Liquidation)  
Date: 16/04/2019 10:12 AM  
From: "Kylie Wright" <kwright@pcipartners.com.au>  
To: "kate.warwick@fticonsulting.com" <kate.warwick@fticonsulting.com>  
Cc: "Stephen Michell" <smichell@pcipartners.com.au>, "John Melluish" <jmelluish@pcipartners.com.au>, "Tristan McGlade" <tmcglade@pcipartners.com.au>

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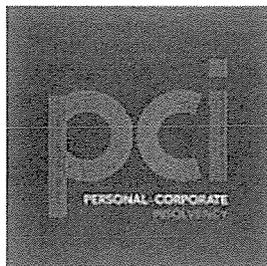
Dear Kate

I refer to the above matter. We have been advised that your office has requested that Chris Spiteri attend at the FTI Melbourne offices this morning to give a statement regarding some trailers of the company.

The Liquidator has no objection to Mr Spiteri in attending your offices, however, could you please provide me with clarification of the reason for the provision of the statement in respect of the trailers? Are you seeking information pertaining to the stolen trailers?

Should you wish to discuss this matter, please do not hesitate to contact me.

Regards



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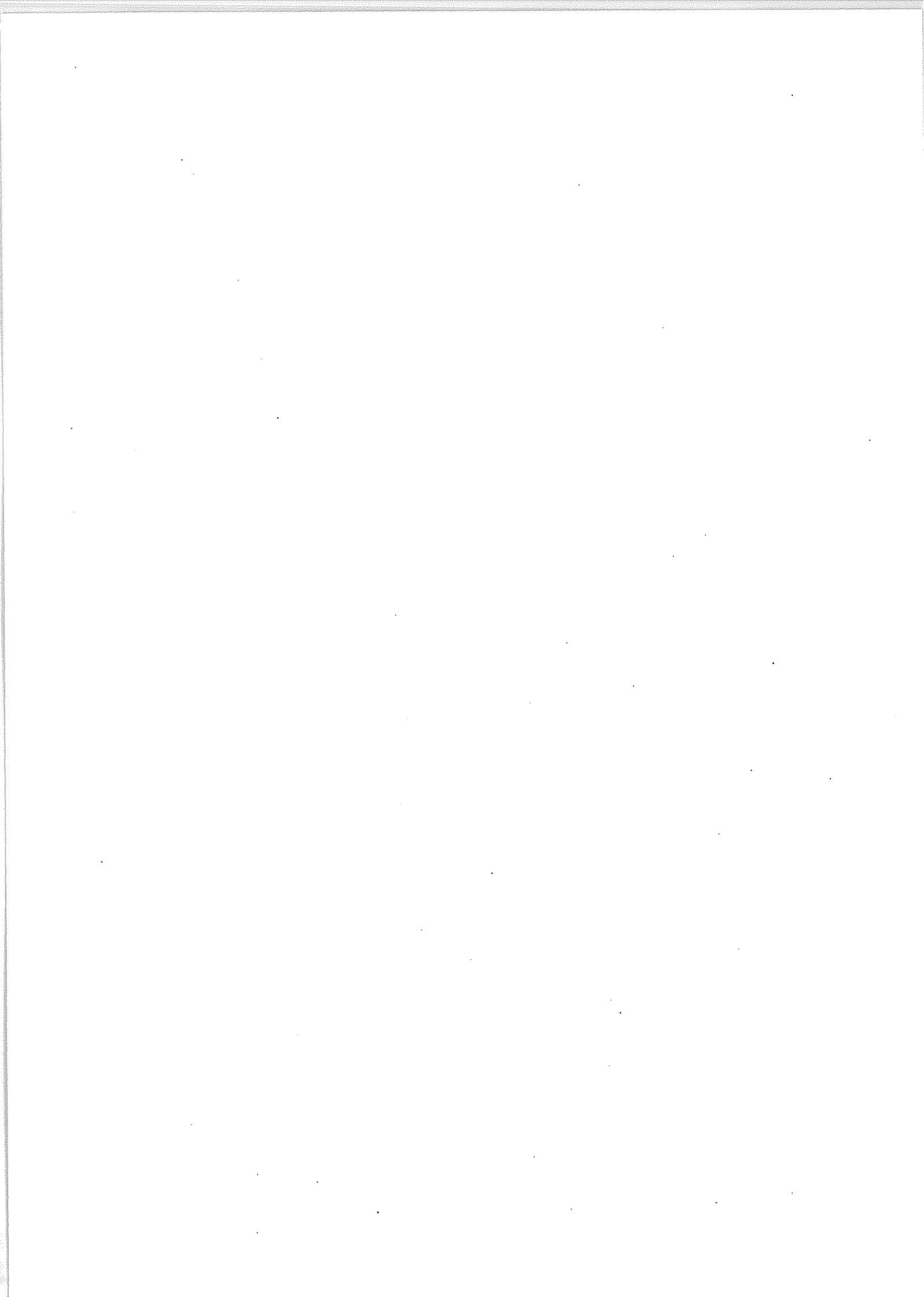
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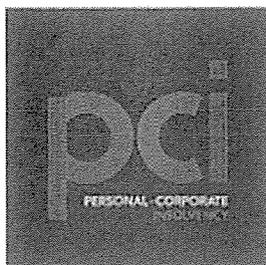


Subject: WITS Holdings Pty Ltd (In Liquidation)  
Date: 2/05/2019 5:59 PM  
From: "Kylie Wright" <kwright@pcipartners.com.au>  
To: "kate.warwick@fticonsulting.com" <kate.warwick@fticonsulting.com>  
Cc: "John Melluish" <jmelluish@pcipartners.com.au>, "Stephen Michell" <smichell@pcipartners.com.au>

---

Dear Kate

Please refer to the attached.



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0154497619 18179 Queen St Melbourne VIC 3000

2 May 2019

Ms K Warwick  
FTI Consulting (Australia) Pty Ltd  
Level 21  
600 Bourke Street  
Melbourne VIC 3000

By Email: [kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)

Dear Madam

**WITS HOLDINGS PTY LTD  
(IN LIQUIDATION)  
FORMERLY TRADING AS WADLEY INTERSTATE TRANSPORT SERVICES  
A.C.N.: 050 322 284**

I refer to your correspondence dated 23 April 2019.

I am presently seeking legal advice in respect to your fee and your request that I remit 100% of proceeds from asset realisations to you, without deduction for my costs.

I will revert to you further following receipt of that advice.

In the meantime, you are requested to provide me with full particulars with regards to your remuneration and costs as detailed in your letter of 17 April 2019, including:

- a copy of your work in progress report;
- invoices or other documentation evidencing each of the costs detailed in your letter; and
- a breakdown of the assets associated with the time costs and/or expenses incurred in each category.

In addition, a review of the remuneration and expenses disclosed in your letter of 17 April 2019 indicates that you have not allocated any time or expenses to statutory tasks. Accordingly, you are requested to advise what portion of your costs is attributable to statutory tasks and how you have treated those costs.

I acknowledge receipt of the provision of eight (8) boxes of records of the company on 29 April 2019, however, at this time I am yet to receive any books relating to the external administration of the company during your appointment.

I consider that Section 70-30 of the Insolvency Practice Schedule (Corporations) ("the IPS") places an obligation upon you as the former Administrator to deliver up your administration files to me. Your lack of provision of the administration files is resulting in delays to the efficient conduct of the Liquidation.

As you are aware, Section 70-30(8) of the IPS states that a person is not entitled to claim a lien on the books against the new appointee, nor is any such lien prejudiced. Accordingly, I consider that the resolution of the lien is not a proper basis with which to withhold your administration file.

As you will appreciate, time is of the essence in respect of the above matters and accordingly, I look forward to your urgent response.

Yours faithfully

  
SJ MICHELL  
LIQUIDATOR

Subject: RE: WITS Holdings Pty Ltd (In Liquidation) ("the Company")  
Date: 3/05/2019 4:34 PM  
From: "Mazzone, James" <James.Mazzone@fticonsulting.com>  
To: "Kylie Wright" <kwright@pcipartners.com.au>, "Morton, Ian" <Ian.Morton@fticonsulting.com>  
Cc: "Warwick, Kate" <Kate.Warwick@fticonsulting.com>, "Tristan McGlade" <tmcglade@pcipartners.com.au>

---

Hi Kylie and Tristan

Further to the meeting today, please find enclosed the schedules as requested.

Kind regards

**James Mazzone**  
Senior Consultant  
Corporate Finance & Restructuring

**FTI Consulting**  
Level 21 / 600 Bourke Street  
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+61 3 9604 0600 T | +61 3 9604 0626 D  
[James.mazzone@fticonsulting.com](mailto:James.mazzone@fticonsulting.com)

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**From:** Kylie Wright <kwright@pcipartners.com.au>  
**Sent:** Friday, 3 May 2019 9:33 AM  
**To:** Morton, Ian <Ian.Morton@fticonsulting.com>  
**Cc:** Mazzone, James <James.Mazzone@fticonsulting.com>; Warwick, Kate <Kate.Warwick@fticonsulting.com>; Tristan McGlade <tmcglade@pcipartners.com.au>  
**Subject:** [EXTERNAL] RE: WITS Holdings Pty Ltd (In Liquidation) ("the Company")

Hi Ian

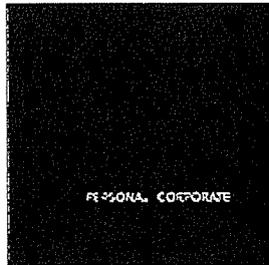
Unfortunately I am unavailable today and interstate next week.

As such, Tristan McGlade of this office will attend at your offices today to run through the debtors ledger. Tristan will also bring along employee of WITS, Liz McDonald, who is assisting in the debtor recovery process so that she can also understand what has occurred.

Tristan will give you a call shortly to arrange a suitable time to attend.

Should you wish to discuss this matter, please contact me.

Regards



**Kylie Wright**  
Principal  
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**From:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Sent:** Friday, 3 May 2019 9:06 AM  
**To:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Cc:** Mazzone, James <[James.Mazzone@fticonsulting.com](mailto:James.Mazzone@fticonsulting.com)>; Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Subject:** WITS Holdings Pty Ltd (In Liquidation) ("the Company")

Good Morning Kylie,

I understand that you may be having difficulties in reconciling the accounts receivable ledgers. We can make ourselves available today at our office, to run through the ledgers with you if required. If so, please advise what time suits you.

Regards,

**Ian Morton**  
Senior Director, Corporate Finance & Restructuring

**FTI Consulting**  
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[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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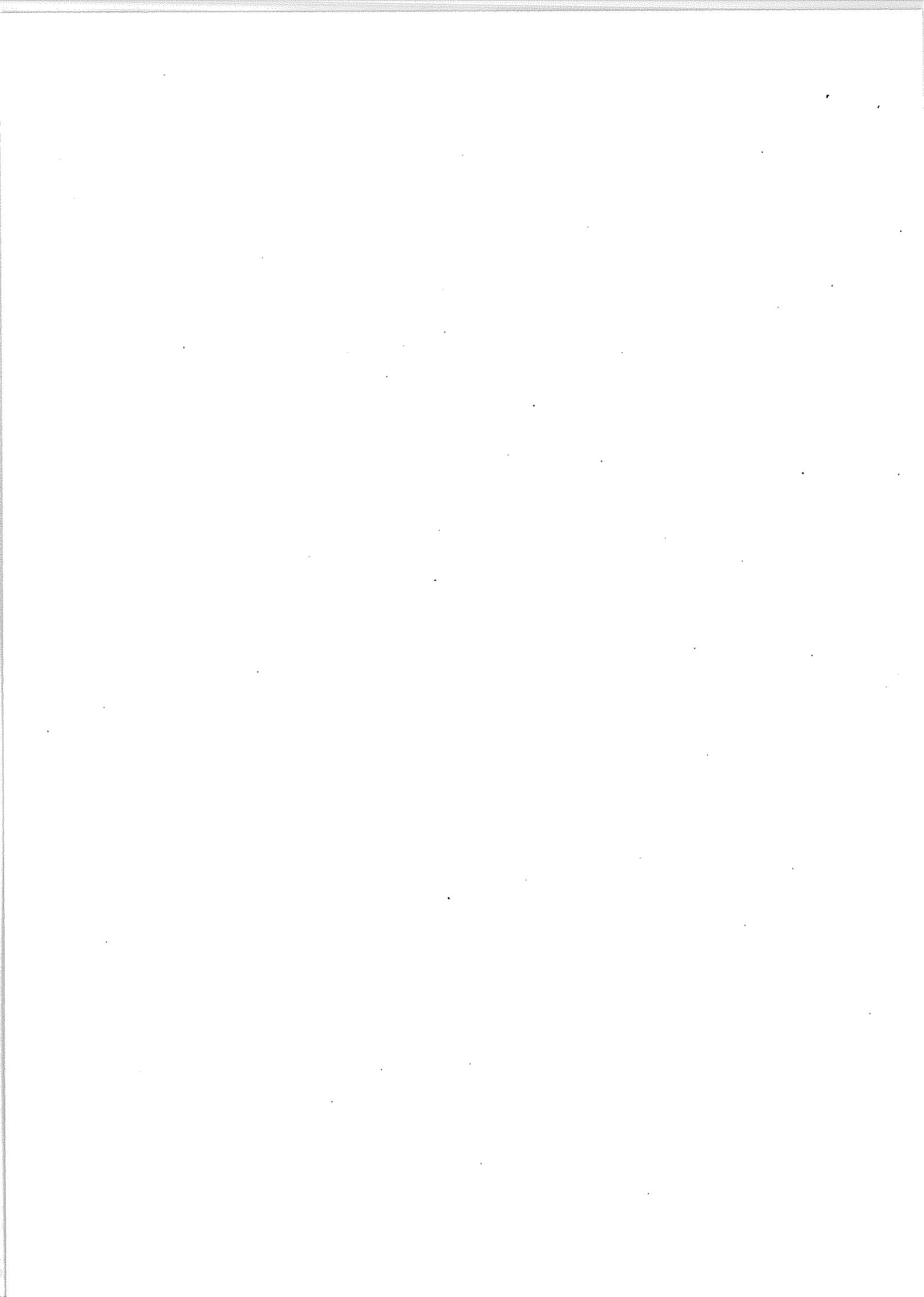
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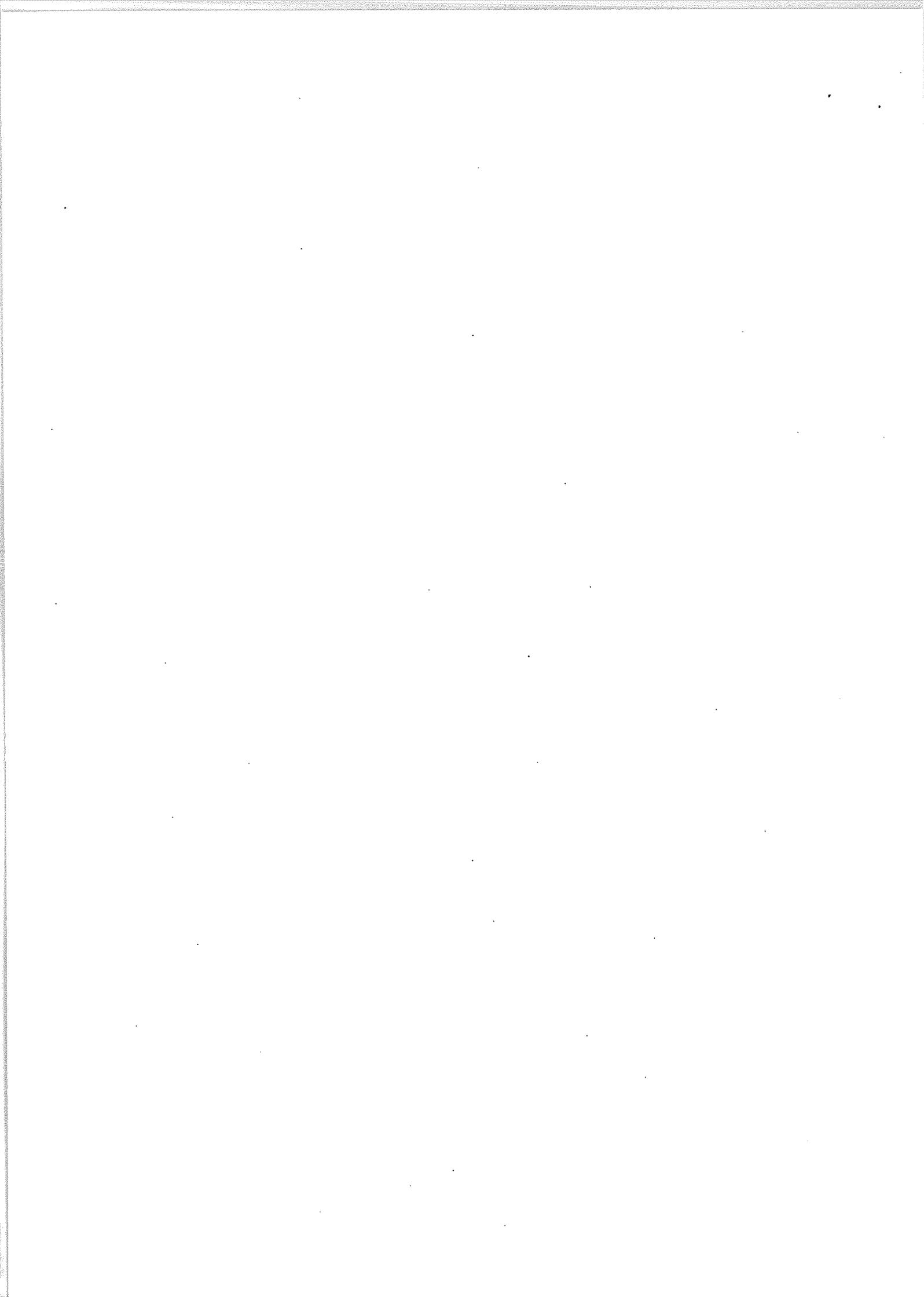
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Administration Account

Date	Invoice Number	Payee	Description	Amount	Remittance	Actual Account Receipt	Amount Payable to Westpac		
2/04/2019	1128254	Bluestar Global Logistics (Aust) Pty Ltd	Pre-appt debtor	\$ 4,510.00	Y	\$ 4,510.00	\$ 4,510.00	Pre-appt debtor	\$ 28,380.00
2/04/2019	1128255	Bluestar Global Logistics (Aust) Pty Ltd	Pre-appt debtor	\$ 4,620.00	Y	\$ 7,700.00	\$ 4,620.00	Post-appt debtor	\$ 23,707.31
2/04/2019	1128258	Bluestar Global Logistics (Aust) Pty Ltd	Pre-appt debtor	\$ 2,310.00	Y		\$ 2,310.00	Sale of Assets	\$ 2,803.65
2/04/2019	1128278	Bluestar Global Logistics (Aust) Pty Ltd	Pre-appt debtor	\$ 770.00	Y		\$ 770.00	Returned Payment	\$ 1,305.00
2/04/2019	1128248	Bluestar Global Logistics (Aust) Pty Ltd	Pre-appt debtor	\$ 550.00	Y	\$ 550.00	\$ 550.00	Employee Funding	\$ 165,000.00
3/04/2019	N/A	Westpac	Employee Funding	\$ 165,000.00		\$ 165,000.00		Care and Preservation Fu	\$ 149,967.00
5/04/2019	92544	Domestic Freight Express	Pre-appt debtor	\$ 1,045.00	N	\$ 1,045.00	\$ 1,045.00	Total	\$ 371,162.96
9/04/2019	N/A	Westpac	Care and Preservation Funding	\$ 149,967.00		\$ 149,967.00			
15/04/2019	93472	Australian Construction Products Pty Ltd	Pre-appt debtor	\$ 2,090.00	Y	\$ 5,995.00	\$ 2,090.00		
15/04/2019	92682	Australian Construction Products Pty Ltd	Pre-appt debtor	\$ 2,530.00	Y		\$ 2,530.00		
15/04/2019	180208	Australian Construction Products Pty Ltd	Post-appt debtor	\$ 1,375.00	Y				
17/04/2019	N/A	Returned Payment	Returned Payment	\$ 1,305.00	N	\$ 1,305.00			
17/04/2019	N/A	OneSteel Recycling	Sale of Assets	\$ 2,803.65	Y	\$ 2,803.65			
18/04/2019	93395	Bulk Transport Australia Pty Ltd	Pre-appt debtor	\$ 3,685.00	Y	\$ 3,685.00	\$ 3,685.00		
18/04/2019	180284	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 1,210.00	Y	\$ 24,860.00			
18/04/2019	180334	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 1,815.00	Y				
18/04/2019	180280	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 1,540.00	Y				
18/04/2019	93437	Bulk Transport Australia Pty Ltd	Pre-appt debtor	\$ 1,980.00	Y		\$ 1,980.00		
18/04/2019	180246	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 990.00	Y				
18/04/2019	180245	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 2,420.00	Y				
18/04/2019	93466	Bulk Transport Australia Pty Ltd	Pre-appt debtor	\$ 3,080.00	Y		\$ 3,080.00		
18/04/2019	180239	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 1,320.00	Y				
18/04/2019	180244	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 3,245.00	Y				
18/04/2019	93318	Bulk Transport Australia Pty Ltd	Pre-appt debtor	\$ 605.00	Y		\$ 605.00		
18/04/2019	93317	Bulk Transport Australia Pty Ltd	Pre-appt debtor	\$ 605.00	Y		\$ 605.00		
18/04/2019	180275	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 990.00	Y				
18/04/2019	180213	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 880.00	Y				
18/04/2019	180281	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 1,540.00	Y				
18/04/2019	180267	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 1,320.00	Y				
18/04/2019	180269	Bulk Transport Australia Pty Ltd	Post-appt debtor	\$ 1,320.00	Y				
2/05/2019	180469	RH Bare Pty Ltd	Post-appt debtor	\$ 3,742.31		\$ 3,742.31			
<b>Total</b>				\$ 371,162.96		\$ 371,162.96	\$ 28,380.00		



WITS Holdings Pty Ltd  
 P.O. Box 7111  
 WETHERILL PARK NSW 2164

**Sales Register [All Sales]**

1/07/2018 through 10/04/2019

Date	Invoice #	Customer PO #	Customer Name	Amount	Amount Due	Status	Paid
3/04/2019	180202		Show Group Enterprises	\$3,025.00	\$3,025.00	Open	
3/04/2019	180203		Ontime Warehousing P/	\$1,346.41	\$1,346.41	Open	
3/04/2019	180204		Ontime Warehousing P/	\$1,346.41	\$1,346.41	Open	
3/04/2019	180205		Ontime Warehousing P/	\$1,346.41	\$1,346.41	Open	
3/04/2019	180206		Ontime Warehousing P/	\$1,346.41	\$1,346.41	Open	
3/04/2019	180207		Ontime Warehousing P/	\$1,346.41	\$1,346.41	Open	
5/03/2019	180208	19060	Australian Construction	\$1,375.00	\$1,375.00	Open	VA Account
14/02/2019	180209	4501143086	Knauf Plasterboard Pty	\$2,553.35	\$2,553.35	Open	
18/02/2019	180210	20510339	Mason Place	\$2,640.00	\$2,640.00	Open	
18/02/2019	180211	5505036	Knauf Plasterboard Pty	\$2,415.34	\$2,415.34	Open	
21/02/2019	180212	20190221	Knauf Plasterboard Pty	\$5,026.20	\$5,026.20	Open	
21/02/2019	180213	KA0760	Bulk Transport Australia	\$880.00	\$880.00	Open	VA Account
22/02/2019	180214	4815400	Woolworths Group Limit	\$3,280.13	\$3,280.13	Open	
22/02/2019	180215	MM10456	Hi-Trans Express Pty Lt	\$825.00	\$825.00	Open	
27/09/2018	180216	20180926	Knauf Plasterboard Pty	\$1,943.50	\$1,943.50	Open	
3/12/2018	180217	253924	Simon National Carriers	\$2,959.49	\$2,959.49	Open	
18/12/2018	180218	783414	Capral Limited	\$1,171.53	\$1,171.53	Open	
15/01/2019	180219	MM9154	Concept Logistics	\$990.00	\$990.00	Open	
17/01/2019	180220	7311	Atlas Transport	\$1,870.00	\$1,870.00	Open	
29/01/2019	180221	790465	Capral Limited	\$2,264.46	\$2,264.46	Open	
27/02/2019	180222	82622203	James Hardie Australia	\$1,792.05	\$1,792.05	Open	
1/02/2019	180223	785794	Capral Limited	\$2,065.61	\$2,065.61	Open	
15/02/2019	180224	76776	Spartrans Pty Limited	\$1,485.00	\$1,485.00	Open	
15/02/2019	180225	76778	Spartrans Pty Limited	\$1,485.00	\$1,485.00	Open	
25/02/2019	180226	889028	Ontime Warehousing P/	\$825.00	\$825.00	Open	
4/03/2019	180227	790786	Capral Limited	\$1,767.58	\$1,767.58	Open	
4/03/2019	180228	20190304	Knauf Plasterboard Pty	\$3,966.64	\$3,966.64	Open	
4/03/2019	180229	20190304	Knauf Plasterboard Pty	\$1,983.32	\$1,983.32	Open	
5/03/2019	180230	790980	Capral Limited	\$2,447.91	\$2,447.91	Open	
21/03/2019	180231	4967186	Woolworths Group Limit	\$1,586.19	\$1,586.19	Open	
22/03/2019	180232	793409	Capral Limited	\$3,903.09	\$3,903.09	Open	
22/03/2019	180233	09908	Tasmanian Freight Serv	\$3,135.00	\$3,135.00	Open	
22/03/2019	180234	82635365/63	James Hardie Australia	\$2,483.10	\$2,483.10	Open	
14/03/2019	180235	AD2067	Bulk Transport Australia	\$1,100.00	\$1,100.00	Open	
14/03/2019	180236	1127860	Blue Star Logistics	\$2,310.00	\$2,310.00	Open	
14/03/2019	180237	MM10614	Hi-Trans Express Pty Lt	\$2,310.00	\$2,310.00	Open	
14/03/2019	180238	1572967	Woolworths Group Limit	\$1,360.37	\$1,360.37	Open	
14/03/2019	180239	HC5509	Bulk Transport Australia	\$1,320.00	\$1,320.00	Open	VA Account
14/03/2019	180240	59296/97	Tatiara Transport Pty Lt	\$880.00	\$880.00	Open	
14/03/2019	180241	57939	Tatiara Transport Pty Lt	\$990.00	\$990.00	Open	
15/03/2019	180242	792503	Capral Limited	\$1,954.64	\$1,954.64	Open	
15/03/2019	180243	20190315	Knauf Plasterboard Pty	\$1,866.66	\$1,866.66	Open	
15/03/2019	180244	AD2066	Bulk Transport Australia	\$3,245.00	\$3,245.00	Open	VA Account
15/03/2019	180245	BT4W0230	Bulk Transport Australia	\$2,420.00	\$2,420.00	Open	VA Account
15/03/2019	180246	KA0923	Bulk Transport Australia	\$990.00	\$990.00	Open	VA Account
15/03/2019	180247	1127878	Blue Star Logistics	\$2,310.00	\$2,310.00	Open	
15/03/2019	180248	20190315	Knauf Plasterboard Pty	\$2,041.66	\$2,041.66	Open	
18/03/2019	180249	1127904	Blue Star Logistics	\$2,310.00	\$2,310.00	Open	
18/03/2019	180250	511375	Goodwin Freight Service	\$1,705.00	\$1,705.00	Open	
18/03/2019	180251	KA0942	Bulk Transport Australia	\$2,420.00	\$2,420.00	Open	
18/03/2019	180252	1127903	Blue Star Logistics	\$2,310.00	\$2,310.00	Open	
18/03/2019	180253	KA0952	Bulk Transport Australia	\$1,650.00	\$1,650.00	Open	
22/03/2019	180254	82635376	James Hardie Australia	\$343.30	\$343.30	Open	
22/03/2019	180255	82634846	James Hardie Australia	\$4,046.76	\$4,046.76	Open	
22/03/2019	180257	KA0970	Bulk Transport Australia	\$1,815.00	\$1,815.00	Open	
19/03/2019	180258	792805	Capral Limited	\$2,817.87	\$2,817.87	Open	
19/03/2019	180259	633291/82633159	James Hardie Australia	\$2,834.49	\$2,834.49	Open	
19/03/2019	180260	BTSY0324	Bulk Transport Australia	\$4,675.00	\$4,675.00	Open	
19/03/2019	180261	KA0952	Bulk Transport Australia	\$1,650.00	\$1,650.00	Open	

