GPO Box 2985 Melbourne VIC 3001

Rialto South Tower Level 31, 525 Collins Street Melbourne VIC 3000

+61 3 8623 3333 info@kordamentha.com

## KordaMentha

**Circular to Creditors** 

13 May 2024

Dear Sir/Madam

Anatomics Pty Ltd (In Liquidation) ACN 085 542 356 ('the Company')

We advise that the Company was placed into voluntary liquidation on 16 February 2024 pursuant to a special resolution of its members and Andrew Knight and Sebastian Hams, were appointed as Liquidators.

A statutory report to creditors will be issued on 16 May 2024 and will be available for download from my firm's website at: Anatomics Pty Ltd (kordamentha.com).

This report will include:

- The progress of the liquidation
- The estimated assets and liabilities of the Company
- The inquiries we have made to date relating to the winding up of the Company
- Further inquiries that may need to be made
- What happened to the business of the Company
- The likelihood of a dividend being paid in the liquidation
- Possible recovery actions
- Remuneration report
- Proposals in relation to remuneration.

Attached to this notice are the following documents for your completion after the report has been issued:

- Proof of debt
- Proposals in relation to remuneration.

If you do not have access to the internet, you can request that a copy of the report be mailed to you. If you have any queries or wish the report to be mailed to you, please contact Nick O'Sullivan of this office on (03) 8623 3313 or by email at <a href="mailto:nick.osullivan@kordamentha.com">nick.osullivan@kordamentha.com</a>.

Yours faithfully

Andrew Knight Liquidator

Enc.

## Form 535 – Formal proof of debt or claim (General form)

# Anatomics Pty Ltd (In Liquidation) ACN 085 542 356 ('the Company')

To: The Liquidators of Anatomics Pty Ltd (In Liquidation) ('the Company')

1.	This is to state that the Company was on 16 February 2024, and still is, justly and truly indebted:						
	То						
		(name of creditor)					
	Of	(address of creditor)					
	ABN	(address of ordation)					
	For	\$		GST Amoun	t: <u>\$</u>		
		(amount owed to credit	or, include cents, GST inclusive)				
Pa	rticula	ars of the debt	are:				
Dat	e		Consideration	Amount (\$)	Remarks		
(inse	ert date w	rhen debt arose)	(state how the debt arose and attach supporting invoices and statements of account)	(GST inclusive amount)	(include details of voucher substantiating payment)		
			ent of debt, provide evidence of the t				
2.	any s (Insert	atisfaction or sec particulars of all secu	urity for the sum or any part o	of it except for the follow e property of the Company, a	creditor's order, had or received ving: ssess the value of those securities. If any		
Date		Drav	ver Acceptor	Amount (\$)	Due date		
3.	This proof of debt may be used for the purposes of voting at any meeting, a proposal without a meeting or for distribution to creditors unless a further proof of debt is submitted by me.						
Exe	cutio	n:					
	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. (select if applicable)						
	I am the creditor's agent 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. (select if applicable)						
	Iam	a related creditor	of the Company. (select if applicat	ole)			
Sign	ature						
Name			Date				
Address							
Ema	nil						
Phone				Fax			

Our privacy policy can be found on the KordaMentha website at <a href="https://www.kordamentha.com/governance/privacy-policy">www.kordamentha.com/governance/privacy-policy</a>.

## NOTICE OF PROPOSAL TO CREDITORS

# Anatomics Pty Ltd (In Liquidation) ACN 085 542 356 ('the Company')

### **Proposal for