19/03/2019	180262	792934 Capral Limited	\$2,065.61	\$2,065.61	Open	
19/03/2019	180263	51931 MPG Shipping Pty Ltd	\$1,100.00	\$1,100.00	Open	
19/03/2019	180264	4937422 Woolworths Group Limit	\$21.55	\$21.55	Open	
20/03/2019	180265	20190320 Knauf Plasterboard Pty	\$3,616.65	\$3,616.65	Open	
20/03/2019	180266	78223 Duromer Products Pty L	\$918.80	\$918.80	Open	
5/03/2019	180267	KA0844 Bulk Transport Australia	\$1,320.00	\$1,320.00	Open	VA Account
5/03/2019	180268	59290 Tatiara Transport Pty Lt	\$990.00	\$990.00	Open	
5/03/2019	180269	KA0845 Bulk Transport Australia	\$1,320.00	\$1,320.00	Open	VA Account
6/03/2019	180270	102897 Kitco Transport Pty Ltd	\$4,840.00	\$4,840.00	Open	
6/03/2019	180271	55219 Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open	
6/03/2019	180272	55218 Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open	
6/03/2019	180273	55218 Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open	
8/03/2019	180274	45298 Programmed Timber Su	\$1,601.80	\$1,601.80	Open	
8/03/2019	180275	BINX0011 Bulk Transport Australia	\$990.00	\$990.00	Open	VA Account
8/03/2019	180276	791594 Capral Limited	\$2,065.61	\$2,065.61	Open	
7/03/2019	180277	20190307 Knauf Plasterboard Pty	\$3,616.65	\$3,616.65	Open	
7/03/2019	180278	55221 Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open	
8/03/2019	180279	20190311 Knauf Plasterboard Pty	\$1,866.66	\$1,866.66	Open	
8/03/2019	180280	KA0880 Bulk Transport Australia	\$1,540.00	\$1,540.00	Open	VA Account
8/03/2019	180281	KA0881 Bulk Transport Australia	\$1,540.00	\$1,540.00	Open	VA Account
11/03/2019	180282	30047191 OnTime Warehousing P/	\$1,375.00	\$1,375.00	Open	
11/03/2019	180283	791652 Capral Limited	\$1,541.51	\$1,541.51	Open	
11/03/2019	180284	BTMT0258 Bulk Transport Australia	\$1,210.00	\$1,210.00	Open	VA Account
11/03/2019	180285	791710 Capral Limited	\$4,133.41	\$4,133.41	Open	
12/03/2019	180286	1033348 Kitco Transport Pty Ltd	\$2,420.00	\$2,420.00	Open	
12/03/2019	180287	791903 Capral Limited	\$2,264.46	\$2,264.46	Open	
12/03/2019	180288	MM10588 Hi-Trans Express Pty Lt	\$2,200.00	\$2,200.00	Open	
12/03/2019	180289	20190312 Knauf Plasterboard Pty	\$2,449.99	\$2,449.99	Open	
12/03/2019	180290	20190311 Knauf Plasterboard Pty	\$408.33	\$408.33	Open	
13/03/2019	180291	20190313 Knauf Plasterboard Pty	\$2,449.99	\$2,449.99	Open	
20/03/2019	180292	77554 Bulk Transport Australia	\$3,850.00	\$3,850.00	Open	
20/03/2019	180293	33804 Spectrum Transport Sys	\$2,420.00	\$2,420.00	Open	
20/03/2019	180294	AFJX0098 Bulk Transport Australia	\$1,100.00	\$1,100.00	Open	
20/03/2019	180295	20190320 Knauf Plasterboard Pty	\$2,449.99	\$2,449.99	Open	
20/03/2019	180296	51936 Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open	
14/03/2019	180297	2235 Australian Transport & L	\$935.00	\$935.00	Open	
21/03/2019	180298	MM10676 Hi-Trans Express Pty Lt	\$2,200.00	\$2,200.00	Open	
21/03/2019	180299	BINX0014 Bulk Transport Australia	\$1,100.00	\$1,100.00	Open	
21/03/2019	180300	511474 Goodwin Freight Service	\$1,705.00	\$1,705.00	Open	
21/03/2019	180301	1127969 Blue Star Logistics	\$2,310.00	\$2,310.00	Open	
25/03/2019	180302	793630 Capral Limited	\$2,646.77	\$2,646.77	Open	
25/03/2019	180303	82635991 James Hardie Australia	\$2,354.26	\$2,354.26	Open	
25/03/2019	180304	3084479 Knauf Plasterboard Pty	\$1,866.66	\$1,866.66	Open	
25/03/2019	180305	82636723 James Hardie Australia	\$1,862.33	\$1,862.33	Open	
25/03/2019	180306	MM10697 Hi-Trans Express Pty Lt	\$2,200.00	\$2,200.00	Open	
25/03/2019	180307	4977399 Woolworths Group Limit	\$1,915.41	\$1,915.41	Open	
25/03/2019	180308	51935 Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open	
25/03/2019	180309	51937 Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open	
25/03/2019	180310	50543535 Guru Freightliners	\$1,320.00	\$1,320.00	Open	
26/03/2019	180311	793890 Capral Limited	\$2,447.91	\$2,447.91	Open	
26/03/2019	180312	82636652 James Hardie Australia	\$1,792.05	\$1,792.05	Open	
26/03/2019	180313	82637162/826371 James Hardie Australia	\$1,862.33	\$1,862.33	Open	
26/03/2019	180314	258192 Quantum Transport P/L	\$1,980.00	\$1,980.00	Open	
26/03/2019	180315	MM10712 Hi-Trans Express Pty Lt	\$2,200.00	\$2,200.00	Open	
26/03/2019	180316	45461 Spectrum Transport Sys	\$3,410.00	\$3,410.00	Open	
26/03/2019	180317	76708 Capral Limited	\$1,925.33	\$1,925.33	Open	
26/03/2019	180318	1048510 Cahill Transport	\$1,210.00	\$1,210.00	Open	
18/03/2019	180319	2235 Australian Transport & L	\$935.00	\$935.00	Open	
1/03/2019	180320	30047826 OnTime Warehousing P/	\$2,200.00	\$2,200.00	Open	
20/03/2019	180321	EXP2235 Australian Transport & L	\$935.00	\$935.00	Open	
1/04/2019	180322	794377 Capral Limited	\$1,134.11	\$1,134.11	Open	
29/03/2019	180323	794376 Capral Limited	\$1,740.35	\$1,740.35	Open	
29/03/2019	180324	794435 Capral Limited	\$2,447.91	\$2,447.91	Open	
29/03/2019	180325	3109957 Knauf Plasterboard Pty	\$1,866.66	\$1,866.66	Open	
29/03/2019	180326	794448 Capral Limited	\$4,254.55	\$4,254.55	Open	
29/03/2019	180327	714974 Booth Transport Pty Ltd	\$3,056.33	\$3,056.33	Open	
29/03/2019	180328	1129604 Blue Star Logistics	\$4,510.00	\$4,510.00	Open	
29/03/2019	180329	Brosa Sampson Transport Pty	\$990.00	\$990.00	Open	
29/03/2019	180330	MS011755 General Carrying Pty Lt	\$1,571.43	\$1,571.43	Open	
29/03/2019	180331	1129608 Blue Star Logistics	\$2,200.00	\$2,200.00	Open	
29/03/2019	180332	76711/12 Capral Limited	\$3,879.97	\$3,879.97	Open	

29/03/2019	180333	05835	Guru Freightliners	\$1,320.00	\$1,320.00	Open
12/03/2019	180334	HC5452	Bulk Transport Australia	\$1,815.00	\$1,815.00	Open
1/04/2019	180335	794548	Capral Limited	\$1,684.76	\$1,684.76	Open
1/04/2019	180336	794547	Capral Limited	\$1,492.26	\$1,492.26	Open
21/02/2019	180337	76778	Spartrans Pty Limited	\$1,485.00	\$1,485.00	Open
27/03/2019	180339	794077	Capral Limited	\$928.60	\$928.60	Open
27/03/2019	180340	4999919	Woolworths Group Limit	\$2,410.81	\$2,410.81	Open
27/03/2019	180341	941408	Ontime Warehousing P/	\$1,650.00	\$1,650.00	Open
27/03/2019	180342	05834	Guru Freightliners	\$1,320.00	\$1,320.00	Open
1/04/2019	180343	794607	Capral Limited	\$2,333.35	\$2,333.35	Open
1/04/2019	180344	77204	Capral Limited	\$2,932.29	\$2,932.29	Open
1/04/2019	180345	BTTIV106	Bulk Transport Australia	\$1,705.00	\$1,705.00	Open
1/04/2019	180346	76713/14	Capral Limited	\$2,186.15	\$2,186.15	Open
28/03/2019	180347	794193	Capral Limited	\$1,740.35	\$1,740.35	Open
28/03/2019	180348	794194	Capral Limited	\$1,740.35	\$1,740.35	Open
28/03/2019	180349	SM14179	Hi-Trans Express Pty Lt	\$3,080.00	\$3,080.00	Open
28/03/2019	180350	125431	Toll Ipec	\$1,735.18	\$1,735.18	Open
28/03/2019	180351	MM10741	Hi-Trans Express Pty Lt	\$4,620.00	\$4,620.00	Open
28/03/2019	180352	794320	Capral Limited	\$3,029.06	\$3,029.06	Open
28/03/2019	180353	940814	Ontime Warehousing P/	\$2,200.00	\$2,200.00	Open
28/03/2019	180354	BT4W0248	Bulk Transport Australia	\$1,100.00	\$1,100.00	Open
28/03/2019	180355	1875039	Niche Logistics	\$1,815.00	\$1,815.00	Open
28/03/2019	180356	6183	Wiltrans	\$880.00	\$880.00	Open
22/02/2019	180357	10372170	All State	\$2,640.00	\$2,640.00	Open
13/11/2018	180358	566910/82566736	James Hardie Australia	\$1,891.20	\$1,891.20	Open
16/01/2019	180359	27195	Corellian Victoria	\$2,585.00	\$2,585.00	Open
23/01/2019	180360	785812	Capral Limited	\$1,711.95	\$1,711.95	Open
23/01/2019	180361	00012225	NewForm Fab	\$900.00	\$900.00	Open
23/01/2019	180362	turned Pallets ema	Woolworths Group Limit	\$1,795.70	\$1,795.70	Open
30/01/2019	180363	2868225	Knauf Plasterboard Pty	\$3,784.50	\$3,784.50	Open
2/02/2019	180364	4686603	Woolworths Group Limit	\$1,731.89	\$1,731.89	Open
25/01/2019	180365	786206	Capral Limited	\$1,541.51	\$1,541.51	Open
25/01/2019	180366	4638364	Woolworths Group Limit	\$3,066.58	\$3,066.58	Open
4/02/2019	180367	54632	Beattie Transport Pty Lt	\$4,608.00	\$4,608.00	Open
5/11/2018	180368	4134892	Woolworths Group Limit	\$2,813.26	\$2,813.26	Open
7/02/2019	180369	27738	Corellian Victoria	\$2,585.00	\$2,585.00	Open
24/01/2019	180370	4639589	Woolworths Group Limit	\$1,898.65	\$1,898.65	Open
31/01/2019	180371	4672282	Woolworths Group Limit	\$1,898.65	\$1,898.65	Open
15/02/2019	180372	76774	Spartrans Pty Limited	\$1,485.00	\$1,485.00	Open
17/12/2018	180373	5054357	Guru Freightliners	\$1,485.00	\$1,485.00	Open
2/04/2019	180374	794750	Capral Limited	\$2,727.85	\$2,727.85	Open
22/03/2019	180375	82635745	James Hardie Australia	\$3,882.79	\$3,882.79	Open
22/03/2019	180376	cti00033	All State	\$2,640.00	\$2,640.00	Open
22/03/2019	180377	16564	Quicks Freight Express	\$1,925.00	\$1,925.00	Open
11/03/2019	180378	791653	Capral Limited	\$1,740.35	\$1,740.35	Open
12/03/2019	180379	82627897	James Hardie Australia	\$3,882.79	\$3,882.79	Open
25/03/2019	180380	3084374	Knauf Plasterboard Pty	\$2,642.49	\$2,642.49	Open
25/03/2019	180381	100073	Goodwin Freight Service	\$1,705.00	\$1,705.00	Open
2/04/2019	180382	76716	Capral Limited	\$1,343.03	\$1,343.03	Open
26/03/2019	180383	55232	Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open
2/04/2019	180384	3122884	Knauf Plasterboard Pty	\$1,760.00	\$1,760.00	Open
29/03/2019	180385	5021592	Woolworths Group Limit	\$1,731.89	\$1,731.89	Open
1/04/2019	180386	ALS15017	Australian Linehaul Ser	\$2,035.00	\$2,035.00	Open
27/03/2019	180387	793994	Capral Limited	\$1,541.51	\$1,541.51	Open
27/03/2019	180388	793995	Capral Limited	\$1,541.51	\$1,541.51	Open
27/03/2019	180389	794018	Capral Limited	\$1,370.39	\$1,370.39	Open
27/03/2019	180390	794054	Capral Limited	\$2,418.05	\$2,418.05	Open
27/03/2019	180391	3103721	Knauf Plasterboard Pty	\$2,589.98	\$2,589.98	Open
27/03/2019	180392	m34323	Duromer Products Pty L	\$1,132.76	\$1,132.76	Open
19/03/2019	180393	7870	Nightingales Pty Ltd	\$3,630.00	\$3,630.00	Open
1/04/2019	180394	3509	Sampson Transport Pty	\$990.00	\$990.00	Open
1/04/2019	180395	3110071	Knauf Plasterboard Pty	\$2,442.00	\$2,442.00	Open
1/04/2019	180396	4514495623	Beattie Transport Pty Lt	\$4,608.00	\$4,608.00	Open
20/03/2019	180397	1127951	Blue Star Logistics	\$4,620.00	\$4,620.00	Open
28/03/2019	180398	785938	Capral Limited	\$1,954.64	\$1,954.64	Open
20/02/2019	180399	124541	Duromer Products Pty L	\$3,146.55	\$3,146.55	Open
22/02/2019	180400	124597	MF Freight	\$1,375.00	\$1,375.00	Open
22/02/2019	180401	124606	Mason Place	\$2,545.45	\$2,545.45	Open
17/01/2019	180402	247280	Quantum Transport	\$3,080.00	\$3,080.00	Open
22/02/2019	180403	124624	All State	\$2,640.00	\$2,640.00	Open
11/07/2018	180404	119480	Bullen Logistics	\$2,310.00	\$2,310.00	Open

VA Account

26/09/2018	180405	120853 Lindsay Bros Transport	\$2,378.64	\$2,378.64	Open
6/08/2018	180406	919911 Eco Concepts	\$1,318.90	\$1,318.90	Open
8/08/2018	180407	119963 Kerden Haulage	\$2,310.00	\$2,310.00	Open
13/09/2018	180408	77043 Wiltrans	\$3,575.00	\$3,575.00	Open
24/09/2018	180409	120772 KSI Sawmills Pty Ltd	\$2,967.80	\$2,967.80	Open
10/10/2018	180410	121119 Logistics 1 Pty Ltd	\$1,650.00	\$1,650.00	Open
17/10/2018	180411	121294 Effective Freight Solutio	\$2,090.00	\$2,090.00	Open
18/10/2018	180412	121328 Clarend Transport	\$1,320.00	\$1,320.00	Open
22/10/2018	180413	121371 Bullen Logistics	\$1,668.70	\$1,668.70	Open
22/10/2018	180414	121372 Bullen Logistics	\$1,668.70	\$1,668.70	Open
13/11/2018	180415	121938 Duromer Products Pty L	\$1,420.90	\$1,420.90	Open
21/11/2018	180416	122138 XL Express	\$1,650.00	\$1,650.00	Open
28/11/2018	180417	122349 Concept Logistics	\$1,474.00	\$1,474.00	Open
30/11/2018	180418	122457 Booth Transport Pty Ltd	\$2,640.00	\$2,640.00	Open
5/12/2018	180419	ITF065116 Cheetham Salt Limited	\$6,091.38	\$6,091.38	Open
6/12/2018	180420	122607 Stone Outdoors Pty Ltd	\$2,309.87	\$2,309.87	Open
7/12/2018	180421	122640 Mason Place	\$3,080.00	\$3,080.00	Open
13/12/2018	180422	122811 Blue Star Logistics	\$1,534.50	\$1,534.50	Open
13/12/2018	180423	122811 Capral Limited	\$2,418.05	\$2,418.05	Open
14/12/2018	180424	122866 Blue Star Logistics	\$2,310.00	\$2,310.00	Open
14/12/2018	180425	122868 Duromer Products Pty L	\$1,132.76	\$1,132.76	Open
21/12/2018	180426	123023 Mason Place	\$1,375.00	\$1,375.00	Open
17/12/2018	180427	122366 General Carrying Pty Ltr	\$3,080.00	\$3,080.00	Open
19/12/2018	180428	122984 DSE Pty Ltd	\$1,540.00	\$1,540.00	Open
2/01/2019	180429	123120 Blue Star Logistics	\$2,310.00	\$2,310.00	Open
4/01/2019	180430	C168185 Kane Transport Pty Ltd	\$2,420.00	\$2,420.00	Open
4/01/2019	180431	123186 Guru Freightliners	\$1,320.00	\$1,320.00	Open
7/01/2019	180432	123206 Booth Transport Pty Ltd	\$4,620.00	\$4,620.00	Open
8/01/2019	180433	123244 Blue Star Logistics	\$1,650.00	\$1,650.00	Open
10/01/2019	180434	123329 Mason Place	\$1,540.00	\$1,540.00	Open
17/12/2018	180435	123283 Global Transport Solutio	\$660.00	\$660.00	Open
17/12/2018	180436	123286 Duromer Products Pty L	\$503.45	\$503.45	Open
28/12/2018	180437	123293 Blue Star Logistics	\$770.00	\$770.00	Open
3/01/2019	180438	123298 Freight Concepts Pty Ltr	\$2,979.90	\$2,979.90	Open
8/01/2019	180439	123309 Mason Place	\$5,225.00	\$5,225.00	Open
14/01/2019	180440	123431 Guru Freightliners	\$1,320.00	\$1,320.00	Open
14/01/2019	180441	123432 Guru Freightliners	\$990.00	\$990.00	Open
14/01/2019	180442	123474 Global Transport Solutio	\$2,750.00	\$2,750.00	Open
15/01/2019	180443	123439 Mason Place	\$1,375.00	\$1,375.00	Open
15/01/2019	180444	123440 Mason Place	\$1,375.00	\$1,375.00	Open
15/01/2019	180445	123469 Guru Freightliners	\$1,320.00	\$1,320.00	Open
16/01/2019	180446	123478 CJM	\$2,816.00	\$2,816.00	Open
16/01/2019	180447	123510 Hi-Trans Express Pty Lt	\$1,320.00	\$1,320.00	Open
18/01/2019	180448	123574 Blue Star Logistics	\$4,620.00	\$4,620.00	Open
18/01/2019	180449	123585 Guru Freightliners	\$1,320.00	\$1,320.00	Open
21/01/2019	180450	123602 Mason Place	\$1,650.00	\$1,650.00	Open
21/01/2019	180451	123624 Goodwin Freight Service	\$1,650.00	\$1,650.00	Open
18/01/2019	180452	123589 Kerden Haulage	\$4,840.00	\$4,840.00	Open
21/01/2019	180453	123596 Mason Place	\$2,200.00	\$2,200.00	Open
22/01/2019	180454	123692 Mason Place	\$2,200.00	\$2,200.00	Open
24/01/2019	180455	123773 Toll Ipec	\$3,833.76	\$3,833.76	Open
22/01/2019	180456	785794 Capral Limited	\$2,065.61	\$2,065.61	Open
22/01/2019	180457	123758 Goodwin Freight Service	\$1,650.00	\$1,650.00	Open
23/01/2019	180458	bt4w0153 Bulk Transport Australia	\$3,850.00	\$3,850.00	Open
24/01/2019	180459	123805 DSE Pty Ltd	\$1,705.00	\$1,705.00	Open
24/01/2019	180460	123836 Corellian Victoria	\$2,585.00	\$2,585.00	Open
1/02/2019	180461	123927 Global Transport Solutio	\$1,760.00	\$1,760.00	Open
2/02/2019	180462	123949 Goodwin Freight Service	\$1,705.00	\$1,705.00	Open
25/01/2019	180463	123986 Duromer Products Pty L	\$1,919.40	\$1,919.40	Open
25/01/2019	180464	123987 Global Transport Solutio	\$2,640.00	\$2,640.00	Open
24/01/2019	180465	123996 Hi-Trans Express Pty Lt	\$2,200.00	\$2,200.00	Open
23/01/2019	180466	124131 Guru Freightliners	\$1,320.00	\$1,320.00	Open
13/02/2019	180467	1827002 All State	\$2,500.00	\$2,500.00	Open
15/02/2019	180468	124431 Bulk Transport Australia	\$2,200.00	\$2,200.00	Open
15/02/2019	180469	73583 RH Bare Pty Ltd	\$3,742.31	\$3,742.31	Open
15/02/2019	180470	82614970 James Hardie Australia	\$3,882.79	\$3,882.79	Open
25/02/2019	180471	124656 Concept Logistics	\$1,100.00	\$1,100.00	Open
25/02/2019	180472	124664 Corellian Victoria	\$1,375.00	\$1,375.00	Open
25/02/2019	180473	124665 Corellian Victoria	\$1,375.00	\$1,375.00	Open
27/02/2019	180474	124737 Blue Star Logistics	\$2,310.00	\$2,310.00	Open
28/02/2019	180475	790465 Capral Limited	\$3,029.06	\$3,029.06	Open

VA Account

28/02/2019	180476	124755	Global Transport Solutio	\$2,750.00	\$2,750.00	Open
13/03/2019	180477	4882	Beattie Transport Pty Lt	\$1,650.00	\$1,650.00	Open
13/03/2019	180478	125117	Goodwin Freight Service	\$1,375.00	\$1,375.00	Open
15/03/2019	180479	123169	MF Freight	\$2,200.00	\$2,200.00	Open
15/03/2019	180480	125174	Infinity Logistics	\$1,760.00	\$1,760.00	Open
18/03/2019	180481	631834/82631917	James Hardie Australia	\$4,005.78	\$4,005.78	Open
22/03/2019	180482	125339	Blue Star Logistics	\$1,980.00	\$1,980.00	Open
19/03/2019	180483	1134/82632902/82	James Hardie Australia	\$4,005.78	\$4,005.78	Open
19/03/2019	180484	125225	Nightingales Pty Ltd	\$3,630.00	\$3,630.00	Open
19/03/2019	180485	125231	Blue Star Logistics	\$2,310.00	\$2,310.00	Open
19/03/2019	180486	125232	Land Transport Pty Ltd	\$2,640.00	\$2,640.00	Open
20/03/2019	180487	82633500	James Hardie Australia	\$1,651.51	\$1,651.51	Open
6/03/2019	180488	102897	Kitco Transport Pty Ltd	\$4,840.00	\$4,840.00	Open
6/03/2019	180489	124953	Goodwin Freight Service	\$1,705.00	\$1,705.00	Open
6/03/2019	180490	55218	Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open
8/03/2019	180491	125010	Global Transport Solutio	\$2,475.00	\$2,475.00	Open
10/03/2019	180492	82628260	James Hardie Australia	\$3,882.79	\$3,882.79	Open
7/03/2019	180493	7914112	Capral Limited	\$3,029.06	\$3,029.06	Open
7/03/2019	180494	55221	Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open
10/03/2019	180495	125004	Hi-Trans Express Pty Lt	\$3,080.00	\$3,080.00	Open
8/03/2019	180496	125009	Global Transport Solutio	\$2,475.00	\$2,475.00	Open
22/02/2019	180497	EXP2227	Australian Transport & L	\$825.00	\$825.00	Open
13/03/2019	180498	125103	Duromer Products Pty L	\$1,132.76	\$1,132.76	Open
20/03/2019	180499	125258	Blue Star Logistics	\$4,620.00	\$4,620.00	Open
20/03/2019	180500	123797	Blue Star Logistics	\$2,310.00	\$2,310.00	Open
21/03/2019	180501	125306	MPG Shipping Pty Ltd	\$1,100.00	\$1,100.00	Open
22/03/2019	180502	125344	MPG Shipping Pty Ltd	\$660.00	\$660.00	Open
25/03/2019	180503	82637249	James Hardie Australia	\$3,279.58	\$3,279.58	Open
25/03/2019	180504	125358	Eco Logs	\$4,255.02	\$4,255.02	Open
25/03/2019	180505	125362	Sampson Transport Pty	\$990.00	\$990.00	Open
25/03/2019	180506	125366	XL Express	\$2,310.00	\$2,310.00	Open
26/03/2019	180507	125386	Bulk Transport Australia	\$2,310.00	\$2,310.00	Open
26/03/2019	180508	125389	Bulk Transport Australia	\$990.00	\$990.00	Open
26/03/2019	180509	125391	Bulk Transport Australia	\$2,640.00	\$2,640.00	Open
26/03/2019	180510	125393	Bulk Transport Australia	\$990.00	\$990.00	Open
26/03/2019	180511	793917	Capral Limited	\$1,202.36	\$1,202.36	Open
29/03/2019	180512	125450	Capral Limited	\$2,817.87	\$2,817.87	Open
29/03/2019	180513	640772/82640774	James Hardie Australia	\$1,792.05	\$1,792.05	Open
29/03/2019	180514	125455	Capral Limited	\$2,402.28	\$2,402.28	Open
29/03/2019	180515	125456	Capral Limited	\$1,473.68	\$1,473.68	Open
29/03/2019	180516	125457	Capral Limited	\$2,153.13	\$2,153.13	Open
29/03/2019	180517	125459	James Hardie Australia	\$4,005.78	\$4,005.78	Open
29/03/2019	180518	125460	James Hardie Australia	\$4,005.78	\$4,005.78	Open
29/03/2019	180519	ka1019	Bulk Transport Australia	\$2,200.00	\$2,200.00	Open
29/03/2019	180520	714974	Booth Transport Pty Ltd	\$3,056.33	\$3,056.33	Open
29/03/2019	180521	Brosa	Sampson Transport Pty	\$990.00	\$990.00	Open
29/03/2019	180522	794472	Capral Limited	\$2,065.61	\$2,065.61	Open
29/03/2019	180523	125471	Spectrum Transport Sys	\$1,320.00	\$1,320.00	Open
1/04/2019	180524	125474	Capral Limited	\$2,562.21	\$2,562.21	Open
27/03/2019	180525	125402	All State	\$1,375.00	\$1,375.00	Open
27/03/2019	180526	82638193	James Hardie Australia	\$4,005.78	\$4,005.78	Open
27/03/2019	180527	125415	Bulk Transport Australia	\$990.00	\$990.00	Open
27/03/2019	180528	125415	Goodwin Freight Service	\$1,705.00	\$1,705.00	Open
27/03/2019	180529	125417	Blue Star Logistics	\$2,310.00	\$2,310.00	Open
27/03/2019	180530	125418	Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open
27/03/2019	180531	125421	Bulk Transport Australia	\$880.00	\$880.00	Open
1/04/2019	180532	125475	Duromer Products Pty L	\$1,413.50	\$1,413.50	Open
1/04/2019	180533	5604	Bulk Transport Australia	\$3,245.00	\$3,245.00	Open
1/04/2019	180534	125478	Booth Transport Pty Ltd	\$3,056.33	\$3,056.33	Open
1/04/2019	180535	125482	Goodwin Freight Service	\$1,705.00	\$1,705.00	Open
1/04/2019	180536	125483	Beattie Transport Pty Lt	\$5,068.80	\$5,068.80	Open
2/04/2019	180537	124962	Capral Limited	\$1,492.26	\$1,492.26	Open
2/04/2019	180538	125345	Capral Limited	\$1,134.11	\$1,134.11	Open
2/04/2019	180539	125372	Capral Limited	\$2,727.85	\$2,727.85	Open
2/04/2019	180540	!64172782642228	James Hardie Australia	\$2,662.00	\$2,662.00	Open
2/04/2019	180541	1569/82641573/82	James Hardie Australia	\$4,295.50	\$4,295.50	Open
28/03/2019	180542	125429	James Hardie Australia	\$1,862.33	\$1,862.33	Open
28/03/2019	180543	125430	James Hardie Australia	\$1,862.33	\$1,862.33	Open
28/03/2019	180544	125432	Knauf Plasterboard Pty	\$3,966.64	\$3,966.64	Open
28/03/2019	180545	125437	Blue Star Logistics	\$2,310.00	\$2,310.00	Open
28/03/2019	180546	125438	Quicks Freight Express	\$2,420.00	\$2,420.00	Open

28/03/2019	180547	125439 Knauf Plasterboard Pty	\$2,449.99	\$2,449.99	Open
28/03/2019	180548	1255440 Beattie Transport Pty Ltd	\$5,068.80	\$5,068.80	Open
28/03/2019	180549	125441 Goodwin Freight Service	\$660.00	\$660.00	Open
28/03/2019	180550	125442 Goodwin Freight Service	\$880.00	\$880.00	Open
28/03/2019	180551	4999919 Woolworths Group Limit	\$21.55	\$21.55	Open
2/04/2019	180552	hc5615 Bulk Transport Australia	\$990.00	\$990.00	Open
2/04/2019	180553	KA1042 Bulk Transport Australia	\$990.00	\$990.00	Open
2/04/2019	180554	125492 Capral Limited	\$1,163.95	\$1,163.95	Open
2/04/2019	180555	125493 Bulk Transport Australia	\$990.00	\$990.00	Open
2/04/2019	180556	125493 Knauf Plasterboard Pty	\$1,870.00	\$1,870.00	Open
2/04/2019	180557	125494 Bulk Transport Australia	\$990.00	\$990.00	Open
2/04/2019	180558	125494 Knauf Plasterboard Pty	\$1,870.00	\$1,870.00	Open
2/04/2019	180559	125495 Beattie Transport Pty Ltd	\$5,068.80	\$5,068.80	Open
2/04/2019	180560	125496 Capral Limited	\$1,535.53	\$1,535.53	Open
19/02/2019	180561	James Hardie Australia	\$1,862.33	\$1,862.33	Open
22/02/2019	180562	Capral Limited	\$1,954.64	\$1,954.64	Open
9/08/2018	180563	Wiltrans	\$1,430.00	\$1,430.00	Open
30/08/2018	180564	Tasmanian Freight Serv	\$1,672.00	\$1,672.00	Open
29/08/2018	180565	Tasmanian Freight Serv	\$1,045.00	\$1,045.00	Open
6/09/2018	180566	Tasmanian Freight Serv	\$3,520.00	\$3,520.00	Open
7/09/2018	180567	Tasmanian Freight Serv	\$1,254.00	\$1,254.00	Open
19/09/2018	180568	Tasmanian Freight Serv	\$1,881.00	\$1,881.00	Open
18/09/2018	180569	Tasmanian Freight Serv	\$1,254.00	\$1,254.00	Open
24/10/2018	180570	Tasmanian Freight Serv	\$2,090.00	\$2,090.00	Open
18/01/2019	180571	Tasmanian Freight Serv	\$2,090.00	\$2,090.00	Open
14/02/2019	180572	Tasmanian Freight Serv	\$1,100.00	\$1,100.00	Open
25/02/2019	180573	Tyre Recycling Australia	\$1,687.84	\$1,687.84	Open
25/02/2019	180574	Tyre Recycling Australia	\$1,687.84	\$1,687.84	Open
26/02/2019	180575	Tasmanian Freight Serv	\$1,386.00	\$1,386.00	Open
26/02/2019	180576	Tyre Recycling Australia	\$1,687.84	\$1,687.84	Open
28/02/2019	180577	Tyre Recycling Australia	\$1,687.84	\$1,687.84	Open
28/02/2019	180578	Tyre Recycling Group P	\$1,540.00	\$1,540.00	Open
28/02/2019	180579	Tyre Recycling Australia	\$1,687.84	\$1,687.84	Open
1/03/2019	180580	Woolworths Group Limit	\$778.14	\$778.14	Open
14/03/2019	180581	James Hardie Australia	\$2,881.35	\$2,881.35	Open
19/03/2019	180582	Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open
19/03/2019	180583	Qube Logistics	\$1,320.00	\$1,320.00	Open
19/03/2019	180584	Tyre Recycling Australia	\$1,085.04	\$1,085.04	Open
13/03/2019	180585	James Hardie Australia	\$843.33	\$843.33	Open
7/03/2019	180586	Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open
8/03/2019	180587	Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open
12/03/2019	180588	James Hardie Australia	\$1,792.05	\$1,792.05	Open
12/03/2019	180589	Capral Limited	\$1,925.33	\$1,925.33	Open
12/03/2019	180590	Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open
12/03/2019	180591	Woolworths Group Limit	\$1,915.41	\$1,915.41	Open
12/03/2019	180592	Tyre Recycling Australia	\$1,748.12	\$1,748.12	Open
20/03/2019	180593	Tyre Recycling Australia	\$1,085.04	\$1,085.04	Open
25/03/2019	180594	125347 Capral Limited	\$1,740.35	\$1,740.35	Open
25/03/2019	180595	125350 Capral Limited	\$4,185.63	\$4,185.63	Open
25/03/2019	180596	125353 James Hardie Australia	\$1,862.33	\$1,862.33	Open
25/03/2019	180597	125359 Knauf Plasterboard Pty	\$2,589.98	\$2,589.98	Open
26/03/2019	180598	125375 Capral Limited	\$2,817.87	\$2,817.87	Open
26/03/2019	180599	125376 Capral Limited	\$2,418.05	\$2,418.05	Open
26/03/2019	180600	125385 James Hardie Australia	\$4,005.78	\$4,005.78	Open
29/03/2019	180601	Tasmanian Freight Serv	\$1,900.00	\$1,900.00	Open
27/03/2019	180602	125409 Capral Limited	\$4,254.55	\$4,254.55	Open
27/03/2019	180603	Capral Limited	\$1,726.48	\$1,726.48	Open
		Total	\$881,396.87	\$881,396.87	

Subject: RE: WITS Holdings Pty Ltd (In Liquidation)  
Date: 23/05/2019 9:45 AM  
From: "Kylie Wright" <kwright@pcipartners.com.au>  
To: "Morton, Ian" <Ian.Morton@fticonsulting.com>  
"Warwick, Kate" <Kate.Warwick@fticonsulting.com>, "Tristan McGlade"  
Cc: <tmcglade@pcipartners.com.au>, "Stephen Michell" <smichell@pcipartners.com.au>, "John Melluish" <jmelluish@pcipartners.com.au>

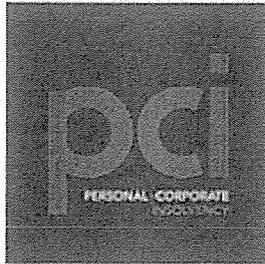
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Dear Ian

As requested, please find attached a copy of the creditors report.

Should you wish to discuss this matter, please contact me.

Regards



Kylie Wright  
Principal  
T +61 3 8636 3333  
F +61 3 8636 3330  
  
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Melbourne VIC 3000  
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From: Morton, Ian <Ian.Morton@fticonsulting.com>  
Sent: Tuesday, 21 May 2019 8:18 AM  
To: Tristan McGlade <tmcglade@pcipartners.com.au>  
Cc: Kylie Wright <kwright@pcipartners.com.au>; Warwick, Kate <Kate.Warwick@fticonsulting.com>;  
Mazzone, James <James.Mazzone@fticonsulting.com>  
Subject: Re: WITS Holdings Pty Ltd (In Liquidation)

Dear Tristan,

Further to my email below, please could you send my the creditors' circular as soon as possible.

Regards,

Ian Morton  
Senior Director  
Corporate Finance & Restructuring  
FTI Consulting  
+61 401 248 205

On 20 May 2019, at 08:41, Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)> wrote:

Good Morning Tristan,

Please could you send me a copy of the report that was sent to creditors.

Regards,

**Ian Morton**  
Senior Director, Corporate Finance & Restructuring

**FTI Consulting**  
+61 3 9604 0638 D | +61 (0) 401 248 205 M  
[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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13 May 2019

**TO THE CREDITOR AS ADDRESSED**

Dear Sir/Madam

**WITS HOLDINGS PTY LTD  
(IN LIQUIDATION)  
A.C.N.: 050 322 284  
FORMERLY TRADING AS WADLEYS INTERSTATE TRANSPORT**

On 10 April 2019, I was appointed Liquidator of the above company, by Order of the Supreme Court of Victoria. The petitioning creditor was WEX Australia Pty Ltd.

Pursuant to Section 70-30 of the Insolvency Practice Rules (Corporations) 2016 ("IPR"), a Liquidator of a Court Liquidation is required to give notice of the occurrence of the liquidation to each creditor within twenty (20) business days after their appointment.

In accordance with that Section, please treat this circular as notice of the fact of the liquidation.

The purpose of this circular is to also provide creditors with information about the liquidation, as detailed below, and their rights as a creditor, details of which are attached.

Court Liquidation

A Court Liquidation is where an Order to place a company into liquidation is made by the Court. Usually, this is on an application of a creditor, where the company has failed to pay an outstanding debt.

Report to creditors

Pursuant to Section 70-40 of the IPR, a report on my investigations into the company's affairs and the likelihood of any dividend being paid in the liquidation will be provided to creditors within three (3) months of the commencement of the liquidation.

My next report to creditors will also provide an update on the following:

- The recoverability and realisation of available company property; and
- My ongoing investigations into the company's affairs.

Should I receive a reasonable request to convene a creditors' meeting, where such a request complies with the guidelines set out in the attached Creditor Rights Information Sheet, I will proceed to hold a meeting of creditors.

Report On Company Activities and Property ("ROCAP")

Pursuant to Section 475 of the Corporations Act 2001 ("the Act"), the director is required to submit Part A of the ROCAP to me within ten (10) business days after the making of the winding up order.

The ROCAP is required by me to investigate the affairs of the company, to assist in identifying possible recoverable assets for the benefit of creditors and to enable me to do all such things as are necessary for winding up the affairs of the company and distributing its property.

On 10 April 2019, I issued to the director, Mr Grant Fowler, by registered mail, a written notice requiring him to complete a ROCAP and deliver any company books and records in his possession.

On 23 April 2019, the director requested an extension of time in which to submit the ROCAP. On 24 April 2019, I granted the director an extension of time until close of business 1 May 2019.

On 1 May 2019, I received an executed ROCAP from the director. Details of the company's assets and liabilities will be disclosed in my next report to creditors.

Actions since my appointment

The company provided interstate transport services from rented premises situated in Sydney and Melbourne. Upon my appointment, I immediately attended the company's premises and attended to the following:-

- Hold a meeting with two (2) of the company's former employees to discuss the asset and liability position of the company;
- Engaged two (2) of the company's former employees to invoice the remaining debtors who had not previously been invoiced;
- Held a teleconference with the former administrators' of the company to discuss the company's affairs and work undertaken during their period of appointment;
- Conducted a search of the Personal Property Security Register ("PPSR") to identify any creditors who held a security interest over assets of the company and issued correspondence to those creditors which had been identified.
- Held discussions with Westpac Banking Corporation ("Westpac") who holds a security interest over all of the company's assets, including a charge over the company's debtors, to discuss the realisation of the assets;
- Obtained tenders from various auctioneers in regards to the marketing and sale of the company's plant and equipment, including their truck and trailer fleet;
- Engaged an auctioneer to market and sell the company's plant and equipment (principally the truck and trailer fleet);

- Engaged in negotiations for the recovery of certain trucks and trailers held by third parties;
- Held a meeting with my insurance broker to discuss the company's insurance requirements given the large fleet of assets held by the company; and
- Arranged collection of the company's books and records from the company's premises, including the company's server.

Subsequently, on 23 April 2019, my staff held an interview with the director Mr Grant Fowler, who advised the following in relation to the affairs of the company:-

- The company operated an interstate general freight company;
- The company operated from warehouse premises in Melbourne and Sydney, which until recently both premises had been owned by the former director of the company;
- He attributed the failure of the company to the internal administration of the company between December 2018 and January 2019.

#### Westpac

According to the PPSR, Westpac holds an all present and after acquired property security interest over the company, together with individual security interests over the majority of the company's assets and debtors.

In certain circumstances, a financier who holds such security may elect to take possession of their secured assets by way of appointment of a Receiver or Agent for the Mortgagee in possession. In this instance, Westpac has chosen not to take that course of action. The liquidator has been keeping Westpac informed of the steps being taken to realise assets and will account to Westpac upon the sale of the assets subject to their security interest.

#### Administrator's Lien

As you may be aware, on 28 March 2019, Kate Warwick, Ross Blakely and Joseph Hensell of FTI Consulting were appointed joint and several Voluntary Administrators of the above company.

The former administrator continued to trade-on the business for a short period following their appointment. However, following advice from the director that he would not be proceeding with a Deed of Company Arrangement proposal, the administrators ceased to trade the company on or about 4 April 2019.

On 10 April 2019, I was appointed Liquidator of the above company, by Order of the Supreme Court of Victoria, which had the effect of terminating the Voluntary Administrators' appointment.

The former administrators of the company subsequently asserted a lien over the company's property, claiming as a priority, pursuant to the provisions of Sections 443E and 443F of the

Act. In particular, the former administrator has asserted a statutory lien in respect of remuneration, costs and expenses incurred during the period of administration and an equitable lien in respect of the remuneration, costs and expenses incurred by the administrators in collecting, preserving and realising the company's assets. The former administrators have estimated that the total debt owed to them at the date of my appointment was \$972,753, calculated as follows:-

Description	Amount (\$)
Administration remuneration (including GST)	319,701
Administration Out of Pocket Expenses	18,135
Administration liabilities	<u>844,917</u>
<b>Total Lien</b>	<b>982,753</b>
Funds advanced by Westpac:-	
• Loan to pay employee expenses during trade on	(160,000)
• Funds advanced for care and preservation of assets	<u>(150,000)</u>
<b>Debt payable to the former administrators</b>	<b>\$672,753</b>

I am presently liaising with the former administrators in respect of the lien that they are claiming. I am also presently seeking legal advice from my solicitors on this issue.

I will provide a further update on this issue in my next report to creditors.

#### Truck and Trailer Fleet

According to the director's ROCAP, the company owned a large truck and trailer fleet with an estimated realisable value in excess of \$3M.

Upon my appointment, I was provided with a schedule of the fleet owned by the company, which comprised 37 trucks and 69 trailers. The majority of these vehicles had been secured by GraysOnline prior to my appointment.

However, some of the vehicles had not been recovered by GraysOnline for various reasons. I am presently investigating the status of each of these vehicles and proceeding to recover them as more information regarding their locations come to hand.

Due to the size of the fleet, I requested various auctioneers provide me with a tender proposal to realise the fleet. Upon review of the tenders provided, I engaged GraysOnline, together with Gordon Bros, to market and sell the fleet on my behalf.

The marketing campaign will commence shortly with the majority of the fleet expected to be sold by the end of July.

In addition to the above, upon my appointment, I conducted a search of the databases of NSW Roads Authority, VicRoads and QLD Roads to determine the extent of the fleet owned by the company.

Whilst I have not received a response from the QLD Roads database, the NSW Roads and VicRoads databases revealed the following:-

- There had been a number of vehicles in which the company ceased to be the registered owner during the 2018 year; and
- There was a further two (2) motor vehicles, which were not included in the schedule, nor secured by GraysOnline, however, were owned by the company. These motor vehicles have subsequently been recovered and are presently being prepared for auction by GraysOnline.

During the course of the administration, I will conduct investigations into the motor vehicles, in which the company ceased to be the registered owner prior to my appointment.

A further update in respect of the sale of the company's fleet will be provided in my next report to creditors.

#### Debtors

According to the company's records, the company had debtors totalling approximately \$4.7 million. However, my investigations revealed that a number of the company's debtors had paid their outstanding debt prior to my appointment. Consequently, I have concerns that the debtors have been overstated in the company's books and records at the date of my appointment. Furthermore, a large quantity of the company's debtors were factored through a debtor factoring finance facility with Westpac.

Given the above, I am presently in the process of reconciling the company's outstanding debtors at the date of my appointment. I have also engaged a debt collection agency to assist with the collection of the company's debtors.

Additionally, due to the quantum of debtors and potential incoming enquiries requiring specialist knowledge of the company's invoicing system prior to a debtor making payment, I have engaged one (1) of the company's former employees on a short-term contract to assist with the recovery of outstanding debtors.

A further update in respect of the outstanding debtors will be provided in my next report to creditors.

#### Sundry Assets

The former Administrator advised that GraysOnline had collected and presently hold sundry assets (including stock and parts with a value of \$80,000).

I am presently liaising with GraysOnline in relation to the realisation of these assets.

In addition to the above, I had identified additional assets which remained at the company's former premises in Cambellfield, Victoria. After negotiations and consideration of costs associated with the sale of these assets, I proceeded to sell them to the owner of the premises for an amount of \$10,650, inclusive of GST.

A sale agreement is presently being prepared and will be provided to the purchaser shortly.

#### Creditors

The Director has disclosed in the ROCAP that there were 112 employees who were collectively owed \$393,000 in outstanding superannuation. Of those employees, 37 were owed leave and redundancy totalling \$370,000. It appears that the majority of staff were employed on a casual basis, however further investigations will be necessary to determine whether those employees have any claims arising out of their termination.

The director has also provided a listing of unsecured creditors totalling more than \$5M. Further analysis of the realisable value of assets and the amount of secured and priority claims will be necessary to determine whether unsecured creditors will be in a position to receive any dividend. I anticipate being able to report on this issue to creditors in my next report to creditors.

#### Liquidator's remuneration, internal disbursements and administration expense

I have incurred remuneration of \$97,387, plus GST for the period 10 April 2019 to 7 May 2019. At this time I estimate incurring further remuneration of \$252,010, plus GST for the period 8 May 2019 to the finalisation of the liquidation. However that estimate may be subject to change during the course of my investigations and the extent to which action may need to be taken for either the recovery of antecedent transactions or insolvent trading.

Internal disbursements for the duration of the liquidation, save for those recovered at cost, are estimated to total \$15,000, plus GST.

Further, an administration expense relating to the ASIC Supervisory Cost Recovery Levy Act 2017 of \$920, plus GST, has been charged to the administration by my firm.

I am seeking creditors' approval to draw the above remuneration, internal disbursements and the administration expense, from funds available in the liquidation.

Pursuant to Section 75-40 of the Insolvency Practice Schedule (Corporations), it is possible for creditors to pass a resolution without the need to convene a creditors' meeting. In accordance with that Section, I enclose two Notices of Proposed Creditors' Resolution in relation to the Liquidator's remuneration, a Notice in relation to the Liquidator's internal disbursements, and a Notice in relation to the administration expense.

Please note, in accordance with Section 75-130 of the IPR, creditors are not entitled to vote on a resolution unless they have submitted particulars of their debt or claim to the Liquidator. On this basis, please ensure that details of your debt are recorded on the Notices. I request that the Notices be completed and returned to my office on or before 7 June 2019.

Further, in accordance with Sections 70-35 and 70-45 of the IPR, I enclose an Initial Remuneration Notice and Remuneration Request Approval Report, which provides details of the following:-

- my current charge out rates;
- the methods which may be used to calculate remuneration;
- matters undertaken and expected to be undertaken for the period, 10 April 2019 to the finalisation of the liquidation;
- the different types of disbursements; and
- the administration expense.

Declaration of Independence, Relevant Relationships and Indemnities ("DIRRI")

Pursuant to the Code of Professional Practice issued by the Australian Restructuring Insolvency and Turnaround Association, I am required to advise creditors as to my independence and disclose relevant relationships and indemnities. My declaration in relation to these issues is enclosed.

The DIRRI assists creditors to understand any relevant relationships which I have and any indemnities or upfront payments which have been provided to me. None of the relationships disclosed in this document affect my independence.

Electronic notices and documents

Pursuant to Section 600G of the Act, creditors may elect to receive notices and documents prescribed by the Act by electronic means. Should you wish to receive all future notices by electronic means, please complete the enclosed Formal Proof of Debt or Claim form, and tick the box in relation to receipt of notices by electronic means and return same to my office at your earliest convenience.

Your rights as a creditor / general information

All creditors of the company are now creditors of the liquidation. As a creditor, you have certain rights, although your debts will be dealt with in the liquidation. Information regarding your rights as a creditor is attached in the information sheet as Appendix A. This includes your rights to:-

- Make reasonable requests for a meeting;
- Make reasonable requests for information;
- Give directions to me;
- Appoint a Reviewing Liquidator to review my remuneration, disbursements or the administration expense; and,
- Replace me as Liquidator.

Further, the Australian Securities and Investments Commission provides information sheets on a range of insolvency topics which may assist creditors in understanding the liquidation process. Please find enclosed a list of Insolvency Information Sheets prepared by the ASIC also in Appendix A.

Should you have any queries regarding the above, please do not hesitate to contact Mr Tristan McGlade of this office on 8838 3333.

Yours faithfully



S J MICHELL  
LIQUIDATOR

Encl.

**INITIAL REMUNERATION NOTICE  
AND  
REMUNERATION REQUEST APPROVAL REPORT  
SECTIONS 70-35 AND 70-45 OF THE INSOLVENCY PRACTICE RULES  
(CORPORATIONS) 2016**

**WITS HOLDINGS PTY LTD  
(IN LIQUIDATION)  
A.C.N.: 050 322 284**

Pursuant to Section 70-45 of the Insolvency Practice Rules (Corporations) 2016 ("IPR"), before a remuneration determination is made by a resolution of creditors, the Liquidator must prepare and distribute a report setting out such matters which enables creditors to make an informed assessment as to whether the proposed remuneration is reasonable.

This report includes the following information for creditors to make such an assessment:-

- Part 1: Declaration
- Part 2: Executive summary
- Part 3: Remuneration
- Part 4: Disbursements
- Part 5: Administration expense
- Part 6: Likely impact of remuneration, disbursements and the administration expense on dividends
- Part 7: Estimate of future remuneration and disbursements
- Part 8: Report on progress of the liquidation
- Part 9: Summary of receipts and payments
- Part 10: Approval of remuneration, internal disbursements and the administration expense
- Part 11: Queries

It is not proposed to convene a meeting of creditors for this liquidation. However, creditors may pass a resolution other than at a creditors' meeting, in accordance with Section 75-40 of the Insolvency Practice Schedule (Corporations) ("IPS").

Enclosed with the circular to creditors is two (2) Notices of Proposed Creditors' Resolution in relation to the Liquidator's remuneration, a Notice in relation to the Liquidator's internal disbursements and a Notice in relation to an administration expense. I request that the Notices be completed and returned to my office on or before 7 June 2019.

Should creditors have any queries regarding the above, please do not hesitate to contact Mr Tristan McGlade of this office.

**1. DECLARATION**

I have undertaken a proper assessment of this remuneration claim for my appointment as Liquidator of the above company in accordance with the law and applicable professional standards. I am satisfied that the remuneration claimed is in respect of necessary work, properly performed, or to be properly performed, in the conduct of the liquidation.

**2. EXECUTIVE SUMMARY**

To date, no remuneration, internal disbursements for which creditor approval is required or the administration expense, have been paid. This remuneration report details approval sought for the following remuneration, disbursements and administration expense:

Period	Amount (ex GST) \$
<b>Current and future remuneration approval sought:</b>	
Resolution 1: 10 April 2019 to 7 May 2019	\$97,387.00
Resolution 2: 8 May 2019 to finalisation	\$252,910.00
<b>Total remuneration approval sought</b>	<b>\$350,297.00</b>
<b>Current and future internal disbursements approval sought:</b>	
Resolution 3: 10 April 2019 to finalisation	\$15,000.00
<b>Administration expense approval sought:</b>	
Resolution 4: Administration Expense	\$620.00

The approval sought for the future remuneration and internal disbursements is based on an estimate of the work necessary to the completion of the administration. Should additional work be required beyond what is contemplated, further approval may be sought from creditors.

**3. REMUNERATION**

**3.1 Time Based / Hourly Rates**

The most common method of calculating remuneration due to an insolvency practitioner is to adopt a scale of hourly rates, with a rate for the practitioner and other rates for the various categories of personnel employed by the practitioner. Remuneration is calculated by applying these rates to the time spent on the administration by the practitioner and his employees.

The current hourly rates applicable to the grade or classification set out in the scale of fees charged by PCI Partners Pty Ltd, exclusive of GST, together with a general guide showing the qualifications and experience of employees engaged on the assignment, are as follows:-

Level	Rate / Hour \$	Description
Appointee / Director / Partner	635	Liquidator and / or Trustee. Extensive experience bringing his or her specialist skills to the administration or insolvency task.

Level	Rate / Hour \$	Description
Principal	565	Extensive insolvency experience of which, at least five (5) years at manager level, qualified accountant and capable of controlling all aspects of an administration.
Senior Manager	510	Seven (7) to ten (10) years experience of which at least three (3) to five (5) years as manager, qualified accountant and capable of controlling all aspects of an administration.
Manager	465	More than seven (7) years insolvency or equivalent experience, qualified accountant. Answerable to the appointee, but otherwise responsible for all aspects of administration. Experienced at all levels and considered very competent. Controls employees and their training.
Supervisor	390	Six (6) years experience. CAANZ / CPA or equivalent qualification. Has conduct of minor administrations and experience in control of employees. Assists planning and control of medium to large administrations.
Senior	350	Four (4) to five (5) years experience, qualified accountant, continuing with CAANZ / CPA or equivalent. Assists with small to medium administrations as well as assisting with some of the more difficult work on larger administrations.
Senior Accountant	310	Three (3) to four (4) years experience, qualified accountant, has commenced CAANZ / CPA or equivalent. Assists with small to medium administrations as well as assisting with some of the more difficult work on larger administrations.
Accountant 1	280	Two (2) to three (3) years experience, qualified accountant. Assists with small administrations as well as assisting with some of the more difficult work on medium to large administrations.
Accountant	255	One (1) to two (2) years experience, qualified accountant. Assists with small administrations as well as assisting with some of the more difficult work on medium to large administrations.
Graduate	225	Zero (0) to one (1) year experience. Graduate with little or no professional experience. Required to assist in the day to day fieldwork under the supervision of more senior employees.
Senior Personal Assistant / Senior Clerk	255	Appropriate skills including machine usage.
Personal Assistant	215	As for senior personal assistant, however, with limited experience.
Bookkeeper	215	Required to assist in data entry, the preparation of receipts and payments, Business Activity Statements and general bookkeeping functions.
Clerk	175	Non qualified. Required to undertake and assist in general administration duties.

### 3.2 Remuneration Methods

Other methods that may be used to calculate a practitioner's fee, are as follows:-

- Percentage based fee approval, whereby the practitioner's remuneration is based on a percentage of a particular factor, usually assets disclosed or recovered by the practitioner.
- Fixed fee based on a quoted fixed amount.
- Contingency fee whereby the practitioner is remunerated in the event that a specific contingent future event occurs or particular circumstances arise.

The percentage method of remuneration is considered inequitable, as some assets are easy to realise while others (perhaps less valuable) take more time and effort. Moreover, the percentage method makes no allowance for the time which is required to investigate the company's affairs.

A fixed fee is only appropriate where all issues that are likely to arise may reasonably be anticipated by the practitioner. Given the nature and complexity of insolvency appointments, it is not feasible for the practitioner to anticipate all the possible issues.

A contingency fee is not appropriate as the practitioner, in seeking to achieve the desired outcome, may be perceived as acting in his or her own interests, rather than in the interests of creditors.

Given the above, I consider remuneration should be based wholly on time spent as the duties required to be undertaken by the practitioner go beyond asset realisation and encompass a duty to act in the public interest. This requires liaison with creditors and employees, investigations into the affairs of the company, investigations into the conduct of the directors and officers and liaison with appropriate statutory bodies. Furthermore, time based remuneration ensures that creditors are only charged for work that is performed.

Pursuant to Section 60-11 of the IPS, the amount of remuneration may be reviewed by the Court on the application of the following:-

- a) Australian Securities and Investments Commission;
- b) A person with a financial interest in the external administration of the company;
- c) An officer of the company.

The Court may confirm, vary or set aside the remuneration. If creditors fail to fix my remuneration, pursuant to Section 60-10 of the IPS, I may apply to the Court to approve my remuneration.

I propose to charge remuneration on a time basis, based on six (6) minute increments, and to calculate the remuneration of myself and my employees by using the hourly rates applicable to the grade or classification set out in the scale of fees charged by PCI Partners Pty Ltd, the current rates of which are detailed above.

### 3.3 Statement of Remuneration Claim

Creditors will be requested to consider the following resolution by a proposal without a meeting:-

**Resolution 1 – Liquidator's Remuneration**

"That the remuneration of the Liquidator be approved and fixed in respect of himself and his employees for the period 10 April 2019 to 7 May 2019, in the amount of \$97,387, plus GST, calculated on a time basis at the hourly rates applicable to the grade or classification set out in the scale of fees charged by PCI Partners Pty Ltd, to be drawn from available funds on no less than a monthly basis."

**Resolution 2 – Liquidator's Remuneration**

"That the remuneration of the Liquidator be approved and fixed in respect of himself and his employees for the period 8 May 2019 until the finalisation of the liquidation, to a maximum of \$252,910, plus GST, calculated on a time basis at the hourly rates applicable to the grade or classification set out in the scale of fees charged by PCI Partners Pty Ltd, beyond which further approval must be sought, to be drawn from available funds on no less than a monthly basis. These rates shall be adjusted in accordance with the Consumer Price Index, on no less than a quarterly basis, with individual rates rounded up to the nearest \$5."

**3.4 Description of work completed / to be completed**

The tasks which insolvency practitioners undertake may be broadly divided into seven (7) categories. These are:-

- Assets
- Creditors
- Employees
- Trade On
- Investigation
- Dividend
- Administration

Details of matters undertaken for the period 10 April 2019 to 7 May 2019, together with details of the time and amount charged by each employee, are as follows:-

Task Area	General Description	Includes
Assets 62.20 hours \$31,875.00	Cash at bank	<ul style="list-style-type: none"> <li>• Issue correspondence to all major banking institutions requesting they conduct a search of their database for accounts operated by the company</li> <li>• Review search results from banks</li> </ul>
	Motor Vehicles	<ul style="list-style-type: none"> <li>• Review email from an employee of one of the director's related entities regarding motor vehicles registered to the company, however, claimed to be owned by the related party</li> <li>• Prepare and issue response to related entity requesting documentation to support claim</li> <li>• Liaising with various auctioneers seeking quote to market and sell the company's truck and trailer fleet</li> </ul>

Task Area	General Description	Includes
		<ul style="list-style-type: none"> <li>• Review of quotes provided by the various auctioneers</li> <li>• Engage GraysOnline to market and realise the company's truck and trailer fleet</li> <li>• Liaising with auctioneer regarding sale of the company's truck and trailer fleet</li> <li>• Review email provided by auctioneer in respect of marketing material</li> <li>• Review spreadsheet provided by auctioneer in regards to motor vehicles secured upon my appointment and known location of other motor vehicles</li> <li>• Review motor vehicle search results and identify motor vehicles previously included on spreadsheet</li> <li>• Conduct investigations into the location of motor vehicles not previously secured</li> <li>• Liaising with mechanics claiming a lien over the motor vehicles and negotiating the release of such trailers</li> <li>• Verify details contained within spreadsheet against that of the relevant roads authority records and PPSR security interests</li> <li>• Liaising with former employees regarding the sighting of trailers that had been reported as stolen</li> <li>• Liaising with auctioneer regarding the collection of these trailers</li> <li>• Telephone conversations with prospective purchasers requesting details of auctioneer</li> </ul>
	Debtors	<ul style="list-style-type: none"> <li>• Liaising with former employees of the company regarding outstanding debtors</li> <li>• Engage two (2) former employees of the company to invoice customers which had not previously been invoiced for services rendered</li> <li>• Review outstanding debtor's ledger</li> <li>• Liaising with debt collection agency regarding a proposal to facilitate the collection of outstanding debtors</li> <li>• Review proposal from debt collection agency</li> <li>• Engage debt collection agency</li> <li>• Liaising with debt collection agency regarding the collection of outstanding debtors</li> </ul>

Task Area	General Description	Includes
		<ul style="list-style-type: none"> <li>Retain one (1) of the company's former employees on a short-term contract to assist with the collection of outstanding debtors</li> <li>Preparation of employment contract for the employee to execute</li> <li>Liaising with the former employee regarding the collection of outstanding debtors</li> <li>Conduct reconciliation of debtors ledger</li> <li>Meeting with former administrators regarding their reconciliation of the debtors ledger</li> <li>Calculation and attend to payment of former employee wages</li> <li>Preparation of payslip</li> </ul>
	Westpac Banking Corporation	<ul style="list-style-type: none"> <li>Liaising with Westpac regarding its security interest held over the company's assets</li> <li>Requesting details of security interest from Westpac</li> <li>Liaising with Westpac regarding strategy to sell the company's assets and collect the company's debtors</li> <li>Requesting documentation from Westpac to assist with the collection of company's debtors</li> <li>Reviewing documentation provided by Westpac</li> </ul>
	Other assets	<ul style="list-style-type: none"> <li>Preparation of email to auctioneer regarding offers received for various plant and equipment remaining at the company's former Victorian premises</li> <li>Review advice received from auctioneer</li> <li>Negotiate and accept offer from prospective purchaser regarding the sale of items remaining at the company's former premises</li> <li>Liaising with auctioneer regarding the sale of pallet racking held at the company's former premises</li> <li>Preparation of email to auctioneer accepting offer to purchase pallet racking</li> <li>Liaising with auctioneer regarding the removal of the pallet racking</li> </ul>

Task Area	General Description	Includes
Creditors 36.80 hours \$13,366.00	Creditor enquiries	<ul style="list-style-type: none"> <li>Receive and follow up creditors' enquiries via telephone</li> <li>Review and prepare correspondence to creditors and their representatives via facsimile, email and post</li> </ul>
	Secured creditor reporting	<ul style="list-style-type: none"> <li>Conduct a search of the Personal Property Securities Register ("PPSR")</li> <li>Notify PPSR registered creditors of appointment and request details of their security interest</li> <li>Review responses provided by PPSR creditors</li> <li>Liaising with solicitor requesting they conduct a review of the validity of all secured creditors interest held over assets</li> <li>Provide relevant documentation to solicitor</li> </ul>
	Creditor reports	<ul style="list-style-type: none"> <li>Prepare 20 business day report to creditors</li> </ul>
Employees 21.10 hours \$8,299.50	Deal with proofs of debt ("POD")	<ul style="list-style-type: none"> <li>Receipt and file PODs when not related to a dividend</li> <li>Correspond with State Revenue Office and Australian Taxation Office ("ATO") regarding PODs when not related to a dividend</li> <li>Review correspondence from creditors requesting adjudication on PODs to meet credit insurance requirements</li> <li>Adjudicate on relevant POD and review supporting documentation</li> </ul>
	Employees enquiry	<ul style="list-style-type: none"> <li>Receive and follow up employee enquiries via telephone, email, facsimile and post</li> <li>Review and prepare correspondence to employees and their representatives via facsimile, email and post</li> <li>Prepare letters to employees to advise of their entitlements and options available</li> <li>Prepare letters to employees enclosing payslips and separation certificates</li> </ul>
	Fair Entitlement Guarantee ("FEG")	<ul style="list-style-type: none"> <li>Correspond with the Department of Employment</li> <li>Complete company questionnaire at the request of FEG</li> <li>Preparation of Deed of Undertaking to assist FEG with the verification of outstanding employee entitlements</li> </ul>

Task Area	General Description	Includes
Investigation 44.50 hours \$22,195.50	Director	<ul style="list-style-type: none"> <li>Prepare of letter to the company's director notifying him of my appointment and requesting he deliver the company's book and records and provide me with a copy of his Report on Companies Activities and Property ("ROCAP")</li> <li>Telephone conversations with the director shortly after my appointment</li> <li>Prepare for and conduct interview with the company's director</li> <li>Review letter from the director requesting an extension of time to lodge his ROCAP</li> <li>Preparation of letter to director granting an extension of time to lodge ROCAP</li> <li>Review ROCAP provided by the director</li> <li>Preparation of letter to the Supreme Court submitting the director's ROCAP</li> <li>Conduct directorship and property search in the name of the company director</li> </ul>
	Conduct Investigations	<ul style="list-style-type: none"> <li>Conduct a search of the VicRoads, NSW Roads and QLD Roads databases to determine whether the company has been the registered owner of any motor vehicles in the past five (5) years</li> <li>Reviewing search results</li> <li>Prepare for and attendance at the company's premises</li> <li>Liaising with the landlord of the Victorian premises</li> <li>Liaising with key former employees of the company to obtain further information surrounding the company's affairs</li> <li>Liaising with sub-lessee of the Victorian premises in which the company occupied</li> <li>Reviewing stock and assets that remained at the company's Victorian premises</li> <li>Liaising with the landlord of the Victorian premises regarding the assets remaining on site</li> <li>Liaising with SA police requesting copies of police reports in regards to stolen motor vehicles</li> </ul>

Task Area	General Description	Includes
Administration 77.70 hours \$23,652.00		<ul style="list-style-type: none"> <li>Preliminary review of the company's electronic files to identify potential recoveries under Part 5.7B of the Act</li> </ul>
	FTI Consulting (Former Administrators)	<ul style="list-style-type: none"> <li>Teleconference with the former administrators surrounding the company's affairs and the lien being claimed over the company</li> <li>Review various correspondence from the former administrators in regards to lien claimed</li> <li>Prepare and issue various letters to former administrators</li> <li>Prepare and issue Notice pursuant to Section 530B of the Act to the former administrators requesting delivery of the company's records</li> <li>Teleconference with solicitor in respect of obtaining legal advice regarding the lien claimed by the former administrators</li> <li>Provide all relevant documentation to solicitor to obtain relevant legal advice</li> </ul>
	Correspondence	<ul style="list-style-type: none"> <li>Prepare, review and type general correspondence</li> </ul>
	Document maintenance / file review / checklist	<ul style="list-style-type: none"> <li>File of documents</li> <li>Update checklists</li> </ul>
	Insurance	<ul style="list-style-type: none"> <li>Identify potential issues requiring attention of insurance specialists</li> <li>Correspond with Arthur J Gallagher &amp; Co regarding initial and ongoing insurance requirements</li> <li>Prepare for and attend meeting with insurance broker in regards to insurance requirements</li> <li>Liaising with insurance broker in respect of potential insurance issues</li> <li>Review insurance policies</li> </ul>
	Bank account administration	<ul style="list-style-type: none"> <li>Prepare correspondence opening bank account</li> </ul>
	ASIC lodgements and other forms	<ul style="list-style-type: none"> <li>Prepare and lodge ASIC forms including 505</li> <li>Correspond with ASIC regarding statutory forms</li> <li>Lodgement of Notice that the director has been granted an extension of time to provide ROCAP</li> </ul>
ATO and other statutory reporting	<ul style="list-style-type: none"> <li>Notify ATO of appointment</li> </ul>	

Task Area	General Description	Includes
	Planning / review Books and Records	<ul style="list-style-type: none"> <li>Discussions regarding status of administration</li> <li>Prepare for and attendees at the company's premises in regards to the records of the company's books and records</li> <li>Labeling with a courier in regards to collecting the company's records from premises</li> <li>Labeling with IT Service provider in regards to the company's server</li> <li>Labeling with IT Service provider in regards to access server</li> </ul>

Page 11 of 24

3.5 Resolution 1 - Calculation of Remuneration

Employee	Position	Rate / hour \$ (excl GST)	Total hours	Total (\$)	Task Area				
					Assets \$	Creditors \$	Employees \$	Investigation \$	Administration \$
S J Michell	Appointee	635	8.20	5,207.00	1,968.50	1,016.00	63.50	2,159.00	
D Quin	Appointee	635	0.20	127.00	127.00				
J Melluish	Partner	635	26.40	16,764.00	10,731.50			3,492.50	2,540.00
K Wright	Principal	565	50.50	28,532.50	8,701.00	3,672.50	1,412.50	8,814.00	5,932.50
T McGlade	Supervisor	390	67.80	26,442.00	10,298.00	4,836.00	1,980.00	7,644.00	2,106.00
D Hill	Senior Accountant	310	0.90	279.00					279.00
M Greig	Accountant	255	5.80	1,479.00	51.00	1,147.50			280.50
D Myteak	Accountant	255	2.40	612.00		331.50		51.00	229.50
N Cecil	Graduate	225	47.30	10,642.50		2,362.50	3,262.50		5,017.50
N Almon	Graduate	225	20.20	4,545.00					4,545.00
E Engelbrecht	Senior Personal Assistant	255	6.90	1,759.50					1,759.50
C Kramme	Clerk	175	1.70	297.50				35.00	262.50
E Rivera	Clerk	175	4.00	700.00					700.00
Less: Remuneration recoverable from external sources									
<b>TOTAL</b>				<b>\$97,387.00</b>	<b>\$31,875.00</b>	<b>\$13,366.00</b>	<b>\$8,298.50</b>	<b>\$22,195.50</b>	<b>\$23,652.00</b>

Employee	Position	Rate / hour \$ (incl GST)	Total hours	Total (\$)	Task Area				
					Assets	Creditors	Employees	Investigation	Administration
				\$8,738.70	\$	\$	\$	\$	\$
TOTAL including GST				\$107,125.70					
Average hourly rate (incl. GST)				\$401.03	\$512,46	\$363,21	\$298,51	\$488,78	\$394,40

Page 13 of 24

### 3.5 Description of work to be completed

A summary of the expected major tasks required to be undertaken from 8 May 2019 to the finalisation of the administration, include but are not limited to the following:

Task Area	General Description	Includes
Assets 185.00 hours \$89,825.00	Motor Vehicles	<ul style="list-style-type: none"> <li>Liaising with GraysOnline in regards to the sale of truck and trailer fleet</li> <li>Liaising with the police notifying them that the trailers previously reported as stolen have been recovered</li> <li>Continue further investigations into various trucks and trailers that were registered in the company's name during 2018 and the company has since ceased to be the registered owner</li> <li>Negotiate with third parties claiming a lien over various trucks and trailers, the release of such vehicles</li> <li>Monitor the sale process of the truck and trailer fleet</li> <li>Provide instructions to GraysOnline to collect the remaining trucks and trailers once located</li> <li>Receipting of funds from the sale of the company's assets</li> <li>Review documentation provided by the director's related entity regarding ownership to some of the trucks</li> <li>Notify related entity of my decision in respect of ownership</li> </ul>
	Westpac	<ul style="list-style-type: none"> <li>Liaising with Westpac regarding the sale of the company's assets</li> <li>Providing updates to Westpac on a regular basis regarding the sale of assets</li> <li>Account to Westpac for the assets which are subject to their security interest upon the sale of same</li> <li>Requesting bank statements from Westpac to assist in the recovery of outstanding debtors</li> </ul>
	Debtors	<ul style="list-style-type: none"> <li>Continue and finalise reconciliation of outstanding debtors of the company</li> <li>Requesting Proof of Delivery from subcontractors of the company</li> <li>Providing listing of debtors to debt collection agency</li> <li>Collating and providing statements to debt collection agency</li> <li>Collating and providing all invoices to debt collection agency, if required</li> </ul>

Page 14 of 24

Task Area	General Description	Includes
		<ul style="list-style-type: none"> <li>Liaising with debt collection agency in regards to the collection of outstanding debtors</li> <li>Review enquiries received from debtors prior to making payment of outstanding debtors</li> <li>Respond to debtor enquiries as required</li> <li>Monitor status of debt collection</li> <li>Liaising with debt collection agency regarding issuing proceedings in circumstances where debtors have failed to make payment on outstanding debts</li> <li>Liaising with solicitor in regards to pursuing debtors</li> <li>Issuing proceedings against debtors, as required</li> <li>Review Affidavit material once proceedings issued</li> <li>Attend to Court hearings</li> <li>Attend to mediations</li> <li>Monitor receipt of funds from the collection of outstanding debtors</li> <li>Account to the former administrator in respect of debtors involved during their period of appointment</li> <li>Account to Westpac for the debtors' which are subject to their security interest</li> </ul>
	Stock	<ul style="list-style-type: none"> <li>Liaising with customers who are claiming ownership of stock presently held on trucks</li> <li>Liaising with insurance broker in relation to any potential insurance issues</li> <li>Review documentation provided by customers supporting their claim over stock</li> <li>Provide instructions to GraysOnline to release stock to customer</li> </ul>
	Other assets	<ul style="list-style-type: none"> <li>Prepare and execute sale agreement</li> <li>Liaising with GraysOnline in regards to sale of assets</li> <li>Monitor receipt of funds from sale of assets</li> </ul>
	Creditor enquiries	<ul style="list-style-type: none"> <li>Receive and follow up creditors' enquiries via telephone</li> <li>Review and prepare correspondence to creditors and their representatives via facsimile, email and post</li> <li>Correspond with committee of inspection members if applicable</li> </ul>
<b>Creditors</b> 60.00 hours \$28,335.00		

Task Area	General Description	Includes
	Secured creditor reporting	<ul style="list-style-type: none"> <li>Liaising with PPSR creditors in regard to providing documentation surrounding their security interest</li> <li>Liaising with solicitor in regards to validity of creditor's security interest</li> <li>Review advice received from solicitor in regards to same</li> <li>Liaising with secured creditors in regards to the sale of assets subject to their security interest</li> </ul>
	Creditor reports	<ul style="list-style-type: none"> <li>Prepare, review and amend 20 business day circular to creditors</li> <li>Prepare, review and amend Liquidator's Declaration of Independence, Relevant Relationships and Indemnities</li> <li>Prepare, review and amend Liquidator's remuneration report</li> <li>Prepare, review and amend three (3) month circular to creditors</li> <li>Prepare creditors' labels for reports to creditors</li> <li>Photocopy and mail creditor reports to all known creditors</li> </ul>
	Deal with PODs	<ul style="list-style-type: none"> <li>Receipt and file PODs when not related to a dividend</li> </ul>
	Employees enquiry	<ul style="list-style-type: none"> <li>Receive and follow up employee enquiries via telephone, email, facsimile and post</li> <li>Review and prepare correspondence to employees and their representatives via facsimile, email and post</li> <li>Prepare and issue letters to employees providing copies of payslips and separation certificates when requested</li> </ul>
<b>Employees</b> 62.00 hours \$26,140.00	Fair Entitlement Guarantee ("FEG")	<ul style="list-style-type: none"> <li>Correspond with the Department of Employment regarding the verification of outstanding employee entitlements</li> <li>Calculate employee entitlements</li> <li>Review employee files and company's books and records</li> <li>Review awards</li> <li>Liaise with solicitors regarding entitlements Preparation and submit FEG verification spreadsheet</li> <li>Review discrepancy report in respect of employee entitlements issued by FEG</li> <li>Liaising with FEG in respect of discrepancy report</li> <li>Prepare and issue invoice to FEG seeking payment of verification work undertaken</li> </ul>

Task Area	General Description	Includes
	Employee dividend	<ul style="list-style-type: none"> <li>Correspond with employees regarding dividend</li> <li>Correspond with ATO regarding Superannuation Guarantee Charge POD</li> <li>Calculate and verify outstanding superannuation owed by the company to employees</li> <li>Notify ATO of outstanding superannuation and request the lodgement of amended POD</li> <li>Review amended POD lodged by ATO</li> <li>Calculate dividend rate</li> <li>Prepare dividend file</li> <li>Advertise dividend notice</li> <li>Receipt POD forms</li> <li>Adjudicate POD forms</li> <li>Preparation of letter either rejecting or partially rejecting claimed amount, if required</li> <li>Prepare distribution</li> <li>Ensure PAYG tax is remitted to ATO</li> </ul>
	Other employee issues	<ul style="list-style-type: none"> <li>Correspond with Child Support Agency</li> </ul>
Investigation 175.00 hours \$64,525.00	Conduct Investigation	<ul style="list-style-type: none"> <li>Review company's books and records</li> <li>Reconstruct financial statements</li> <li>Conduct statutory searches</li> <li>Review specific transactions and liaising with directors regarding certain transactions</li> <li>Conduct investigations to identify possible recovery actions under Part 5.7B of the Corporations Act</li> <li>Prepare and issue letters of demand to recover voidable transactions identified during the course of investigations</li> <li>Review and consider disputes raised in respect of voidable transaction claims</li> <li>Engage solicitor to pursue voidable transaction claims, if applicable</li> <li>Conduct investigations to determine whether the company traded whilst insolvent and if so, the date of insolvency</li> <li>Request creditors provide additional documentation in respect of their claims to assist with the preparation of an insolvent trading claim</li> <li>Review details of creditors' claims and when debts were incurred</li> </ul>

Task Area	General Description	Includes
		<ul style="list-style-type: none"> <li>Determine quantum of insolvent trading claim, if any</li> <li>Preparation of demand to director in respect of insolvent trading claim</li> <li>Engage solicitor to pursue insolvent trading claim</li> </ul>
	Examinations, (if applicable)	<ul style="list-style-type: none"> <li>Prepare brief to solicitor</li> <li>Liaise with solicitor(s) regarding examinations</li> <li>Attend at examination</li> <li>Review examination transcripts</li> <li>Liaise with solicitor(s) regarding outcome of examinations and further actions available</li> </ul>
	Litigation / recoveries, if applicable	<ul style="list-style-type: none"> <li>Internal meetings to discuss status of litigation</li> <li>Issue demands in relation to voidable transactions identified during the course of investigations</li> <li>Prepare brief to solicitors</li> <li>Liaise with solicitors regarding recovery actions</li> <li>Attend to negotiations</li> <li>Attend to Court hearings and settlement matters</li> </ul>
	ASIC reporting	<ul style="list-style-type: none"> <li>Prepare and lodge statutory investigation reports with the ASIC</li> <li>Prepare and lodge supplementary report if required</li> <li>Liaise with ASIC as required</li> </ul>
	FTI Consulting	<ul style="list-style-type: none"> <li>Liaising with former administrator in regards to their claim for a lien over the company's assets</li> <li>Review advice received from solicitor</li> <li>Negotiate outcome with former administrator in respect of their claim for a lien</li> </ul>
Administration 58.00 hours \$24,085.00	Correspondence	<ul style="list-style-type: none"> <li>Prepare, review and type of general correspondence</li> </ul>
	Document maintenance / file review / checklist	<ul style="list-style-type: none"> <li>Six monthly administration review</li> <li>File documents</li> <li>File reviews</li> <li>Update checklists</li> </ul>
	Insurance	<ul style="list-style-type: none"> <li>Correspond with Arthur J Gallagher &amp; Co regarding ongoing insurance requirements</li> <li>Review insurance policies</li> <li>Correspond with previous brokers</li> <li>Attend to payment of insurance policies</li> </ul>

Task Area	General Description	Includes
	Bank account administration	<ul style="list-style-type: none"> <li>• Prepare correspondence opening and closing bank account(s)</li> <li>• Request bank statements</li> <li>• Bank account reconciliations</li> <li>• Correspond with bank regarding specific transfers</li> </ul>
	ASIC lodgements and other forms	<ul style="list-style-type: none"> <li>• Prepare and lodge ASIC forms including 5601, 524, 5011 etc</li> <li>• Correspond with ASIC regarding statutory forms</li> </ul>
	ATO and other statutory reporting	<ul style="list-style-type: none"> <li>• Prepare Business Activity Statements</li> <li>• Complete PAYG Payment Summaries</li> </ul>
	Finalisation	<ul style="list-style-type: none"> <li>• Notify ATO of finalisation</li> <li>• Cancel ABN / GST / PAYG registration</li> <li>• Complete checklists</li> <li>• Finalise WIP</li> </ul>
	Planning / review	<ul style="list-style-type: none"> <li>• Discuss status of administration</li> </ul>
	Books and records / storage	<ul style="list-style-type: none"> <li>• Deal with records in storage</li> <li>• Send job files to storage</li> </ul>

3.7 Resolution 2 - Calculation of Remuneration

Employee	Position	Rate / hour \$ (incl GST)	Total hours	Total (\$)	Task Area					
					Assess	Creditors	Employees	Investigation	Administration	
S J Mitchell	Appointee	835	46.00	29,210.00	9,525.00	1,905.00	1,905.00	12,700.00	3,175.00	
J Mallish	Partner	635	55.00	34,925.00	15,875.00	3,175.00		16,876.00		
K Wright	Principal	565	115.00	64,975.00	26,425.00	9,605.00	3,995.00	16,950.00	9,040.00	
T McGlade	Supervisor	390	310.00	120,900.00	39,000.00	13,650.00	26,280.00	39,000.00	8,970.00	
E Englebach	Senior Personal Assistant	255	10.00	2,550.00					2,550.00	
C Krammo	Clerk	175	2.00	350.00					350.00	
Less: Remuneration recoverable from external sources										
<b>TOTAL</b>					\$59,625.00	\$28,335.00	\$26,140.00	\$64,825.00	\$24,085.00	
GST										
<b>TOTAL including GST</b>					\$468.81	\$472.25	\$483.00	\$421.61	\$439.09	
Average hourly rate (incl. GST)										

### 3.8 Remuneration Recoverable From External Sources

No remuneration has been recovered from external sources.

### 4. DISBURSEMENTS

Disbursements are divided into three (3) types:

1. Externally provided professional services. These are recovered at cost. An example of an externally provided professional service disbursement is legal fees.
2. Externally provided non-professional services such as travel, accommodation and search fees. These are recovered at cost.
3. Internal disbursements such as photocopying, printing and postage. These disbursements, if charged to the administration, would generally be charged at cost, though some expenses such as telephone calls, photocopying and printing may be charged at a rate which recoups both variable and fixed costs. The recovery of these costs must be on a reasonable commercial basis.

I am not required to seek creditors' approval for disbursements paid to third parties, but must account to creditors. However, I must be satisfied that these disbursements are appropriate and reasonable.

I am required to obtain the consent of creditors' for the payment of internal disbursements, other than those recovered at cost. Creditors will be asked to approve such internal disbursements prior to these disbursements being paid from the administration.

Details of the basis of recovering disbursements in this administration are provided below:-

Disbursements	Amount \$
Externally provided non-professional services	
• Advertising	at cost
• Courier	at cost
• Search fees	at cost
• Storage of books and records	at cost
Internal Disbursements	
• Lever arch folder, label and dividers	at cost
• Photocopying and printing (per page)	\$0.55 (incl GST)
• Postage	at cost
• Facsimile	\$1.10 (incl GST)
• Staff vehicle use	\$0.78 per km

Storage costs following the finalisation of the administration are calculated by reference to the current costs plus an allowance to cover anticipated price rises.

The costs of staff vehicle use is subject to change in line with any changes in the rate of reimbursement provided for in the Clerks Private Sector Award.

I have undertaken a proper assessment of the disbursements likely to be incurred for the company, in accordance with the law and applicable professional standards. I am satisfied that the disbursements likely to be incurred are necessary and proper.

Creditors will be requested to consider the following resolution by a proposal without a meeting:-

#### Resolution 3 – Liquidator's Internal Disbursements

"That the internal disbursements of the Liquidator for the period 10 April 2019 to the finalisation of the liquidation, other than those recovered at cost be approved to a maximum of \$15,000, plus GST, beyond which further approval must be sought, to be drawn from available funds on no less than a monthly basis. The above internal disbursements will be calculated at the rates detailed in the Liquidator's Initial Remuneration Notice and Remuneration Request Approval Report, save that the cost of staff vehicle use is subject to change in line with any changes in the rate of reimbursement provided for in the Clerks Private Sector Award."

#### 5. ADMINISTRATION EXPENSE

An administration expense of \$520, plus GST, is charged to each corporate insolvency appointment. The expense is charged to at least partially recover the costs of a levy imposed by the Australian Securities and Investments Commission ("ASIC") on each Registered Liquidator, pursuant to the ASIC Supervisory Cost Recovery Levy Act 2017. The levy is charged to enable the ASIC to recoup the costs of regulating insolvency practitioners.

The quantum of the administration expense has been calculated based on historical data of corporate insolvency matters to which the directors of PCI Partners Pty Ltd have been appointed. Further, the expense is based on an estimate advised by the ASIC, as the actual amount of the levy will not be known until approximately 7 months after the end of each financial year. The quantum of the levy is dependent on various factors including the number of certain types of documents both lodged with the ASIC and published on its website and the actual costs incurred by the ASIC.

Creditors will be requested to consider the following resolution by a proposal without a meeting:-

#### Resolution 4 – Administration Expense

"That the administration expense relating to the ASIC Supervisory Cost Recovery Levy Act 2017 be approved in the amount of \$520, plus GST, to be drawn from available funds."

#### 6. LIKELY IMPACT OF REMUNERATION, DISBURSEMENTS AND THE ADMINISTRATION EXPENSE ON DIVIDENDS

Pursuant to Section 70-45(6)(e) of the IPR, I am required to provide an explanation of the likely impact of my remuneration on any dividend in the liquidation.

Creditors should be aware that my remuneration, disbursements and the administration expense are only paid to the extent of funds available from recoveries made in the liquidation. Liquidator's remuneration, disbursements and the administration expense, once approved, rank ahead of any dividends to priority or unsecured creditors in accordance with Section 555(1) of the Corporations Act 2001.

The impact on creditors of passing the resolutions approving my remuneration, disbursements and the administration expense is that any funds that would be available to pay a dividend to

creditors, will be reduced by the extent of my remuneration, disbursements and the administration expense.

#### 7. ESTIMATE OF FUTURE REMUNERATION AND DISBURSEMENTS

I estimate that the total remuneration to be received in administering the liquidation will be \$250,297, plus GST, of which, \$97,367, plus GST, has been incurred for the period 10 April 2019 to 7 May 2019. It is anticipated I will incur internal disbursements, other than those recovered at cost, in the amount of \$15,000, plus GST, and an administration expense in the amount of \$620, plus GST.

In preparing this report, I have made my best estimate at what I believe the liquidation will cost to complete and I do not anticipate that I will have to ask creditors to approve any further remuneration or internal disbursements. However that estimate may be subject to change during the course of my investigations and the extent to which action may need to be taken for either the recovery of antecedent transactions or insolvent trading.

In the event that the liquidation does not proceed as expected, I will advise creditors of same and I may seek approval of additional remuneration and internal disbursements. Matters which may affect the progress and the cost of the liquidation include, but are not limited to, the following: -

- Identification and realisation of company property, including vehicles and debtors;
- Recovery of the company's books and records; and
- Recovery of antecedent transactions and any insolvent trading claims.

#### 8. REPORT ON PROGRESS OF THE LIQUIDATION

Details of the progress of the liquidation are detailed in the attached report to creditors.

#### 9. SUMMARY OF RECEIPTS AND PAYMENTS

Details of any receipts and payments in the administration will be detailed in the attached report to creditors.

#### 10. APPROVAL OF REMUNERATION, INTERNAL DISBURSEMENTS AND THE ADMINISTRATION EXPENSE

Pursuant to Section 75-40 of the IPS, it is possible for some resolutions to be passed without a meeting of creditors.

Creditors are referred to the enclosed Notices of Proposed Creditors' Resolution and are requested to vote "yes", "no" or "object".

Pursuant to Section 75-130 of the IPR, a resolution is passed in the following circumstances:-

- a majority of responding creditors in number and value vote "yes"; and,
- not more than 25% in value of responding creditors object to the proposal being resolved without a meeting.

Pursuant to Section 75-130(6) of the IPR, the Liquidator must make a written record of the outcome of the proposal and lodge a notice in the approved form with the ASIC.

#### 11. QUERIES

Further information for creditors in relation to approving remuneration and costs in external administrations may be downloaded from the ASIC's website, which may be found at [www.asic.gov.au/regulation/resources/insolvency](http://www.asic.gov.au/regulation/resources/insolvency). The relevant document is titled "Approving Fees: A Guide for Creditors (INFO 85)" and may be found within the "Insolvency Information Sheets" link. Any creditors who require a copy of this information who do not have internet access, should request a copy from my office.

Should creditors have any queries in relation to the contents of this report, please do not hesitate to contact Mr Tristan McGlade of my office.

Dated 13 May 2019

  
S J MICHELL  
LIQUIDATOR

**Declaration of Independence, Relevant Relationships and Indemnities**

WITS HOLDINGS PTY LTD  
(IN LIQUIDATION)  
A.C.N.: 050 322 284

This document requires the practitioner appointed to an insolvent entity to make declarations as to:-

- A. his independence generally
- B. relationships, including:-
- (i) the circumstances of the appointment
  - (ii) any relationships with the insolvent and others within the previous 24 months
  - (iii) any prior professional services for the insolvent within the previous 24 months
  - (iv) whether there are any other relationships to declare, and
- C. any indemnities given, or upfront payments made, to the practitioner

This declaration is made in respect of myself and my firm.

**A. Independence**

I have undertaken a proper assessment of the risks to my independence prior to consenting to act as Liquidator of the above company in accordance with the law and applicable professional standards. The assessment identified no real or potential risks to my independence. I am not aware of any reasons that would prevent me from accepting this appointment.

**B. Declaration of Relationships**

- (i) Circumstances of appointment

On 7 March 2019, I was requested by the solicitors acting for WEX Australia Pty Ltd ("WEX"), McKean Park Lawyers ("McKean"), to prepare a consent to act as Liquidator of the company.

I provided a consent to act on the same day.

On 28 March 2019, Kate Warwick, Ross Binkley and Joseph Hasnell of FTI Consulting were appointed Joint and several Voluntary Administrators of the above company.

On 8 April 2019, I was subsequently requested by MGA Lawyers ("MGA"), the solicitors acting for Driver Recruitment Pty Ltd, the supporting creditor in the winding up application to prepare a consent to act as Liquidator of the company.

I provided a consent to act on 8 April 2019.

I was appointed as Liquidator of the company by the Supreme Court of Victoria on 10 April 2019.

While PCI Partners Pty Ltd has previously received referrals of insolvency type matters from MGA and McKean, I believe that these relationships do not result in me having a conflict of interest or duty. This is because referrals from solicitors, business advisers and accountants are commonplace and do not impact on my independence in carrying out my duties as Liquidator.

There were no meetings conducted with the company, its directors or advisers prior to my appointment.

- (ii) Relevant relationships

Neither myself nor my firm, have, or have had within the preceding 24 months, any relationships with the company, an associate of the company, or any person or entity that is entitled to enforce a security interest in the whole or substantially the whole of the company's property (including any PPSA retention of title property).

- (iii) Prior professional services to the company

Neither myself nor my firm, have undertaken any prior engagements for the company.

- (iv) No other relevant relationships to disclose

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the company, an associate of the company, a former insolvency practitioner appointed to the company or any person or entity that is entitled to enforce a security interest in the whole or substantially the whole of the company's property, which should be disclosed.

**C. Indemnities and Up Front Payments**

Neither myself nor my firm have been provided with any indemnities or upfront payments in relation to the liquidation of the company, other than any indemnities which I may be entitled to under statute.

Dated 13 May 2019

  
S J MICHELL  
LIQUIDATOR

**NOTES:**

1. If circumstances change, or new information is identified, I am required pursuant to the ARITA Code of Professional Practice to update this declaration and provide a copy to creditors with my next communication as well as table a copy of the replacement declaration at any meeting of the company's creditors.
2. Any relationships, indemnities or up front payments disclosed in this declaration must not be such that the practitioner is no longer independent. The purpose of components B and C of this declaration is to disclose relationships which, while they do not result in the practitioner having a conflict of interest or duty, ensure that creditors are aware of those relationships and understand why the practitioner nevertheless remains independent.

**NOTICE OF PROPOSED CREDITORS' RESOLUTION  
PURSUANT TO SECTION 75-40 OF THE INSOLVENCY PRACTICE SCHEDULE  
(CORPORATIONS)**

1. **Company's name**
2. **A.C.N.:**
3. **Date of notice to creditors:**
4. **Full name and address of creditor (please print)**  
Name   
Address
5. **Details of any security held**  
Do you hold security over any of the company's property?  No  Yes  
If yes, estimated value of security \$   
Description of secured property and estimated value of property \$

6. **Vote**  
*Note: Place a tick in the box which applies*

Matter for voting	Yes	No	Object
*That the remuneration of the Liquidator be approved and fixed in respect of himself and his employees for the period 10 April 2019 to 7 May 2019, in the amount of \$97,387, plus GST, calculated on a time basis at the hourly rates applicable to the grade or classification set out in the scale of fees charged by PCI Partners Pty Ltd, beyond which further approval must be sought, to be drawn from available funds on no less than a monthly basis.*			

Date: .....

Signature: .....

Name: .....

Title: .....

Telephone No: .....

Amount claimed as owing: .....

The proposal is being put to creditors to seek approval of the Liquidator's remuneration without the need to convene a creditors' meeting.

Pursuant to Section 70-45(6)(e) of the Insolvency Practice Rules (Corporations) 2016 ("IPR"), I am required to provide an explanation of the likely impact of my remuneration on any dividend in the liquidation.

Creditors should be aware that my remuneration is only paid to the extent of funds available from recoveries made in the liquidation. Liquidator's remuneration, once approved, ranks ahead of any dividends to priority or unsecured creditors in accordance with Section 556(1) of the Corporations Act 2001.

The impact on creditors of passing this resolution is that any funds that would be available to pay a dividend to creditors will be reduced by the extent of the remuneration.

Creditors are requested to do one of the following:

- approve the proposal by voting "Yes"
- not approve the proposal by voting "No", or
- object to the proposal being resolved without a meeting of creditors

Pursuant to Section 75-130 of the IPR, a resolution is passed in the following circumstances:-

- a majority of responding creditors in number and value vote "yes"; and,
- not more than 25% in value of responding creditors object to the proposal being resolved without a meeting.

Pursuant to Section 75-130(8) of the IPR, the Liquidator must make a written record of the outcome of the proposal and lodge a notice in the approved form with the Australian Securities and Investments Commission.

Please forward the duly executed form to me on or before 7 June 2019. Any replies received after this date will not be taken into account.

Please send the completed form to:

Mr S J Michell  
Liquidator  
PCI Partners Pty Ltd  
PO Box 248 Collins St West  
MELBOURNE VIC 3007

FACSIMILE : (03) 8626 3330

EMAIL: admin@pcipartners.com.au

**NOTICE OF PROPOSED CREDITORS' RESOLUTION  
PURSUANT TO SECTION 75-40 OF THE INSOLVENCY PRACTICE SCHEDULE  
(CORPORATIONS)**

1. Company's name WITS Holdings Pty Ltd  
(In Liquidation)

2. A.C.N.: 059 322 284

3. Date of notice to creditors: 13 May 2019

4. Full name and address of creditor (please print)  
Name \_\_\_\_\_  
Address \_\_\_\_\_

5. Details of any security held  
Do you hold security over any of the company's property?  No  Yes  
If yes, estimated value of security \$  

Description of secured property and estimated value of property \$

6. Vote  
**Note: Place a tick in the box which applies**

Matter for voting	Yes	No	Object
*That the remuneration of the Liquidator be approved and fixed in respect of himself and his employees for the period 8 May 2019 until the finalisation of the liquidation, in the to a maximum of \$252,810, plus GST, calculated on a time basis at the hourly rates applicable to the grade or classification set out in the scale of fees charged by PCI Partners Pty Ltd, beyond which further approval must be sought, to be drawn from available funds on no less than a monthly basis. These rates shall be adjusted in accordance with the Consumer Price Index, on no less than a quarterly basis, with individual rates rounded up to the nearest \$5			

Date: .....

Signature: .....

Name: .....

Title: .....

Telephone No: .....

Amount claimed as owing: .....

The proposal is being put to creditors to seek approval of the Liquidator's remuneration without the need to convene a creditors' meeting.

Pursuant to Section 70-45(6)(e) of the Insolvency Practice Rules (Corporations) 2016 ("IPR"), I am required to provide an explanation of the likely impact of my remuneration on any dividend in the liquidation.

Creditors should be aware that my remuneration is only paid to the extent of funds available from recoveries made in the liquidation. Liquidator's remuneration, once approved, ranks ahead of any dividends to priority or unsecured creditors in accordance with Section 558(4) of the Corporations Act 2001.

The impact on creditors of passing this resolution is that any funds that would be available to pay a dividend to creditors will be reduced by the extent of the remuneration.

Creditors are requested to do one of the following:

- approve the proposal by voting "Yes"
- not approve the proposal by voting "No", or
- object to the proposal being resolved without a meeting of creditors

Pursuant to Section 75-130 of the IPR, a resolution is passed in the following circumstances:-

- a majority of responding creditors in number and value vote "yes"; and,
- not more than 25% in value of responding creditors object to the proposal being resolved without a meeting.

Pursuant to Section 75-130(6) of the IPR, the Liquidator must make a written record of the outcome of the proposal and lodge a notice in the approved form with the Australian Securities and Investments Commission.

Please forward the duly executed form to me on or before 7 June 2019. Any replies received after this date will not be taken into account.

Please send the completed form to:

Mr S J Michell  
Liquidator  
PCI Partners Pty Ltd  
PO Box 246 Collins St West  
MELBOURNE VIC 3007

FACSIMILE : (03) 8636 3330

EMAIL: admin@pcipartners.com.au

**NOTICE OF PROPOSED CREDITORS' RESOLUTION  
PURSUANT TO SECTION 75-40 OF THE INSOLVENCY PRACTICE SCHEDULE  
(CORPORATIONS)**

1. Company's name

2. A.C.N.:

3. Date of notice to creditors:

4. Full name and address of creditor (please print)  
Name   
Address

5. Details of any security held  
Do you hold security over any of the company's property?  No  Yes  
If yes, estimated value of security \$

Description of secured property and estimated value of property \$

6. Vote  
*Note: Place a tick in the box which applies*

Matter for voting	Yes	No	Object
*That the internal disbursements of the Liquidator for the period 10 April 2019 to the finalisation of the liquidation, other than those recovered at cost be approved to a maximum of \$15,000, plus GST, beyond which further approval must be sought, to be drawn from available funds on no less than a monthly basis. The above internal disbursements will be calculated at the rates detailed in the Liquidator's Initial Remuneration Notice and Remuneration Request Approval Report, save that the cost of staff vehicle use is subject to change in line with any changes in the rate of reimbursement provided for in the Clerks Private Sector Award.			

Date: .....

Signature: .....

Name: .....

Title: .....

Telephone No: .....

Amount claimed as owing: .....

The proposal is being put to creditors to seek approval of the Liquidator's internal disbursements, other than those recovered at cost, without the need to convene a creditors' meeting.

Creditors should be aware that my disbursements are only paid to the extent of funds available from recoveries made in the liquidation. Liquidator's disbursements, once approved, rank ahead of any dividend to priority or unsecured creditors in accordance with Section 556(1) of the Corporations Act 2001.

The impact on creditors of passing the resolution approving my disbursements is that any funds that would be available to pay a dividend to creditors, will be reduced by the extent of my disbursements.

Creditors are requested to do one of the following:

- approve the proposal by voting "Yes"
- not approve the proposal by voting "No", or
- object to the proposal being resolved without a meeting of creditors

Pursuant to Section 75-130 of the Insolvency Practice Rules (Corporations) 2016 ("IPR"), a resolution is passed in the following circumstances:-

- a majority of responding creditors in number and value vote "yes"; and,
- not more than 25% in value of responding creditors object to the proposal being resolved without a meeting.

Pursuant to Section 75-130(6) of the IPR, the Liquidator must make a written record of the outcome of the proposal and lodge a notice in the approved form with the Australian Securities and Investments Commission.

Please forward the duly executed form to me on or before 7 June 2019. Any replies received after this date will not be taken into account.

Please send the completed form to:

Mr S J Mitchell  
Liquidator  
PCI Partners Pty Ltd  
PO Box 246 Collins St West  
MELBOURNE VIC 6007

FACSIMILE: (03) 8636 3320

EMAIL: admin@pcipartners.com.au

NOTICE OF PROPOSED CREDITORS' RESOLUTION  
PURSUANT TO SECTION 75-49 OF THE INSOLVENCY PRACTICE SCHEDULE  
(CORPORATIONS)

1. Company's name:

2. A.C.N.:

3. Date of notice to creditors:

4. Full name and address of creditor (please print)  
Name:   
Address:

5. Details of any security held  
Do you hold security over any of the company's property?  No  Yes  
If yes, estimated value of security \$   
Description of secured property and estimated value of property \$

6. Vote  
Note: Place a tick in the box which applies

Matter for voting	Yes	No	Object
*That the administration expense relating to the ASIC Supervisory Cost Recovery Levy Act 2017 be approved in the amount of \$620, plus GST, to be drawn from available funds.*			

Date: .....

Signature: .....

Name: .....

Title: .....

Telephone No: .....

Amount claimed as owing: .....

The proposal is being put to creditors to seek approval of the administration expense, without the need to convene a creditors' meeting.

Creditors should be aware that the administration expense is only paid to the extent of funds available from recoveries made in the liquidation. The administration expense, once approved, ranks ahead of any dividend to priority or unsecured creditors in accordance with Section 558(1) of the Corporations Act 2001.

The impact on creditors of passing the resolution approving the administration expense is that any funds that would be available to pay a dividend to creditors, will be reduced by the extent of the administration expense.

Creditors are requested to do one of the following:

- approve the proposal by voting "Yes"
- not approve the proposal by voting "No", or
- object to the proposal being resolved without a meeting of creditors

Pursuant to Section 75-130 of the Insolvency Practice Rules (Corporations) 2016 ("IPR"), a resolution is passed in the following circumstances:-

- a majority of responding creditors in number and value vote "yes"; and,
- not more than 25% in value of responding creditors object to the proposal being resolved without a meeting.

Pursuant to Section 75-130(6) of the IPR, the Liquidator must make a written record of the outcome of the proposal and lodge a notice in the approved form with the Australian Securities and Investments Commission.

Please forward the duly executed form to me on or before 7 June 2019. Any replies received after this date will not be taken into account.

Please send the completed form to:

Mr S J Michell  
Liquidator  
PCI Partners Pty Ltd  
PO Box 246 Collins St West  
MELBOURNE VIC 8007

FACSIMILE: (03) 8638 3330

EMAIL: admin@pcipartners.com.au

FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Liquidator of WITS Holdings Pty Ltd (in Liquidation)-

1. This is to state that the company was on 10 April 2019 and still is, justly and truly indebted to \_\_\_\_\_ of \_\_\_\_\_ Dollars and \_\_\_\_\_ Cents.

Particulars of the debt are:

Date	Consideration <sup>1</sup>	Amount \$ & c	DST <sup>2</sup>	Remarks <sup>3</sup>
------	----------------------------	------------------	------------------	----------------------

2. To my knowledge or belief the creditor has not, nor has any person by the creditor's order, had or received any satisfaction or security for the sum or any part of it except for the following<sup>4</sup>:

Date	Drawer	Acceptor	Amount \$ & c	Due Date
------	--------	----------	------------------	----------

\*3. I am employed by the creditor and authorised in writing by the creditor to make this statement. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

\*3. I am the creditor's agent duly authorised in writing to make this statement in writing. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

Creditors who wish to receive documents by electronic means are requested to tick the box below:

Pursuant to Section 606G of the Corporations Act 2001, I nominate to receive all future notices in relation to this external administration at the following email address:

Email address: \_\_\_\_\_

\*Do not complete if this proof is made by creditor personally.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

Signature \_\_\_\_\_

Name of Signatory (IN BLOCK LETTERS) \_\_\_\_\_

Occupation \_\_\_\_\_

Address \_\_\_\_\_

Office Use Only

Date Received: _____	Admitted \$: _____
Proof Amount \$: _____	Date Admitted: _____
RATA \$: _____	
Rejected \$: _____	
Further Particulars Requested: _____	Signature: _____

<sup>1</sup> State how the debt arose (eg, goods sold and delivered, services rendered).

<sup>2</sup> This section MUST be completed.

<sup>3</sup> Include details of vouchers substantiating debt or attach schedule.

<sup>4</sup> In respect of all securities, if the securities are on the property of the company, assess the value of those securities. If any bills or other negotiable securities are held, show them in a schedule in the form shown above.

Appendix A  
Information Sheets

## Creditor Rights in Liquidations



As a creditor, you have rights to request meetings and information or take certain actions:



### Right to request a meeting

In liquidations, no meetings of creditors are held automatically. However, creditors with claims of a certain value can request in writing that the liquidator hold a meeting of creditors.

A meeting may be requested in the first 20 business days in a creditor's voluntary liquidation by  $\geq 5\%$  of the value of the debts held by known creditors who are not a related entity of the company.

Otherwise, meetings can be requested at any other time or in a court liquidation by:

- $> 10\%$  but  $< 25\%$  of the known value of creditors on the condition that those creditors provide security for the cost of holding the meeting
- $\geq 25\%$  of the known value of creditors
- creditors by resolution, or
- a Committee of Inspection (this is a smaller group of creditors elected by, and to represent, all the creditors).

If a request complies with these requirements and is 'reasonable', the liquidator must hold a meeting of creditors as soon as reasonably practicable.

### Right to request information

Liquidators will communicate important information with creditors as required in a liquidation. In addition to the initial notice, you should receive, at a minimum, a report within the first three months on the likelihood of a dividend being paid.

Additionally, creditors have the right to request information at any time. A liquidator must provide a creditor with the requested information if their request is 'reasonable', the information is relevant to the liquidation, and the provision of the information would not cause the liquidator to breach their duties.

A liquidator must provide this information to a creditor within 5 business days of receiving the request, unless a longer period is agreed. If, due to the nature of the information requested, the liquidator requires more time to comply with the request, they can extend the period by notifying the creditor in writing.

Requests must be reasonable.

They are not reasonable if:

Both meetings and information:

- (a) complying with the request would prejudice the interests of one or more creditors or a third party
- (b) there is not sufficient available property to comply with the request
- (c) the request is vexatious

Meeting requests only:

- (c) a meeting of creditors dealing with the same matters has been held, or will be held within 15 business days

Information requests only:

- (e) the information requested would be privileged from production in legal proceedings
- (f) disclosure would found an action for breach of confidence
- (g) the information has already been provided
- (h) the information is required to be provided under law within 20 business days of the request

If a request is not reasonable due to (b), (d), (g) or (h) above, the liquidator must comply with the request if the creditor meets the cost of complying with the request.

Otherwise, a liquidator must inform a creditor if their meeting or information request is not reasonable and the reason why.

Specific queries about the liquidation should be directed to the liquidator's office.

AUSTRALIAN RESTRUCTURING INSOLVENCY & TURNAROUND ASSOCIATION



### Right to give directions to liquidator

Creditors, by resolution, may give a liquidator directions in relation to a liquidation. A liquidator must have regard to these directions, but is not required to comply with the directions.

If a liquidator chooses not to comply with a direction given by a resolution of the creditors, they must document their reasons.

An individual creditor cannot provide a direction to a liquidator.

### Right to appoint a reviewing liquidator

Creditors, by resolution, may appoint a reviewing liquidator to review a liquidator's remuneration or a cost or expense incurred in a liquidation. This review is limited to:

- remuneration approved within the six months prior to the appointment of the reviewing liquidator, and
- expenses incurred in the 12 months prior to the appointment of the reviewing liquidator.

The cost of the reviewing liquidator is paid from the assets of the liquidation, in priority to creditor claims.

An individual creditor can appoint a reviewing liquidator with the liquidator's consent, however the cost of this reviewing liquidator must be met personally by the creditor making the appointment.

### Right to replace liquidator

Creditors, by resolution, have the right to remove a liquidator and appoint another registered liquidator.

For this to happen, there are certain requirements that must be complied with:

Meeting request	Information gathering	Resolution of creditors
<p>A meeting must be reasonably requested by the required number of creditors.</p> <p>Creditors must inform the existing liquidator of the purpose of the request for the meeting.</p>	<p>Creditors must determine who they wish to act as the new liquidator (this person must be a registered liquidator) and obtain:</p> <ul style="list-style-type: none"> <li>• Consent to Act, and</li> <li>• Declaration of Independence, Relevant Relationships and Indemnities (DIRRI).</li> </ul> <p>The existing liquidator will send a notice of the meeting to all creditors with this information.</p>	<p>If creditors pass a resolution to remove a liquidator, that person ceases to be liquidator once creditors pass a resolution to appoint another registered liquidator.</p>

For more information, go to [www.arita.com.au/creditors](http://www.arita.com.au/creditors). Specific queries about the liquidation should be directed to the liquidator's office.

Version: July 2017 12132 ARIT - INFO - CREDITOR RIGHTS INFORMATION SHEET V1.0.DDCK



## Insolvency Information for directors, employees, creditors and shareholders

ASIC has Insolvency Information sheets for directors, employees, creditors and shareholders affected by a company's insolvency.

ASIC has produced these with endorsement from the Australian Restructuring Insolvency & Turnaround Association (ARITA).

The information sheets give a basic understanding of the three most common company insolvency procedures – liquidation, voluntary administration and receivership – as well as the independence requirements for external administrators and approving external administrator remuneration. There is also a glossary of commonly used insolvency terms.

### List of information sheets

- INFO 41 Insolvency: A glossary of terms
- INFO 42 Insolvency: A guide for directors
- INFO 43 Insolvency: A guide for shareholders
- INFO 45 Liquidation: A guide for creditors
- INFO 46 Liquidation: A guide for employees
- INFO 54 Receivership: A guide for creditors
- INFO 55 Receivership: A guide for employees
- INFO 74 Voluntary administration: A guide for creditors
- INFO 75 Voluntary administration: A guide for employees
- INFO 84 Independence of external administrators: A guide for creditors
- INFO 85 Approving fees: A guide for creditors

### Getting copies of the information sheets

To get copies of the information sheets, visit ASIC's website at [www.asic.gov.au/regulatory-resource/insolvency/](http://www.asic.gov.au/regulatory-resource/insolvency/).

### Where can I get more information?

Further information is available from the ARITA website. The ARITA website also contains the ARITA Code of Professional Practice for Insolvency Practitioners.

Source: ASIC Information Sheet 29 (INFO 29)



## Information sheet: Proposals without meetings

You may be a creditor in a liquidation, voluntary administration or deed of company arrangement (collectively referred to as an external administration).

You have been asked by the liquidator, voluntary administrator or deed administrator (collectively referred to as an external administrator) to consider passing a proposal without a meeting.

This information sheet is to assist you with understanding what a proposal without a meeting is and what your rights as a creditor are.

### What is a proposal without a meeting?

Meetings of creditors were previously the only way that external administrators could obtain the views of the body of creditors. However, meetings can be very expensive to hold.

A proposal without a meeting is a cost effective way for the external administrator to obtain the consent of creditors to a particular course of action.

### What types of proposals can be put to creditors?

The external administrator is able to put a range of proposals to creditors by giving notice in writing to the creditors. There is a restriction under the law that each notice can only contain a single proposal. However, the external administrator can send more than one notice at any single time.

### What information must the notice contain?

The notice must:

- include a statement of the reasons for the proposal and the likely impact it will have on creditors if it is passed
- invite the creditor to either:
  - vote yes or no to the proposal, or
  - object to the proposal being resolved without a meeting, and
- specify a period of at least 15 business days for replies to be received by the external administrator.

If you wish to vote or object, you will also need to lodge a Proof of Debt (POD) to substantiate your claim in the external administration. The external administrator will provide you with a POD to complete. You should ensure that you also provide documentation to support your claim.

If you have already lodged a POD in this external administration, you do not need to lodge another one.

The external administrator must also provide you with enough information for you to be able to make an informed decision on how to cast your vote on the proposal. With some types of proposals, the law or ARITA's Code of Professional Practice sets requirements for the information that you must be provided.



For example, if the external administrator is asking you to approve remuneration, you will be provided with a Remuneration Approval Report, which will provide you with detailed information about how the external administrator's remuneration for undertaking the external administration has been calculated.

You can choose to vote yes, no or object to the proposal being resolved without a meeting.

A resolution will be passed if more than 50% in number and 60% in value (of those creditors who did vote) voted in favour of the proposal, but only so long as not more than 25% in value objected to the proposal being resolved without a meeting.

If the proposal doesn't pass and an objection is not received, the external administrator can choose to amend the proposal and ask creditors to consider it again or the external administrator can choose to hold a meeting of creditors to consider the proposal.

The external administrator may also be able to go to Court to seek approval.

If more than 25% in value of creditors responding to the proposal object to the proposal being resolved without a meeting, the proposal will not pass even if the required majority vote yes. The external administrator will also be unable to put the proposal to creditors again without a meeting.

You should be aware that if you choose to object, there will be additional costs associated with convening a meeting of creditors or the external administrator seeking the approval of the Court. This cost will normally be paid from the available assets in the external administration.

This is an important power and you should ensure that it is used appropriately.

The Australian Restructuring Insolvency and Turnaround Association (ARITA) provides information to assist creditors with understanding external administrations and insolvency.

This information is available from ARITA's website at [arita.com.au/creditors](http://arita.com.au/creditors).

ASIC also provides information sheets on a range of insolvency topics. These information sheets can be accessed on ASIC's website at [asic.gov.au](http://asic.gov.au) (search for "insolvency information sheets").

Subject: Fwd: WITS Holdings Pty Ltd (In Liquidation)  
Date: 3/07/2019 7:05 AM  
From: "Stephen Michell" <smichell@pcipartners.com.au>  
To: "Kate. Warwick@fticonsulting.com" <Kate.Warwick@fticonsulting.com>  
Cc: "Kylie Wright" <kwright@pcipartners.com.au>, "Tristan McGlade" <tmcglade@pcipartners.com.au>, "John Melluish" <jmelluish@pcipartners.com.au>

---

Hi Kate

Can you please refer to Kylie's email below for information we are still seeking.

Thanks

Steve

Begin forwarded message:

**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Date:** 2 July 2019 at 11:37:43 pm AEST  
**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>, Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>, John Melluish <[jmelluish@pcipartners.com.au](mailto:jmelluish@pcipartners.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd (In Liquidation)

Hi Steve

Most of the information has been provided. Their document refers to a Caltex invoice at Annexure A which was not provided.

Further, there are pages attached with Annexures B to F with no information behind them. There is no reference to anything other than Annexure A in the coversheet so I am not sure if these pages were included in error.

Lastly, they have not substantiated the following additional charges (to the extent that they are confirmed at this time) or confirmed that they will substantiate estimated amounts once final invoices received:

- Net wages 3 April 2019 and 10 April 2019
- PAYG
- Payroll tax (estimated)
- Road tolls (estimated)
- Superannuation
- Workers compensation insurance
- Minter Ellison legal fees.
- Peter Crane
- Telephone (estimated)
- Tikis 2
- Utilities (estimated)

**From:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Sent:** Tuesday, 2 July 2019 5:31 PM  
**To:** Luke Whiffen <[Luke@hiltonbradley.com.au](mailto:Luke@hiltonbradley.com.au)>; John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>; Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>  
**Subject:** FW: WITS Holdings Pty Ltd (In Liquidation)

FYI.

Kylie, can you please confirm that you have all the information required from FTI.

Thanks

Steve

<image002.png>

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A sophisticated email scam is targeting professional service firms and their clients. We have been advised that scammers have intercepted emails with bank account details so they can substitute their own account number.

**WARNING:** Please do not act on any communication from our office requesting you to transfer or deposit money without first telephoning our office on a known or separately verified number to confirm the authenticity of that request.

**From:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Sent:** Tuesday, 2 July 2019 5:26 PM  
**To:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>  
**Cc:** Tristan McGlade <[tmcglade@pcipartners.com.au](mailto:tmcglade@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; Morton, Ian <[ian.Morton@fticonsulting.com](mailto:ian.Morton@fticonsulting.com)>; Ned Marlow-Weir <[Ned.Marlow-Weir@minterellison.com](mailto:Ned.Marlow-Weir@minterellison.com)>; Catherine Macrae <[Catherine.Macrae@minterellison.com](mailto:Catherine.Macrae@minterellison.com)>  
**Subject:** WITS Holdings Pty Ltd (In Liquidation)

Good afternoon Stephen

Thank you again for taking the time to meet this morning to discuss the position with WITS Holdings Pty Ltd (In Liquidation). As discussed in our meeting the following issues require resolution/clarification:

1. Acknowledgement of Westpac's right to set offset any surplus from the realisation of the Accepted Debts and Westpac's Fixed Assets against other debts owed to the Bank;
2. Clarification by way of discussion between Minter Ellison and Hilton Bradley of the ability to claim the QM amount;

3. Clarification from Minter Ellison as to the priority of the QM claim against the respective asset classes;
4. Resolution of the QM amount; and
5. Clarification from Minter Ellison as to the ability for the Liquidator to request the creditors approve the Administrators remuneration.

As discussed I have attached the supporting documentation addressing the queries raised by Hilton Bradley Lawyers in their correspondence dated 18 June 2018. Could you please advise whether there is any additional supporting documentation outstanding.

Should you have any queries in relation to the above, please do not hesitate to contact me on 0414 971 116.

Kind regards

Kate

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
**Level 21, 600 Bourke Street, Melbourne, 3000**  
+61 3 9604 0600 T | +61 414 971 116 M | +61 3 9604 0636 D  
kate.warwick@fticonsulting.com  
Assistant: Kristal Eade +61 3 9604 0630 | kristal.eade@fticonsulting.com  
www.fticonsulting.com

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[<image003.jpg>](#)

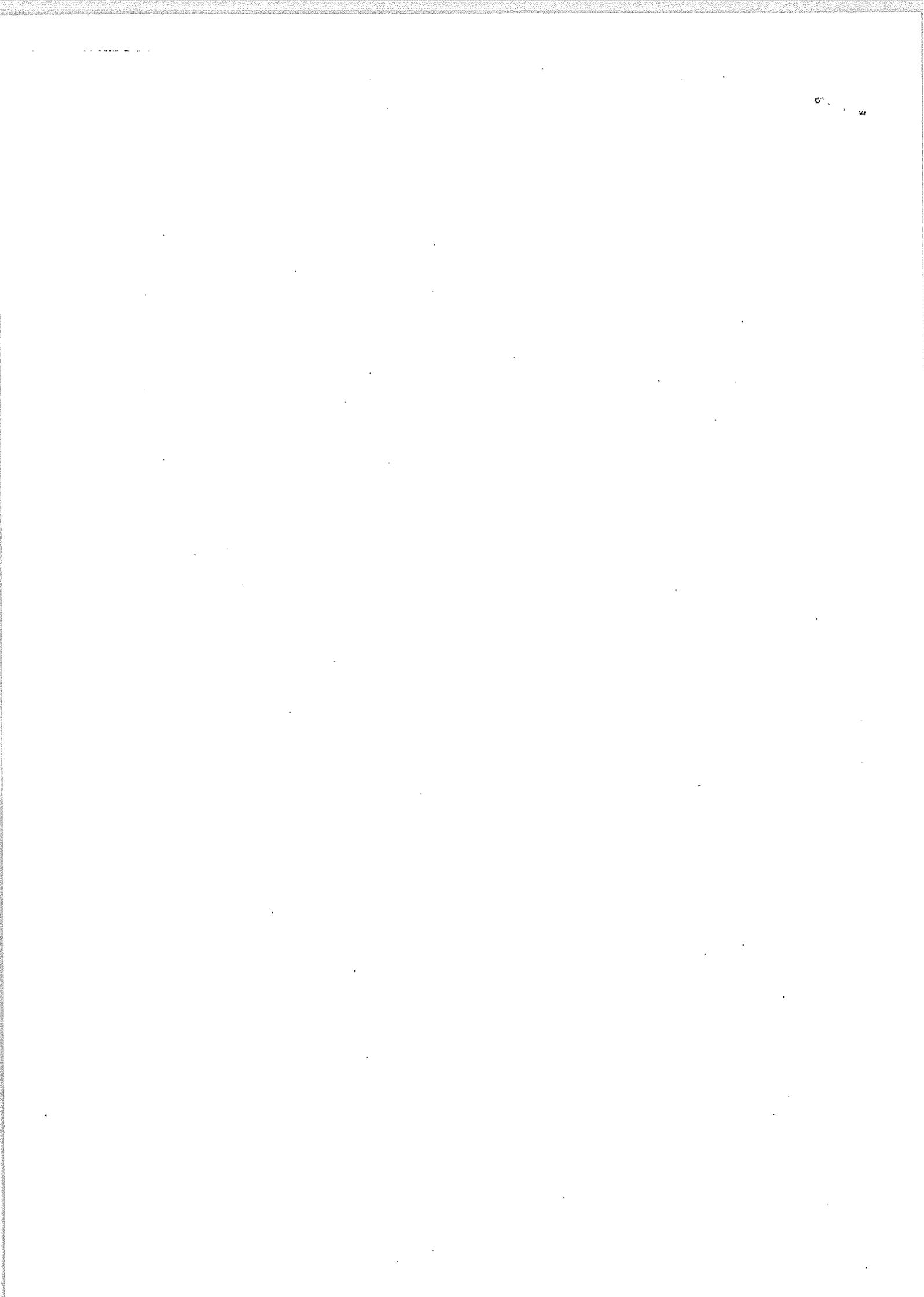
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Subject: WITS Holdings Pty Ltd (in Liquidation) ("WITS")  
Date: 5/08/2019 11:58 PM  
From: "Kylie Wright" <kwright@pcipartners.com.au>  
To: "Mazzone, James" <James.Mazzone@fticonsulting.com>  
"Tristan McGlade" <tmcglade@pcipartners.com.au>, "Stephen Michell"  
Cc: <smichell@pcipartners.com.au>, "Warwick, Kate"  
<Kate.Warwick@fticonsulting.com>

---

Dear James

I refer to previous correspondence regarding the above company.

On 24 July 2019, Mr Nick Combis of Vincents was appointed as Liquidator of Ontime Services Pty Ltd ("OS") and Ontime Warehousing Pty Ltd ("OW"), both of which were debtors of WITS.

A review of our records discloses that the following invoices were issued to OS and OW in respect of services provided by the company during the former Administrators' appointment:

OS

Inv 180353 - \$2,200

OW

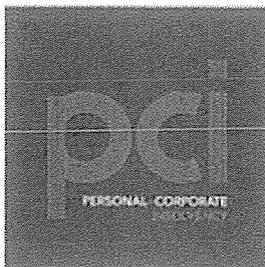
Invoices (all at \$1,346.41 per invoice)

180207  
180206  
108205  
180204  
180203

The Liquidator will write to Vincents to ascertain the status of the liquidations and the likelihood of a dividend in them.

Should you wish to discuss this matter, please contact Tristan McGlade of this office.

Regards



Kylie Wright  
Principal  
T +61 3 8636 3333  
F +61 3 8636 3330  
L8 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
Melbourne VIC 8007  
pcipartners.com.au

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**BEWARE OF SCAMMERS:**

A sophisticated email scam is targeting professional service firms and their clients. We have been advised that scammers have intercepted emails with bank account details so they can substitute their own account number.

**WARNING: Please do not act on any communication from our office requesting you to transfer or deposit money without first telephoning our office on a known or separately verified number to confirm the authenticity of that request.**

Subject: WITS Holdings Pty Ltd (in Liquidation) - Administrators' Expenses  
Date: 28/10/2019 8:44 AM  
From: "Kylie Wright" <kwright@pcipartners.com.au>  
To: "Warwick, Kate" <Kate.Warwick@fticonsulting.com>  
"Stephen Michell" <smichell@pcipartners.com.au>, "Denis Mytcak"  
Cc: <dmytcak@pcipartners.com.au>, "Morton, Ian" <Ian.Morton@fticonsulting.com>,  
"John Melluish" <jmelluish@pcipartners.com.au>, "joseph.hansell@fticonsulting.com"  
<joseph.hansell@fticonsulting.com>

---

Dear Kate

I have been reviewing the material provided by you in respect of the Equitable Lien expenses of the former Administrators with a view to making a payment in reduction of those costs.

I am having some difficulties with the Caltex account as it appears we may not have been provided with the correct information.

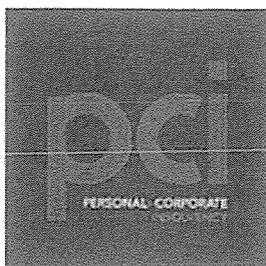
In this regard, I note as follows:

- You are claiming \$66,131 in respect of fuel for EL expenses;
- In your letter of 2 July 2019, you provided an explanation of how that figure is comprised and provided a spreadsheet which contains \$16,603.05 of costs on old cards
- You provided a copy of invoice 0301743991
- A summary page was also provided which identifies the balance due of \$16,603.05

I have attached each of the above documents to this email. Invoice number 0301743991 which was provided does not appear to contain any of the charges referred to on the spreadsheet. The summary page indicates that the applicable invoice number is 3. Could you please provide the invoice applicable to the additional \$16,603.05 of charges for review or provide clarification of why the transactions comprising the \$16,603.05 do not appear on the invoice.

Should you wish to discuss this matter, please contact me.

Regards



Kylie Wright  
Principal  
T +61 3 8636 3333  
F +61 3 8636 3330

L8 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
Melbourne VIC 8007  
pcipartners.com.au

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Any views expressed in this message are those of the individual sender, except where the sender expressly, and with authority, states them to be the view of PCI Partners Pty Ltd

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**BEWARE OF SCAMMERS:**

A sophisticated email scam is targeting professional service firms and their clients. We have been advised that scammers have intercepted emails with bank account details so they can substitute their own account number.

**WARNING: Please do not act on any communication from our office requesting you to transfer or deposit money without first telephoning our office on a known or separately verified number to confirm the authenticity of that request.**



CALTEX

CALTEX Australia

Account Statement

StarCard

Caltex Customer Service operating hours are: 9am - 5pm EST, Mon to Fri  
For account queries call 1300 365 096; email: starcard@caltex.com.au

RITA SAYAD  
WITES HOLDINGS P/L - ADMIN APPT  
GPO BOX 538  
MELBOURNE VIC 3001

Account no 0200627707  
Statement date 30/04/2019  
page 1 of 1  
Total due \$ 72925.20  
Due by 21/05/2019  
Current \$ 72925.20  
1-30 days \$ 0.00  
31-60 days \$ 0.00  
61-90 days \$ 0.00  
91+ days \$ 0.00

Transaction type	Invoice ref no	Document date	Total inc GST \$
------------------	----------------	---------------	------------------

Thank you for using StarCard

Opening balance 31711.99

Current Items at 30.04.2019

LFT Payment - Thank you	000720691	11/04/2019	-31711.99
March Taxi Tr 0700610434	000000003	16/04/2019	16563.05
Trading Inv Summary	101744772	30/04/2019	56322.15

To provide you with an improved customer experience, Caltex Accounts Receivables trading hours have been extended. New Trading hours are Mon - Fri: 8.30am-6pm (AEST). Contact Accounts Receivables directly on: 1300 392 357

Caltex Australia Petroleum Pty Ltd. ABN 620 612 128. 164-172 000 812 128

Total inc GST \$ 72925.20



Payment slip

Account no 0200627707  
Statement date 30/04/2019  
page 1 of 1

Amount Paid \$

Star Card 0200627707  
Credit Card  
Your payment/transfer details cannot be made a payment is being processed.  
To pay by phone call 1300 365 096. Please note surcharges apply.  
Cheque  
Please return this payment slip with your cheque to  
Caltex Australia Petroleum Pty Ltd GPO Box 3942, Sydney NSW 2001

Invoice Ref no	Document date	Total inc GST \$
----------------	---------------	------------------

Opening balance 31711.99

Current Items at 30.04.2019

000720691	11/04/2019	-31711.99
000000003	16/04/2019	16563.05
301744772	30/04/2019	56322.15

Total inc GST \$ 72925.20



F11 Comment : List of fuel purchased on existing fuel cards as provided by Caltex and reflected in the statement above.  
 No actual invoice received for these fuel purchases from Caltex.

WTS Holdings PL - Post Admin Debt March 28 & 29 - Original Account 0200610434

Card Number	Transaction Type	Location	Transaction No	Trans Date	Prec Date	Amount Inc	GST	Adjust	GST
70713400875710	Purchase	3678	422	28/03/2019	28/03/2019	\$96.83	\$4.81		
70713400856920	Purchase	2843	68945	28/03/2019	28/03/2019	\$55.57	\$5.05		
7071340083092680	Purchase	4493	50015	28/03/2019	28/03/2019	\$646.32	\$68.76		
707134008692880	Purchase	4493	50041	28/03/2019	28/03/2019	\$738.41	\$77.13		
707134008692880	Purchase	4493	50089	28/03/2019	28/03/2019	\$576.17	\$61.47		
7071340077018440	Purchase	4493	50126	28/03/2019	28/03/2019	\$536.57	\$56.78		
707134008692880	Purchase	30027	46355	28/03/2019	28/03/2019	\$430.17	\$39.11		
707134008692880	Purchase	4493	50131	28/03/2019	28/03/2019	\$448.63	\$46.78		
7071340087400490	Purchase	22630	60780	28/03/2019	28/03/2019	\$17,427.74	\$1,742.74		
707134008692880	Purchase	4493	50153	28/03/2019	28/03/2019	\$847.58	\$77.85		
7071340087240310	Purchase	28592	59541	28/03/2019	29/03/2019	\$664.37	\$66.79		
7071340087240310	Purchase	28575	5981	28/03/2019	29/03/2019	\$323.00	\$29.36		
7071340087240310	Purchase	28575	5981	28/03/2019	29/03/2019	\$915.76	\$74.15		
7071340087318130	Purchase	80131	20222	28/03/2019	29/03/2019	\$620.45	\$56.40		
7071340087318130	Purchase	80131	20227	28/03/2019	29/03/2019	\$1,057.71	\$96.15		
7071340087318130	Purchase	80131	20227	28/03/2019	29/03/2019	\$893.51	\$81.12		
7071340077018440	Purchase	33838	52255	28/03/2019	29/03/2019	\$1,153.86	\$104.50		
7071340077018440	Purchase	28575	57847	28/03/2019	29/03/2019	\$638.09	\$58.01		
7071340087318130	Purchase	30025	42980	28/03/2019	29/03/2019	\$397.25	\$36.11		
7071340087318130	Purchase	28747	2212	28/03/2019	29/03/2019	\$646.76	\$54.80		
7071340087240310	Purchase	28575	637	28/03/2019	29/03/2019	\$956.28	\$87.30		
7071340087240310	Purchase	28575	57910	28/03/2019	29/03/2019	\$765.11	\$69.56		
7071340087444960	Purchase	28747	667	29/03/2019	29/03/2019	\$988.77	\$99.89		
						\$16,603.05	\$1,529.37		

**StarCard**

Tax Invoice/adjustment note  
 WITS HOLDINGS P/L - ADMIN APPT  
 GPO BOX 538  
 MELBOURNE VIC 3001  
 Account no 0200627707  
 Date 31/03/2019

**Tax Invoice detail**

Invoice ref no 0301743991  
 page 1 of 12  
 Total inc GST \$ 31711.99  
 GST amount \$ 2882.92

Card details Location	Date	Time	Trans no	Order no	Odo reading	Product	Quantity	Unit of inc GST	Amount inc GST	Tax fee inc GST	Total inc GST	GST on supply	GST on tm fee
Details of fleet transactions processed from 01 to 31/03/2019													
Domestic													
7071 3400 8332 0642	31/03	00:00	Rego C000000	Card Holder GRANT FOWLER	0	Card Fees			2.75		2.75	0.25	
Card Fee 2.75						Card total	0.00		2.75	0.00	2.75	0.25	0.00
7071 3400 8432 0752	31/03	00:00	Rego C000000	Card Holder MELBOURNE DEPOT	0	Card Fees			2.75		2.75	0.25	
Card Fee 2.75						Card total	0.00		2.75	0.00	2.75	0.25	0.00
7071 3400 8855 5923	31/03	00:00	Rego C000000	Card Holder	0	Card Fees			2.75		2.75	0.25	
Card Fee 2.75						Card total	0.00		2.75	0.00	2.75	0.25	0.00
7071 3400 8435 2623	31/03	00:00	Rego C000000	Card Holder	0	Card Fees			2.75		2.75	0.25	
Card Fee 2.75						Card total	0.00		2.75	0.00	2.75	0.25	0.00
7071 3400 8274 0241	31/03	00:00	Rego C000000	Card Holder	0	Card Fees			2.75		2.75	0.25	
Card Fee 2.75						Card total	0.00		2.75	0.00	2.75	0.25	0.00
7071 3400 8274 0324	30/03	08:36	Rego E003183	Card Holder	0	Diesel	522.59	140.6000	734.76		734.76	66.80	
Card Fee 2.75	31/03	00:00	C000000		0	Card Fees			2.75		2.75	0.25	
						Card total	522.59		737.51	0.00	737.51	67.05	0.00
7071 3400 7701 8611	29/03	21:03	Rego E027161	Card Holder	0	Vortex Diesel	680.06	141.6000	962.96		962.96	87.54	
Card Fee 2.75	31/03	00:00	C000000		0	Card Fees			2.75		2.75	0.25	
						Card total	680.06		965.71	0.00	965.71	87.79	0.00

You can now update your bank account Direct Debit details or pay an account by Credit Card at myCaltex. Simply log on to my.Caltex.com.au and you'll find quick links to download the form straight from your homepage.

**CALTEX** Caltex Australia Petroleum Pty Ltd ACN 000 032 128 ARN 17 000 032 128



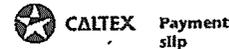
**StarCard**

Caltex Customer Service operating hours are: 9am - 5pm EST, Mon to Fri  
 For account queries call 1300 365 096; email: starcard@caltex.com.au

RITA SAYAD  
 WITS HOLDINGS P/L - ADMIN APPT  
 GPO BOX 538  
 MELBOURNE VIC 3001

**Account statement**

Account no	0200627707
Statement date	30/04/2019
page	1 of 1
Total due \$	72925.20
Due by	21/05/2019
Current \$	72925.20
1-10 days \$	0.00
31-60 days \$	0.00
61-90 days \$	0.00
91+ days \$	0.00



**Payment slip**

Account no	0200627707
Statement date	30/04/2019
page	1 of 1
Amount Paid \$	
Bank Caltex 614751 Bul 0200627707	ETX 614751 Account 220027707
<input type="checkbox"/> Credit Card You should receive an email notice to make a payment or top up of fuel, etc. To pay by phone call 1300 338 468. Please note surcharges apply.	
<input type="checkbox"/> Cheque Please deposit this payment slip with your cheque to Caltex Australia Petroleum Pty Ltd GPO Box 3942, Sydney NSW 2061	

Transaction type	Invoice ref no	Document date	Total inc GST \$
------------------	----------------	---------------	------------------

Thank you for using StarCard

Opening balance			31711.99
Current Items at 30.04.2019			
EFT Payment - Thank you	000720691	11/04/2019	-31711.99
March Trav Trm fr 0200610434	000000003	16/04/2019	16603.05
Trading Inv Summary	301744772	30/04/2019	56322.15

Invoice ref no	Document date	Total inc GST \$
----------------	---------------	------------------

Opening balance		31711.99
Current Items at 30.04.2019		
000720691	11/04/2019	-31711.99
000000003	16/04/2019	16603.05
301744772	30/04/2019	56322.15

To provide you with an improved customer experience, Caltex Accounts Receivables trading hours have been extended. New trading hours are Mon - Fri 8.30am-6pm (AEST). Contact Accounts Receivables directly on: 1360 792 357

Total inc GST \$ **72925.20**

Total inc GST \$ **72925.20**

**StarCard**

Tax Invoice/adjustment note  
WTS HOLDINGS PTY LTD - ADMIN APPT  
GPO BOX 538  
MELBOURNE VIC 3001

Account no 0200627707  
Date 31/03/2019

Invoice ref no 0301743991  
Page 2 of 12  
Total Inc GST \$ 31711.99  
GST amount \$ 2882.92

**Tax Invoice detail**

Card details Location	Date	Time	Trans no	Order no	Old routing	Product	Quantity	Unit of Inc GST	Amount \$ Inc GST	Tim fee Inc GST	Total \$ Inc GST	Supply	Unit of supply
7071 3400 8817 3100 Card Fee 2.75	Rego	0807A	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8827 3115 Card Fee 2.75	Rego	CH27W	3103	1137	0317776	0 Veritas 98	62.21	139.9000	99.47	0.00	99.47	9.04	9.04
7071 3400 8827 3115 Card Fee 2.75	Rego	CH27W	3103	0600	C000000	0 Card Fees	62.21		2.75	0.00	2.75	0.25	0.25
7071 3400 8827 3115 Card Fee 2.75	Rego	CH27W	3103	0600	C000000	0 Card total			102.22	0.00	102.22	9.29	9.29
7071 3400 8874 3108 Card Fee 2.75	Rego	CO02A	3103	0922	E154524	0 Veritas Diesel	56.00	144.2000	79.63	0.00	79.63	7.24	7.24
7071 3400 8874 3108 Card Fee 2.75	Rego	CO02A	3103	0600	C000000	0 Card Fees	56.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8874 3108 Card Fee 2.75	Rego	CO02A	3103	0600	C000000	0 Card total			82.38	0.00	82.38	7.49	7.49
7071 3400 8874 3114 Card Fee 2.75	Rego	DI065	3103	1313	EA82774	0 Veritas Diesel	52.58	144.2000	75.82	0.00	75.82	6.89	6.89
7071 3400 8874 3114 Card Fee 2.75	Rego	DI065	3103	0600	C000000	0 Card Fees	52.58		2.75	0.00	2.75	0.25	0.25
7071 3400 8874 3114 Card Fee 2.75	Rego	DI065	3103	0600	C000000	0 Card total			78.57	0.00	78.57	7.14	7.14
7071 3400 2103 8423 Card Fee 2.75	Rego	NV01Z	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 2103 8423 Card Fee 2.75	Rego	NV01Z	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8433 3035 Card Fee 2.75	Rego	NV03V	3103	0000	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8433 3035 Card Fee 2.75	Rego	NV03V	3103	0000	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8229 2052 Card Fee 2.75	Rego	NV02B	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8229 2052 Card Fee 2.75	Rego	NV02B	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8273 8926 Card Fee 2.75	Rego	NV08R	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8273 8926 Card Fee 2.75	Rego	NV08R	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25



Caltex Australia Petroleum Pty Ltd ACN 000 032 128 ABN 17 000 032 128

**StarCard**

Tax Invoice/adjustment note  
WTS HOLDINGS PTY LTD - ADMIN APPT  
GPO BOX 538  
MELBOURNE VIC 3001

Account no 0301743991  
Date 31/03/2019

**Tax Invoice detail**

Invoice ref no 0301743991  
Page 3 of 12  
Total Inc GST \$ 31711.99  
GST amount \$ 2882.92

Card details Location	Date	Time	Trans no	Order no	Old routing	Product	Quantity	Unit of Inc GST	Amount \$ Inc GST	Tim fee Inc GST	Total \$ Inc GST	Supply	Unit of supply
7071 3400 7701 8447 Card Fee 2.75	Rego	NV11G	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 7701 8447 Card Fee 2.75	Rego	NV11G	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8601 4366 Card Fee 2.75	Rego	NV22T	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8601 4366 Card Fee 2.75	Rego	NV22T	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 7701 8335 Card Fee 2.75	Rego	NV23W	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 7701 8335 Card Fee 2.75	Rego	NV23W	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8273 9417 Card Fee 2.75	Rego	NV01C	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8273 9417 Card Fee 2.75	Rego	NV01C	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 7701 8323 Card Fee 2.75	Rego	NV08H	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 7701 8323 Card Fee 2.75	Rego	NV08H	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8856 5465 Card Fee 2.75	Rego	NV71H	3103	1125	U166936	0 Veritas Diesel	510.05	141.6000	72.24	0.00	72.24	65.66	65.66
7071 3400 8856 5465 Card Fee 2.75	Rego	NV71H	3103	0600	C000000	0 Card Fees	510.05		2.75	0.00	2.75	0.25	0.25
7071 3400 8856 5465 Card Fee 2.75	Rego	NV71H	3103	0600	C000000	0 Card total			75.00	0.00	75.00	68.91	68.91
7071 3400 8441 9240 Card Fee 2.75	Rego	NV04K	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8441 9240 Card Fee 2.75	Rego	NV04K	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8273 9219 Card Fee 2.75	Rego	NV94F	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8273 9219 Card Fee 2.75	Rego	NV94F	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25
7071 3400 8501 6341 Card Fee 2.75	Rego	NV05B	3103	0600	C000000	0 Card Fees	0.00		2.75	0.00	2.75	0.25	0.25
7071 3400 8501 6341 Card Fee 2.75	Rego	NV05B	3103	0600	C000000	0 Card total			2.75	0.00	2.75	0.25	0.25



Caltex Australia Petroleum Pty Ltd ACN 000 032 128 ABN 17 000 032 128



**StarCard**

**Tax Invoice detail**

Tax Invoice/adjustment note  
 18/03/2019 15:03 P/L - ADMIN APPT  
 CPO BOX 538  
 MELBOURNE VIC 3001  
 Account no 0200627707  
 Date 31/03/2019

Invoice ref no 0101741991  
 page 6 of 12  
 Total inc GST \$ 31711.99  
 GST amount \$ 2882.92

Location	Date	Time	Trans no	Order no	Order no	Product	Quantity	Unit of Inc GST	Amount \$ Inc GST	Tax fee Inc GST	Total \$ Inc GST	Inc GST supply	Unit fee
Card details	31/03	17:40	0007767			0 Adblue	47.63	97.0000	47.58	2.75	47.58	4.33	
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	
						Card total	3553.71		4830.65	0.00	4830.65	419.16	0.00
						Domestic total			4833.40	0.00	4833.40	439.41	0.00
Domestic 151	2071	3400	8690	3142	Rego XN0KCC - Crl Holder								
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	0.00
						Domestic total	0.00		2.75	0.00	2.75	0.25	0.00
Domestic 153	2071	3400	8773	0784	Rego XN1405 - Crl Holder								
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	0.00
						Domestic total	0.00		2.75	0.00	2.75	0.25	0.00
Domestic 156	2071	3400	8770	5810	Rego XN02EP - Crl Holder								
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	0.00
						Domestic total	0.00		2.75	0.00	2.75	0.25	0.00

**CAITEK** Cairtex Australia Petroleum Pty Ltd ACN 000 032 128 ABN 17 000 032 128

**StarCard**

**Tax Invoice detail**

Tax Invoice/adjustment note  
 18/03/2019 15:03 P/L - ADMIN APPT  
 CPO BOX 538  
 MELBOURNE VIC 3001  
 Account no 0200627707  
 Date 31/03/2019

Invoice ref no 0101741991  
 page 6 of 12  
 Total inc GST \$ 31711.99  
 GST amount \$ 2882.92

Location	Date	Time	Trans no	Order no	Order no	Product	Quantity	Unit of Inc GST	Amount \$ Inc GST	Tax fee Inc GST	Total \$ Inc GST	Inc GST supply	Unit fee
Domestic 157	2071	3400	8770	5884	Rego XN02EP - Crl Holder								
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	0.00
						Domestic total			2.75	0.00	2.75	0.25	0.00
Domestic 160	2071	3400	8733	8272	Rego XN55DT - Crl Holder								
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	0.00
						Domestic total			2.75	0.00	2.75	0.25	0.00
Domestic 161	2071	3400	8233	8496	Rego XN57DT - Crl Holder								
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	0.00
						Domestic total			2.75	0.00	2.75	0.25	0.00
Cairtex Chignola Star Shop	31/03	08:26	0003181			215245 Diesel	214.77	139.6000	299.82	2.75	299.82	27.26	
Card Fee 2.75	31/03	00:00	C000000			0 Card Fees			2.75	2.75	2.75	0.25	0.00
						Domestic total	657.29		919.29	0.00	919.29	83.58	0.00

**CAITEK** Cairtex Australia Petroleum Pty Ltd ACN 000 032 128 ABN 17 000 032 128

**Tax Invoice detail**

**StarCard**

Tax Invoice/adjustment note  
 Invoice ref no 0301743991  
 Page 6 of 12  
 Total Inc GST \$ 31711.99  
 GST amount \$ 2882.92

Card details Location	Date	Time	Trans no	Order no	Olds reading	Product	Quantity	Unit of Inc GST	Amount Inc GST	Tax Inc GST	Total Inc GST	GST on supply
Domestic 162	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 163	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 164	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00

Card details Location	Date	Time	Trans no	Order no	Olds reading	Product	Quantity	Unit of Inc GST	Amount Inc GST	Tax Inc GST	Total Inc GST	GST on supply
Domestic 165	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 166	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 167	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00

Card details Location	Date	Time	Trans no	Order no	Olds reading	Product	Quantity	Unit of Inc GST	Amount Inc GST	Tax Inc GST	Total Inc GST	GST on supply
Domestic 168	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 169	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 170	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00

CAITEK Caltex Australia Petroleum Pty Ltd ACN 009 032 128 ABN 17 000 032 128

**Tax Invoice detail**

**StarCard**

Tax Invoice/adjustment note  
 Invoice ref no 0301743991  
 Page 9 of 12  
 Total Inc GST \$ 31711.99  
 GST amount \$ 2882.92

Card details Location	Date	Time	Trans no	Order no	Olds reading	Product	Quantity	Unit of Inc GST	Amount Inc GST	Tax Inc GST	Total Inc GST	GST on supply
Domestic 165	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 166	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 167	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00

Card details Location	Date	Time	Trans no	Order no	Olds reading	Product	Quantity	Unit of Inc GST	Amount Inc GST	Tax Inc GST	Total Inc GST	GST on supply
Domestic 168	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 169	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 170	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00

Card details Location	Date	Time	Trans no	Order no	Olds reading	Product	Quantity	Unit of Inc GST	Amount Inc GST	Tax Inc GST	Total Inc GST	GST on supply
Domestic 171	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 172	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00
Domestic 173	20/11/2019	14:15	3103	00000000	0	Card Fee	1.00		2.75	0.00	2.75	0.00

CAITEK Caltex Australia Petroleum Pty Ltd ACN 009 032 128 ABN 17 000 032 128

**StarCard**

Tax Invoice/adjustment note  
 WTS HOLDINGS P/L - ADMIN APFT  
 GPO BOX 538  
 MELBOURNE VIC 3001  
 Account no 0200627207  
 Date 31/03/2019

**Tax Invoice detail**

Invoice ref no 0301743991  
 Page 10 of 12  
 Total Inc GST \$ 31711.99  
 GST amount \$ 2882.92

Location	Date	Time	Trans no	Order no	Order no	Product	Qty	Unit	Inc GST	Amount	Inc GST	Total	Inc GST	GST on apply	GST on unit
						0	80.50	59.0000	80.42	80.42	7.31				
						456789	402.07	134.0000	540.38	540.38	49.13				
						0			2.75	2.75	0.25				
						Domestic total	5544.90		6762.20	6762.20	614.57	0.00			
						0	759.98	137.2000	1042.69	1042.69	94.79				
						0			2.75	2.75	0.25				
						Domestic total	795.98		1045.44	1045.44	95.04	0.00			
						364339	986.62	145.2000	1316.41	1316.41	119.67				
						1809	1083.27	135.6000	1468.91	1468.91	133.54				
						0			2.75	2.75	0.25				
						Domestic total	1969.89		2788.07	2788.07	253.46	0.00			
						0			2.75	2.75	0.25				
						0			2.75	2.75	0.25				
						Domestic total	0.00		2.75	2.75	0.25	0.00			

CAITEX Citicorp Australia Fremantle Pty Ltd ACH:000 032 128 ABN 17 000 032 128

**StarCard**

Tax Invoice/adjustment note  
 WTS HOLDINGS P/L - ADMIN APFT  
 GPO BOX 538  
 MELBOURNE VIC 3001  
 Account no 0200627207  
 Date 31/03/2019

**Tax Invoice detail**

Invoice ref no 0301743991  
 Page 11 of 12  
 Total Inc GST \$ 31711.99  
 GST amount \$ 2882.92

Location	Date	Time	Trans no	Order no	Order no	Product	Qty	Unit	Inc GST	Amount	Inc GST	Total	Inc GST	GST on apply	GST on unit
						0	0.00		2.75	2.75	0.25				
						0			2.75	2.75	0.25				
						Domestic total	0.00		5.50	5.50	0.50	0.00			
						0			2.75	2.75	0.25				
						0			2.75	2.75	0.25				
						Domestic total	0.00		5.50	5.50	0.50	0.00			
						0			2.75	2.75	0.25				
						0			2.75	2.75	0.25				
						Domestic total	0.00		5.50	5.50	0.50	0.00			
						0			2.75	2.75	0.25				
						0			2.75	2.75	0.25				
						Domestic total	0.00		5.50	5.50	0.50	0.00			
						0			2.75	2.75	0.25				
						0			2.75	2.75	0.25				
						Domestic total	0.00		5.50	5.50	0.50	0.00			

CAITEX Citicorp Australia Fremantle Pty Ltd ACH:000 032 128 ABN 17 000 032 128

Subject: RE: WITS Holdings Pty Ltd (in Liquidation) - Administrators' Expenses  
Date: 30/10/2019 11:39 AM  
From: "Morton, Ian" <Ian.Morton@fticonsulting.com>  
To: "Kylie Wright" <kwright@pcipartners.com.au>  
"Stephen Michell" <smichell@pcipartners.com.au>, "Denis Mytcak"  
Cc: <dmytcak@pcipartners.com.au>, "John Melluish" <jmelluish@pcipartners.com.au>,  
"Hansell, Joseph" <Joseph.Hansell@fticonsulting.com>, "Warwick, Kate"  
<Kate.Warwick@fticonsulting.com>

---

Hi Kylie,

Apologies, now attached.

Thanks,

**Ian Morton**  
Senior Director, Corporate Finance & Restructuring

**FTI Consulting**  
+61 3 9604 0638 D | +61 (0) 401 248 205 M  
[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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**From:** Morton, Ian  
**Sent:** Wednesday, 30 October 2019 11:38 AM  
**To:** Kylie Wright <kwright@pcipartners.com.au>  
**Cc:** Stephen Michell <smichell@pcipartners.com.au>; Denis Mytcak <dmytcak@pcipartners.com.au>; John Melluish <jmelluish@pcipartners.com.au>; Hansell, Joseph <Joseph.Hansell@fticonsulting.com>; Warwick, Kate <Kate.Warwick@fticonsulting.com>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation) - Administrators' Expenses

Hi Kylie,

We have investigated your query and it appears that the information previously provided in the attachment to your email did not include all payroll items, with the major item representing most of the difference being allowances. The allowances must be classified differently in MYOB Insolvency from which the report was run. These relate to payments per the EBA for such things as *per diems* and overnight rates. I have undertaken a reconciliation of the position, which is summarised in the table below.

Total Payroll	Amount
Payroll - W/e 3 April	(\$54,434.92)
Payroll - W/e 10 April	(\$52,788.72)
<b>Total</b>	<b>(\$107,223.64)</b>

Comprising	
Wages & Salaries (Trading)	\$138,993.51
Wages & Salaries (Trading)	\$138,993.51
Super Control (Trading) (Trade	\$11,141.33
Allowances	\$4,495.63
<b>Gross Payroll</b>	<b>\$154,630.47</b>

Less Deductions	
PAYG Withheld (Trading)	(\$35,765.50)
Super Withheld (Trading)	(\$11,141.33)
Child Support Withheld	(\$300.00)
Salary Sacrifice Withheld	(\$200.00)
<b>Total Deductions</b>	<b>(\$47,406.83)</b>

<b>Net Payroll</b>	<b>\$107,223.64</b>
--------------------	---------------------

The full reconciliation is provided in the attached extract from MYOB Insolvency.

I hope that this answers your query.

Should you have any additional queries, please do not hesitate to contact me.

Regards,

**Ian Morton**

Senior Director, Corporate Finance & Restructuring

**FTI Consulting**

+61 3 9604 0638 D | +61 (0) 401 248 205 M

[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>

**Sent:** Tuesday, 29 October 2019 9:11 AM

**To:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>

**Cc:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>; Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>; John Melluish <[jmelluish@pcipartners.com.au](mailto:jmelluish@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>

**Subject:** [EXTERNAL] RE: WITS Holdings Pty Ltd (in Liquidation) - Administrators' Expenses

Hi Ian

Thank you for the information below. I have a further query relating to the wages amounts that I am hoping you can assist with.

In a document dated 2 July 2019, Kate provided a summary of employee wages at Annexure B.1. I have attached a copy of the relevant document which discloses net wages payments for all periods totalling \$102,828.01.

In the revised expenses claimed in Appendix B of Kate's letter dated 17 October 2019, the following amounts for net wages are claimed:

**EL Expenses**

Net Wages 10 April 52,789.00  
Net Wages 3 April 16,330.00

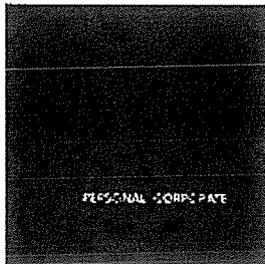
**SL Expenses**

Net Wages 3 April 38,104.00  
**Total 107,223.00**

As you will note, the amounts contained in the Annexure B document total \$4,394.99 more than the amount shown as paid on the attached document. Could you please clarify what the difference relates to and provide documentation regarding any additional payments made.

Should you wish to discuss this matter, please contact me.

Regards



**Kylie Wright**  
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F +61 3 8636 3330  
  
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PO Box 246 Collins St West  
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**From:** Morton, Ian <[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)>  
**Sent:** Monday, 28 October 2019 10:38 AM  
**To:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Cc:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>; Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>; John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>; Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation) - Administrators' Expenses

Dear Kylie,

Further to your email below, I attach a copy of the original email from Caltex which included the schedule that we have adopted and provided, showing the \$16,603.05 in charges generated on the old fuel cards prior to issue of new ones. We have called Caltex this morning, whom have advised that:

- They are unable to provide a breakdown/invoice of those charges on Caltex letterhead transferred from the pre-appt account to the post-appt account as that information is not to hand.
- They will not generate those charges on an invoice for us.
- The transferred charges appear on the statement of account as we are already aware; so should be sufficient.

I trust that the above and attached are sufficient to answer your query.

Should you have any further queries, please do not hesitate to contact me.

Regards,

**Ian Morton**  
Senior Director, Corporate Finance & Restructuring

**FTI Consulting**  
+61 3 9604 0638 D | +61 (0) 401 248 205 M  
[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Sent:** Monday, 28 October 2019 8:45 AM  
**To:** Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Cc:** Stephen Michell <[smichell@pcipartners.com.au](mailto:smichell@pcipartners.com.au)>; Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>; Morton, Ian <[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)>; John Melliush <[jmelliush@pcipartners.com.au](mailto:jmelliush@pcipartners.com.au)>; Hansell, Joseph <[Joseph.Hansell@fticonsulting.com](mailto:Joseph.Hansell@fticonsulting.com)>  
**Subject:** [EXTERNAL] WITS Holdings Pty Ltd (in Liquidation) - Administrators' Expenses

Dear Kate

I have been reviewing the material provided by you in respect of the Equitable Lien expenses of the former Administrators with a view to making a payment in reduction of those costs.

I am having some difficulties with the Caltex account as it appears we may not have been provided with the correct information.

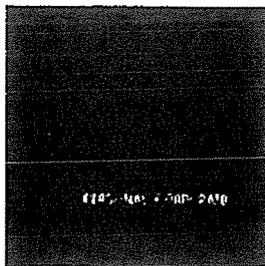
In this regard, I note as follows:

- You are claiming \$66,131 in respect of fuel for EL expenses;
- In your letter of 2 July 2019, you provided an explanation of how that figure is comprised and provided a spreadsheet which contains \$16,603.05 of costs on old cards
- You provided a copy of invoice 0301743991
- A summary page was also provided which identifies the balance due of \$16,603.05

I have attached each of the above documents to this email. Invoice number 0301743391 which was provided does not appear to contain any of the charges referred to on the spreadsheet. The summary page indicates that the applicable invoice number is 3. Could you please provide the invoice applicable to the additional \$16,603.05 of charges for review or provide clarification of why the transactions comprising the \$16,603.05 do not appear on the invoice.

Should you wish to discuss this matter, please contact me.

Regards



Kylie Wright  
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Account Transaction Detailed Listing: 468247.0002 - WITS Holdings - WITS Holdings Pty. Ltd. (Administrators)

Selected Account(s): All Dates

CASH AT BANK (BANKWEST) [PRE]

Date	Ref	Payee (Payor) - Account	GST	Net	GST	Receipts	Payments	Balance	TransID
28/03/19		Opening Balance						0.00	
02/04/19	036640	Bluestar Global Logistics (AUST)				550.00		550.00	823743
		Accounts Receivable	FRE	(550.00)	0.00				
02/04/19	036599	Bluestar Global Logistics (AUST)				7,700.00		8,250.00	823744
		Accounts Receivable	FRE	(2,310.00)	0.00				
		Accounts Receivable	FRE	(4,620.00)	0.00				
		Accounts Receivable	FRE		0.00				
02/04/19	036721	Bluestar Global Logistics (AUST)				4,510.00		12,760.00	823745
		Accounts Receivable	FRE	(4,510.00)	0.00				
02/04/19	EFT	APE TRADING PTY LTD					(2,079.00)	10,681.00	823730
		Subcontractors (Trading) *	NCG	1,390.00	189.00				
02/04/19	EFT	APE TRADING PTY LTD					(1,881.00)	8,800.00	823731
		Subcontractors (Trading) *	NCG	1,710.00	171.00				
02/04/19	EFT	The Trustee for THE LOMI TRUST					(1,567.50)	7,232.50	823732
		Subcontractors (Trading) *	NCG	1,425.00	142.50				
02/04/19	EFT	The Trustee for THE LOMI TRUST					(1,045.00)	6,187.50	823733
		Subcontractors (Trading) *	NCG	950.00	95.00				
03/04/19		Westpac Banking Corporation				165,000.00		171,187.50	826445
		Administration Funding - S560	NCF	(165,000.00)	0.00				
03/04/19	53	Damian Britcher					(1,585.00)	169,601.50	825606
		Super Withheld (Trading)		(210.04)					
		PAYG Withheld (Trading)		(625.00)					
		Wages & Salaries (Trading)		2,211.00					
		Super Control (Trading) (Trading)		210.04					
03/04/19	54	Matthew Coco					(1,274.08)	168,327.42	825607
		Super Withheld (Trading)		(182.69)					
		PAYG Withheld (Trading)		(649.00)					
		Wages & Salaries (Trading)		1,923.08					
		Super Control (Trading) (Trading)		182.69					
03/04/19	55	Michael Cooper					(1,338.64)	166,988.78	825608
		Super Withheld (Trading)		(121.19)					
		PAYG Withheld (Trading)		(643.00)					
		Allowances		73.20					
		Wages & Salaries (Trading)		1,908.44					
		Super Control (Trading) (Trading)		121.19					
03/04/19	56	Darren Dickson					(651.11)	166,337.67	825609
		Super Withheld (Trading)		(121.19)					
		PAYG Withheld (Trading)		(94.00)					
		Wages & Salaries (Trading)		745.11					
		Super Control (Trading) (Trading)		121.19					
03/04/19	57	Shelley Fidor					(428.00)	165,909.67	825610
		Super Withheld (Trading)		(42.75)					
		PAYG Withheld (Trading)		(22.00)					
		Wages & Salaries (Trading)		450.00					
		Super Control (Trading) (Trading)		42.75					
03/04/19	58	John Fitzpatrick					(1,147.17)	164,762.50	825611
		Super Withheld (Trading)		(142.90)					
		PAYG Withheld (Trading)		(357.00)					
		Wages & Salaries (Trading)		1,504.17					
		Super Control (Trading) (Trading)		142.90					
03/04/19	59	Stephen Gullford					(1,647.95)	163,114.55	825612
		Super Withheld (Trading)		(121.19)					
		PAYG Withheld (Trading)		(501.00)					
		Allowances		256.20					
		Wages & Salaries (Trading)		1,892.75					
		Super Control (Trading) (Trading)		121.19					
03/04/19	60	Erika Halleybone-Yard					(1,511.40)	161,603.15	825613
		Super Withheld (Trading)		(90.25)					
		PAYG Withheld (Trading)		(484.00)					

Total Payroll	Amount
Payroll - W/e 3 April	(\$54,434.92)
Payroll - W/e 10 April	(\$52,788.72)
<b>Total</b>	<b>(\$107,223.64)</b>

Comprising	Amount	Notes
Wages & Salaries (Trading)	\$138,993.51	
Wages & Salaries (Trading)	\$138,993.51	
Super Control (Trading) (Trading)	\$11,141.33	
Allowances	\$4,495.63	
<b>Gross Payroll</b>	<b>\$154,630.47</b>	Includes GST for Jason Moran of \$96.39
Less Deductions		
PAYG Withheld (Trading)	(\$35,765.50)	
Super Withheld (Trading)	(\$11,141.33)	
Child Support Withheld	(\$300.00)	
Salary Sacrifice Withheld	(\$200.00)	
<b>Total Deductions</b>	<b>(\$47,406.83)</b>	
<b>Net Payroll</b>	<b>\$107,223.64</b>	

		Allowances	146.40			
		Wages & Salaries (Trading)	1,849.00			
		Super Control (Trading) (Trading)	90.25			
03/04/19	61	Stephen Harrigan		(1,513.46)	160,089.69	<u>825614</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(486.00)			
		Allowances	146.40			
		Wages & Salaries (Trading)	1,853.06			
03/04/19	62	Super Control (Trading) (Trading)	121.19	(2,441.29)	157,648.40	<u>825615</u>
		Lance Hasse				
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(1,056.00)			
		Allowances	183.00			
		Wages & Salaries (Trading)	3,314.29			
03/04/19	63	Super Control (Trading) (Trading)	121.19	(1,487.52)	156,160.88	<u>825616</u>
		Samuel Kake				
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(547.00)			
		Salary Sacrifice Withheld	(50.00)			
		Allowances	73.20			
		Wages & Salaries (Trading)	2,011.32			
03/04/19	64	Super Control (Trading) (Trading)	121.19	(1,543.61)	154,617.27	<u>825617</u>
		Steven Kaye				
		Child Support Withheld	(150.00)			
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(694.00)			
		Wages & Salaries (Trading)	2,387.61			
03/04/19	65	Super Control (Trading) (Trading)	121.19	(834.03)	153,783.24	<u>825618</u>
		Eddie Little				
		Super Withheld (Trading)	(86.24)			
		PAYG Withheld (Trading)	(268.00)			
		Salary Sacrifice Withheld	(50.00)			
		Wages & Salaries (Trading)	1,152.03			
03/04/19	66	Super Control (Trading) (Trading)	86.24	(2,097.57)	151,685.67	<u>825619</u>
		Anthony Marson				
		Super Withheld (Trading)	(90.25)			
		PAYG Withheld (Trading)	(835.00)			
		Allowances	144.90			
		Wages & Salaries (Trading)	2,787.67			
03/04/19	67	Super Control (Trading) (Trading)	90.25	(1,351.92)	150,333.75	<u>825620</u>
		Elizabeth McDonald				
		Super Withheld (Trading)	(173.56)			
		PAYG Withheld (Trading)	(475.00)			
		Wages & Salaries (Trading)	1,826.92			
03/04/19	68	Super Control (Trading) (Trading)	173.56	(1,494.96)	148,838.79	<u>825621</u>
		Karen Micallef				
		Super Withheld (Trading)	(121.90)			
		PAYG Withheld (Trading)	(474.00)			
		Allowances	146.40			
		Wages & Salaries (Trading)	1,822.56			
03/04/19	69	Super Control (Trading) (Trading)	121.90	(2,012.00)	146,826.79	<u>825622</u>
		Gary Mitchell				
		Super Withheld (Trading)	(108.30)			
		PAYG Withheld (Trading)	(898.00)			
		Wages & Salaries (Trading)	2,910.00			
03/04/19	70	Super Control (Trading) (Trading)	108.30	(1,281.27)	145,545.52	<u>825623</u>
		Rebecca Montzka				
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(430.00)			
		Wages & Salaries (Trading)	1,711.27			
03/04/19	71	Super Control (Trading) (Trading)	121.19	(1,805.98)	143,739.54	<u>825624</u>
		Jason Moran				
		Super Withheld (Trading)	(130.77)			
		PAYG Withheld (Trading)	(765.00)			
		Wages & Salaries (Trading)	2,571.98			
		Super Control (Trading) (Trading)	130.77			

03/04/19	72	Craig Morrow		(1,398.20)	142,341.34	<u>825625</u>
		Super Withheld (Trading)	(116.10)			
		PAYG Withheld (Trading)	(505.00)			
		Wages & Salaries (Trading)	1,903.20			
		Super Control (Trading) (Trading)	116.10			
03/04/19	73	Philip Payne		(1,739.90)	140,601.44	<u>825626</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(723.00)			
		Wages & Salaries (Trading)	2,462.90			
		Super Control (Trading) (Trading)	121.19			
03/04/19	74	Ricky Phillips		(767.08)	139,834.36	<u>825627</u>
		Super Withheld (Trading)	(87.69)			
		PAYG Withheld (Trading)	(156.00)			
		Wages & Salaries (Trading)	923.08			
		Super Control (Trading) (Trading)	87.69			
03/04/19	75	Barry Plummer		(1,641.30)	138,193.06	<u>825628</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(767.00)			
		Allowances	183.00			
		Wages & Salaries (Trading)	2,225.30			
		Super Control (Trading) (Trading)	121.19			
03/04/19	76	Karen Prato		(909.78)	137,283.28	<u>825629</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(231.00)			
		Wages & Salaries (Trading)	1,140.78			
		Super Control (Trading) (Trading)	121.19			
03/04/19	77	Rani Rai		(974.00)	136,309.28	<u>825630</u>
		Super Withheld (Trading)	(117.80)			
		PAYG Withheld (Trading)	(266.00)			
		Wages & Salaries (Trading)	1,240.00			
		Super Control (Trading) (Trading)	117.80			
03/04/19	78	Raymond Scott		(1,966.32)	134,342.96	<u>825631</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(751.00)			
		Allowances	183.00			
		Wages & Salaries (Trading)	2,534.32			
		Super Control (Trading) (Trading)	121.19			
03/04/19	79	Christopher Spiteri		(1,351.92)	132,991.04	<u>825632</u>
		Super Withheld (Trading)	(173.56)			
		PAYG Withheld (Trading)	(475.00)			
		Wages & Salaries (Trading)	1,826.92			
		Super Control (Trading) (Trading)	173.56			
03/04/19	80	John Streader		(735.24)	132,255.80	<u>825633</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(138.00)			
		Wages & Salaries (Trading)	873.24			
		Super Control (Trading) (Trading)	121.19			
03/04/19	81	Robert Sutton		(962.12)	131,293.68	<u>825634</u>
		Super Withheld (Trading)	(107.61)			
		PAYG Withheld (Trading)	(260.00)			
		Wages & Salaries (Trading)	1,222.12			
		Super Control (Trading) (Trading)	107.61			
03/04/19	82	Peter Waltisbuhl		(1,278.42)	130,015.26	<u>825635</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(428.00)			
		Wages & Salaries (Trading)	1,706.42			
		Super Control (Trading) (Trading)	121.19			
03/04/19	83	Abraham Williams		(828.97)	129,186.29	<u>825636</u>
		Super Withheld (Trading)	(96.61)			
		PAYG Withheld (Trading)	(188.00)			
		Wages & Salaries (Trading)	1,016.97			
		Super Control (Trading) (Trading)	96.61			
03/04/19	84	John Williamson		(1,782.87)	127,403.42	<u>825637</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(611.00)			
		Allowances	219.60			

		Wages & Salaries (Trading)			2,174.27				
		Super Control (Trading) (Trading)			121.19				
03/04/19	85	Michael Wilson				(1,827.50)	125,575.92		825638
		Super Withheld (Trading)			(247.71)				
		PAYG Withheld (Trading)			(780.00)				
		Wages & Salaries (Trading)			2,607.50				
		Super Control (Trading) (Trading)			247.71				
03/04/19	88	Pieter Berghoef				(896.08)	124,679.84		825602
		Super Withheld (Trading)			(121.19)				
		PAYG Withheld (Trading)			(224.00)				
		Wages & Salaries (Trading)			1,120.08				
		Super Control (Trading) (Trading)			121.19				
03/04/19	89	Benjamin Bailey				(2,146.61)	122,533.23		826621
		Super Withheld (Trading)			(274.04)				
		PAYG Withheld (Trading)			(738.00)				
		Wages & Salaries (Trading)			2,884.61				
		Super Control (Trading) (Trading)			274.04				
03/04/19	EFT	APE TRADING PTY LTD				(1,169.98)	121,363.25		823734
		Subcontractors (Trading) *	NCG	1,063.62	106.36				
03/04/19	EFT	The Trustee for THE LOMI TRUST				(2,612.50)	118,750.75		823735
		Subcontractors (Trading) *	NCG	2,375.00	237.50				
03/04/19	EFT	Bank of Western Australia Ltd				(10.00)	118,740.75		826810
		Bank Charges	NCF	10.00	0.00				
03/04/19		Jason Albury				(1,169.46)	117,571.29		825601
		Super Withheld (Trading)			(146.15)				
		PAYG Withheld (Trading)			(369.00)				
		Wages & Salaries (Trading)			1,538.46				
		Super Control (Trading) (Trading)			146.15				
03/04/19		Federico Bolognesi				(1,847.00)	115,724.29		825603
		Super Withheld (Trading)			(250.80)				
		PAYG Withheld (Trading)			(793.00)				
		Wages & Salaries (Trading)			2,640.00				
		Super Control (Trading) (Trading)			250.80				
03/04/19		Terry Borland				(1,731.19)	113,993.10		825604
		Super Withheld (Trading)			(219.23)				
		PAYG Withheld (Trading)			(576.50)				
		Wages & Salaries (Trading)			2,307.69				
		Super Control (Trading) (Trading)			219.23				
03/04/19		Emily Borozan				(1,033.00)	112,960.10		825605
		Super Withheld (Trading)			(126.35)				
		PAYG Withheld (Trading)			(297.00)				
		Wages & Salaries (Trading)			1,330.00				
		Super Control (Trading) (Trading)			126.35				
05/04/19		DOMESTIC FREIGHT EXPRESS PTY					1,045.00	114,005.10	826441
		Accounts Receivable	FRE	(1,045.00)	0.00				
09/04/19		Westpac Banking Corporation					149,967.00	263,972.10	826443
		Administration Funding - Care &	NCF	(149,967.00)	0.00				
09/04/19	EFT	Bank of Western Australia Ltd				(10.00)	263,962.10		825457
		Bank Charges	NCF	10.00	0.00				
10/04/19	10	Damian Britcher				(1,436.80)	262,525.30		825564
		Super Withheld (Trading)			(186.85)				
		PAYG Withheld (Trading)			(530.00)				
		Wages & Salaries (Trading)			1,966.80				
		Super Control (Trading) (Trading)			186.85				
10/04/19	11	Matthew Coco				(1,039.46)	261,485.84		825865
		Super Withheld (Trading)			(146.15)				
		PAYG Withheld (Trading)			(499.00)				
		Wages & Salaries (Trading)			1,538.46				
		Super Control (Trading) (Trading)			146.15				
10/04/19	12	Michael Cooper				(540.27)	260,945.57		825866
		Super Withheld (Trading)			(82.96)				
		PAYG Withheld (Trading)			(220.00)				
		Wages & Salaries (Trading)			760.27				
		Super Control (Trading) (Trading)			82.96				
10/04/19	13	Darren Dickson				(768.88)	260,176.69		825867

		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(156.00)			
		Wages & Salaries (Trading)	924.88			
10/04/19	14	Super Control (Trading) (Trading)	121.19			
		Shelley Fidor		(391.00)	259,785.69	<u>825568</u>
		Super Withheld (Trading)	(38.00)			
		PAYG Withheld (Trading)	(9.00)			
		Wages & Salaries (Trading)	400.00			
10/04/19	15	Super Control (Trading) (Trading)	38.00			
		John Fitzpatrick		(973.88)	258,811.81	<u>825569</u>
		Super Withheld (Trading)	(117.79)			
		PAYG Withheld (Trading)	(266.00)			
		Wages & Salaries (Trading)	1,239.88			
10/04/19	16	Super Control (Trading) (Trading)	117.79			
		Stephen Guilford		(1,438.81)	257,373.00	<u>825570</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(438.00)			
		Allowances	146.40			
		Wages & Salaries (Trading)	1,730.41			
10/04/19	17	Super Control (Trading) (Trading)	121.19			
		Stephen Harrigan		(1,368.02)	256,004.98	<u>825571</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(416.00)			
		Allowances	109.80			
		Wages & Salaries (Trading)	1,674.22			
10/04/19	1	Super Control (Trading) (Trading)	121.19			
		Jason Albury		(967.77)	255,037.21	<u>825555</u>
		Super Withheld (Trading)	(116.92)			
		PAYG Withheld (Trading)	(263.00)			
		Wages & Salaries (Trading)	1,230.77			
10/04/19	19	Super Control (Trading) (Trading)	116.92			
		Lance Hasse		(1,576.92)	253,460.29	<u>825572</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(523.00)			
		Allowances	146.40			
		Wages & Salaries (Trading)	1,956.52			
10/04/19	20	Super Control (Trading) (Trading)	121.19			
		Samuel Kake		(743.60)	252,716.69	<u>825573</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(169.00)			
		Salary Sacrifice Withheld	(50.00)			
		Wages & Salaries (Trading)	962.60			
10/04/19	21	Super Control (Trading) (Trading)	121.19			
		Steven Kaye		(1,252.09)	251,464.60	<u>825574</u>
		Child Support Withheld	(150.00)			
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(508.00)			
		Wages & Salaries (Trading)	1,910.09			
10/04/19	22	Super Control (Trading) (Trading)	121.19			
		Eddie Little		(709.03)	250,755.57	<u>825575</u>
		Super Withheld (Trading)	(140.61)			
		PAYG Withheld (Trading)	(201.00)			
		Salary Sacrifice Withheld	(50.00)			
		Wages & Salaries (Trading)	960.03			
10/04/19	23	Super Control (Trading) (Trading)	140.61			
		Anthony Marson		(1,271.15)	249,484.42	<u>825576</u>
		Super Withheld (Trading)	(90.25)			
		PAYG Withheld (Trading)	(383.00)			
		Allowances	73.20			
		Wages & Salaries (Trading)	1,580.95			
10/04/19	24	Super Control (Trading) (Trading)	90.25			
		Elizabeth McDonald		(1,351.92)	248,132.50	<u>825577</u>
		Super Withheld (Trading)	(173.56)			
		PAYG Withheld (Trading)	(475.00)			
		Wages & Salaries (Trading)	1,826.92			
		Super Control (Trading) (Trading)	173.56			

10/04/19	25	Elizabeth McDonald		(1,052.41)	247,080.09	<u>825578</u>
		Super Withheld (Trading)	(129.24)			
		PAYG Withheld (Trading)	(308.00)			
		Wages & Salaries (Trading)	1,360.41			
		Super Control (Trading) (Trading)	129.24			
10/04/19	27	Karen Micallef		(1,513.16)	245,566.93	<u>825579</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(531.00)			
		Allowances	73.20			
		Wages & Salaries (Trading)	1,970.96			
		Super Control (Trading) (Trading)	121.19			
10/04/19	2	Benjamin Bailey		(2,146.62)	243,420.31	<u>825556</u>
		Super Withheld (Trading)	(274.04)			
		PAYG Withheld (Trading)	(738.00)			
		Allowances	384.62			
		Wages & Salaries (Trading)	2,500.00			
		Super Control (Trading) (Trading)	274.04			
10/04/19	28	Gary Mitchell		(1,554.00)	241,866.31	<u>825580</u>
		Super Withheld (Trading)	(105.96)			
		PAYG Withheld (Trading)	(606.00)			
		Wages & Salaries (Trading)	2,160.00			
		Super Control (Trading) (Trading)	105.96			
10/04/19	29	Gary Mitchell		(576.90)	241,289.41	<u>825581</u>
		Super Withheld (Trading)	(58.93)			
		PAYG Withheld (Trading)	(68.00)			
		Wages & Salaries (Trading)	644.90			
		Super Control (Trading) (Trading)	58.93			
10/04/19	30	Rebecca Montzka		(997.70)	240,291.71	<u>825582</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(259.00)			
		Allowances	36.60			
		Wages & Salaries (Trading)	1,220.10			
		Super Control (Trading) (Trading)	121.19			
10/04/19	31	Jason Moran		(1,518.06)	238,773.65	<u>825583</u>
		Super Withheld (Trading)	(130.77)			
		PAYG Withheld (Trading)	(583.00)			
		Wages & Salaries (Trading)	2,101.06			
		Super Control (Trading) (Trading)	130.77			
10/04/19	32	Jason Moran		(1,206.84)	237,566.81	<u>825584</u>
		Super Withheld (Trading)	(122.60)			
		PAYG Withheld (Trading)	(388.00)			
		Wages & Salaries (Trading)	1,594.84			
		Super Control (Trading) (Trading)	122.60			
10/04/19	33	Craig Morrow		(950.55)	236,616.26	<u>825585</u>
		Super Withheld (Trading)	(32.95)			
		PAYG Withheld (Trading)	(215.00)			
		Allowances	73.20			
		Wages & Salaries (Trading)	1,092.35			
		Super Control (Trading) (Trading)	32.95			
10/04/19	34	Phillip Payne		(652.90)	235,963.36	<u>825586</u>
		Super Withheld (Trading)	(70.96)			
		PAYG Withheld (Trading)	(94.00)			
		Wages & Salaries (Trading)	746.90			
		Super Control (Trading) (Trading)	70.96			
10/04/19	35	Barry Plummer		(913.30)	235,050.06	<u>825587</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(380.00)			
		Allowances	73.20			
		Wages & Salaries (Trading)	1,220.10			
		Super Control (Trading) (Trading)	121.19			
10/04/19	36	Karen Prato		(997.00)	234,053.06	<u>825588</u>
		Super Withheld (Trading)	(104.60)			
		PAYG Withheld (Trading)	(239.00)			
		Allowances	73.20			
		Wages & Salaries (Trading)	1,162.80			
		Super Control (Trading) (Trading)	104.60			

10/04/19	37	Rani Rai		(1,052.00)	233,001.06	<u>825589</u>
		Super Withheld (Trading)	(129.20)			
		PAYG Withheld (Trading)	(308.00)			
		Wages & Salaries (Trading)	1,360.00			
		Super Control (Trading) (Trading)	129.20			
10/04/19	3	Benjamin Bailey		(1,592.31)	231,408.75	<u>825587</u>
		Super Withheld (Trading)	(197.06)			
		PAYG Withheld (Trading)	(482.00)			
		Allowances	230.76			
		Wages & Salaries (Trading)	1,843.55			
		Super Control (Trading) (Trading)	197.06			
10/04/19	38	Rani Rai		(791.00)	230,617.75	<u>825590</u>
		Super Withheld (Trading)	(91.20)			
		PAYG Withheld (Trading)	(169.00)			
		Wages & Salaries (Trading)	960.00			
		Super Control (Trading) (Trading)	91.20			
10/04/19	39	Raymond Scott		(1,309.25)	229,308.50	<u>825591</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(384.00)			
		Allowances	109.80			
		Wages & Salaries (Trading)	1,583.45			
		Super Control (Trading) (Trading)	121.19			
10/04/19	40	Christopher Spiteri		(1,351.92)	227,956.58	<u>825592</u>
		Super Withheld (Trading)	(173.56)			
		PAYG Withheld (Trading)	(475.00)			
		Wages & Salaries (Trading)	1,826.92			
		Super Control (Trading) (Trading)	173.56			
10/04/19	41	Christopher Spiteri		(1,044.20)	226,912.38	<u>825593</u>
		Super Withheld (Trading)	(127.98)			
		PAYG Withheld (Trading)	(303.00)			
		Wages & Salaries (Trading)	1,347.20			
		Super Control (Trading) (Trading)	127.98			
10/04/19	42	John Streader		(645.36)	226,267.02	<u>825594</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(90.00)			
		Wages & Salaries (Trading)	735.36			
		Super Control (Trading) (Trading)	121.19			
10/04/19	43	Robert Sutton		(1,162.66)	225,104.36	<u>825595</u>
		Super Withheld (Trading)	(134.51)			
		PAYG Withheld (Trading)	(365.00)			
		Wages & Salaries (Trading)	1,527.66			
		Super Control (Trading) (Trading)	134.51			
10/04/19	44	Robert Sutton		(1,057.98)	224,046.38	<u>825596</u>
		Super Withheld (Trading)	(107.61)			
		PAYG Withheld (Trading)	(310.00)			
		Wages & Salaries (Trading)	1,367.98			
		Super Control (Trading) (Trading)	107.61			
10/04/19	45	Peter Waltisbuhl		(662.40)	223,383.98	<u>825597</u>
		Super Withheld (Trading)	(72.43)			
		PAYG Withheld (Trading)	(100.00)			
		Wages & Salaries (Trading)	762.40			
		Super Control (Trading) (Trading)	72.43			
10/04/19	46	Abraham Williams		(619.54)	222,764.44	<u>825598</u>
		Super Withheld (Trading)	(72.43)			
		PAYG Withheld (Trading)	(79.00)			
		Wages & Salaries (Trading)	698.54			
		Super Control (Trading) (Trading)	72.43			
10/04/19	47	John Williamson		(1,430.93)	221,333.51	<u>825599</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(457.00)			
		Allowances	109.80			
		Wages & Salaries (Trading)	1,778.13			
		Super Control (Trading) (Trading)	121.19			
10/04/19	4	Pieter Berghoef		(955.64)	220,377.87	<u>825598</u>
		Super Withheld (Trading)	(121.19)			
		PAYG Withheld (Trading)	(237.00)			

		Allowances								
		Wages & Salaries (Trading)								
		Super Control (Trading) (Trading)								
10/04/19	48	Michael Wilson			(1,774.00)	218,603.87				<u>825600</u>
		Super Withheld (Trading)								
		PAYG Withheld (Trading)								
		Wages & Salaries (Trading)								
		Super Control (Trading) (Trading)								
10/04/19	5	Federico Bolognesi			(1,428.60)	217,175.27				<u>825559</u>
		Super Withheld (Trading)								
		PAYG Withheld (Trading)								
		Wages & Salaries (Trading)								
		Super Control (Trading) (Trading)								
10/04/19	6	Terry Borland			(1,644.69)	215,530.58				<u>825560</u>
		Super Withheld (Trading)								
		PAYG Withheld (Trading)								
		Wages & Salaries (Trading)								
		Super Control (Trading) (Trading)								
10/04/19	7	Terry Borland			(1,547.65)	213,982.93				<u>825561</u>
		Super Withheld (Trading)								
		PAYG Withheld (Trading)								
		Wages & Salaries (Trading)								
		Super Control (Trading) (Trading)								
10/04/19	8	Emily Borozan			(1,033.00)	212,949.93				<u>825562</u>
		Super Withheld (Trading)								
		PAYG Withheld (Trading)								
		Wages & Salaries (Trading)								
		Super Control (Trading) (Trading)								
10/04/19	90	Jason Moran			(1,063.55)	211,886.38				<u>826622</u>
		Allowances	GST	966.86						
10/04/19	9	Emily Borozan		96.69	(713.00)	211,173.38				<u>825563</u>
		Super Withheld (Trading)								
		PAYG Withheld (Trading)								
		Super Control (Trading) (Trading)								
		Wages & Salaries (Trading)								
10/04/19	EFT	KJS MOBILE TRANS PTY LTD			(3,368.40)	207,804.98				<u>823583</u>
		Subcontractors (Trading)	NCG	3,062.18	306.22					
10/04/19		Balance Brought Forward from			(207,804.98)		0.00			<u>833662</u>
		Cash at Bank (Bankwest) [Post]		207,804.98						
		<b>Totals:</b>			<u>1,344.27</u>	<u>328,772.00</u>				<u>(328,772.00)</u>

Subject: RE: WITS Holdings Pty Ltd (in Liquidation)  
Date: 8/11/2019 12:02 PM  
From: "Morton, Ian" <Ian.Morton@fticonsulting.com>  
To: "Warwick, Kate" <Kate.Warwick@fticonsulting.com>

---

Hi Kate,

I have called for Kylie. I don't think she is in today; so have left a message with Denis to call me with the timing and quantum of the reimbursement. Will let you know when he comes back.

Thanks,

**Ian Morton**  
Senior Director, Corporate Finance & Restructuring

**FTI Consulting**  
+61 3 9604 0638 D | +61 (0) 401 248 205 M  
[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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**From:** Warwick, Kate <Kate.Warwick@fticonsulting.com>  
**Sent:** Friday, 8 November 2019 10:46 AM  
**To:** Morton, Ian <Ian.Morton@fticonsulting.com>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation)

Thanks

Are you able to call Kylie today to confirm timing please.

Ta

K

**Kate Warwick**  
Senior Managing Director, Corporate Finance & Restructuring

**FTI Consulting**  
Level 21, 600 Bourke Street, Melbourne, 3000  
[+61 3 9604 0600 T](tel:+61396040600) | [+61 414 971 116 M](tel:+61414971116) | [+61 3 9604 0636 D](tel:+61396040636)  
[kate.warwick@fticonsulting.com](mailto:kate.warwick@fticonsulting.com)  
Assistant: Kristal Eade [+61 3 9604 0630](tel:+61396040630) | [kristal.eade@fticonsulting.com](mailto:kristal.eade@fticonsulting.com)  
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**From:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Sent:** Thursday, 7 November 2019 10:36 AM  
**To:** Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>  
**Cc:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>; Warwick, Kate <[Kate.Warwick@fticonsulting.com](mailto:Kate.Warwick@fticonsulting.com)>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation)

Hi Denis,

Please see attached.

Regards,

**Ian Morton**

Senior Director, Corporate Finance & Restructuring

**FTI Consulting**

+61 3 9604 0638 D | +61 (0) 401 248 205 M  
[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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**From:** Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>  
**Sent:** Thursday, 7 November 2019 10:07 AM  
**To:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Cc:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Subject:** [EXTERNAL] WITS Holdings Pty Ltd (in Liquidation)

Dear Ian,

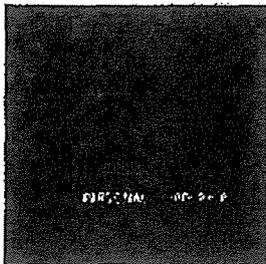
I refer to our telephone discussion in relation to the above liquidation.

I advise that our office is currently in the process of finalising the amounts to be remitted to the Former Administrators and request that you provide copies of the underlying invoice(s) in relation to the insurance costs incurred by the Former Administrators, which details the GST applicable to the premium.

Once the invoice(s) are received by our office will remit the funds to the Former Administrators within the following days.

Should you wish to discuss the matter further, please do not hesitate to contact me.

Regards,



**Denis Mytcak**

T +61 3 8636 3333

F +61 3 8636 3330

LB 179 Queen St  
Melbourne VIC 3000

PO Box 246 Collins St West  
Melbourne VIC 3007

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**From:** Morton, Ian <[ian.Morton@fticonsulting.com](mailto:ian.Morton@fticonsulting.com)>

**Sent:** 6 November 2019 8:17 AM

**To:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>

**Cc:** Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>

**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation)

No problem thanks.

Ian

**Ian Morton**

Senior Director, Corporate Finance & Restructuring

**FTI Consulting**

+61 3 9604 0638 D | +61 (0) 401 248 205 M

[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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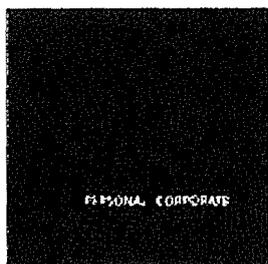
**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Sent:** Wednesday, 6 November 2019 8:10 AM  
**To:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Cc:** Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>  
**Subject:** [EXTERNAL] RE: WITS Holdings Pty Ltd (in Liquidation)

Thank you Ian

To comply with our policies regarding cyber fraud, Denis Mytcak of this office will contact you later today by telephone to verbally confirm the account details below.

Should you wish to discuss this matter, please contact me.

Regards



**Kylie Wright**  
Principal

T +61 3 8636 3333  
F +61 3 8636 3330

LB 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
Melbourne VIC 8007  
[pcipartners.com.au](http://pcipartners.com.au)

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---

**From:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Sent:** Wednesday, 6 November 2019 8:07 AM  
**To:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Cc:** Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liquidation)

Hi Kylie,

I trust you had a relaxing few days.

Please see below account details:

Account Name: WITS Holdings Pty Ltd (Administrators Appointed)  
BSB Number: 303-111  
Account No.: 292768-5

All future payments should be made to this account unless we advise otherwise.

Should you have any queries, please do not hesitate to contact me.

Regards,

**Ian Morton**  
Senior Director, Corporate Finance & Restructuring

**FTI Consulting**  
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[ian.morton@fticonsulting.com](mailto:ian.morton@fticonsulting.com)

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**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Sent:** Thursday, 31 October 2019 12:09 PM  
**To:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Cc:** Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>  
**Subject:** [EXTERNAL] WITS Holdings Pty Ltd (in Liquidation)

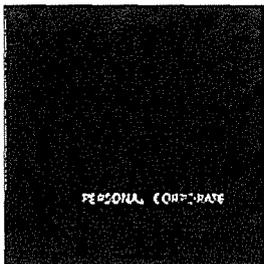
Hi Ian

In anticipating of making payment to FTI for the former Administrators' EL expense, could you please advise of the relevant bank account to which payment should be made. Alternatively, if payment is preferred to be made via cheque, please advise payee details.

Additionally, please advise of any instructions relating to the payment of amounts relating to post appointment debtors that will be remitted in due course, where they differ from the above payment instructions.

Should you wish to discuss this matter, please contact me.

Regards



**Kylie Wright**  
Principal

T +61 3 8636 3333  
F +61 3 8636 3330

L9 179 Queen St  
Melbourne VIC 3000  
PO Box 246 Collins St West  
Melbourne VIC 8007  
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## Warwick, Kate

---

**From:** Warwick, Kate  
**Sent:** Tuesday, 26 November 2019 1:22 PM  
**To:** Mazzone, James  
**Cc:** Morton, Ian  
**Subject:** RE: WITS Holdings Pty Ltd (in Liq) - Hi Trans Invoices

Yes

K

**From:** Mazzone, James <James.Mazzone@fticonsulting.com>  
**Sent:** Tuesday, 26 November 2019 9:30 AM  
**To:** Warwick, Kate <Kate.Warwick@fticonsulting.com>  
**Cc:** Morton, Ian <Ian.Morton@fticonsulting.com>  
**Subject:** RE: WITS Holdings Pty Ltd (in Liq) - Hi Trans Invoices

Hi Kate and Ian

I cant locate any additional information to file for these invoices. Please confirm I can respond noting if they cant recover, claim can be w/o.

Cheers

**James Mazzone**  
Senior Consultant  
Corporate Finance & Restructuring

**FTI Consulting**  
Level 21 / 600 Bourke Street  
Melbourne VIC 3000  
+61 3 9604 0600 T | +61 3 9604 0626 D  
[James.mazzone@fticonsulting.com](mailto:James.mazzone@fticonsulting.com)

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**From:** Kylie Wright <[kwright@pcipartners.com.au](mailto:kwright@pcipartners.com.au)>  
**Sent:** Friday, 22 November 2019 8:59 AM  
**To:** Morton, Ian <[Ian.Morton@fticonsulting.com](mailto:Ian.Morton@fticonsulting.com)>  
**Cc:** Mazzone, James <[James.Mazzone@fticonsulting.com](mailto:James.Mazzone@fticonsulting.com)>; Denis Mytcak <[dmytcak@pcipartners.com.au](mailto:dmytcak@pcipartners.com.au)>; Rani Rai <[RaniRai@wadleys.com.au](mailto:RaniRai@wadleys.com.au)>  
**Subject:** [EXTERNAL] WITS Holdings Pty Ltd (in Liq) - Hi Trans Invoices

Hi Ian

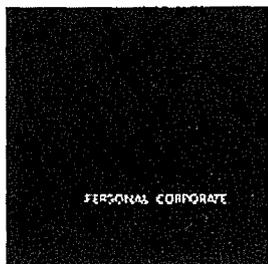
Tabled below are invoices relating to the Administrators' trade on period which are disputed by the debtor on the basis that a proof of delivery ("POD") has not been provided.

We are unable to locate any POD for these invoices. Could you please advise if you hold any records of POD. In absence of a POD we will look to see if we have alternative evidence such as a driver run sheet. In absence of any alternative evidence, do you permit these invoices to be written off?

Hi-trans Express Pty Ltd	10/04/2019	180495	\$3,080.00
Hi-trans Express Pty Ltd	10/04/2019	180465	\$2,200.00
Hi-trans Express Pty Ltd	10/04/2019	180447	\$1,320.00

Should you wish to discuss this matter, please contact me.

Regards



Kylie Wright  
Principal

T +61 3 8636 3333  
F +61 3 8636 3330

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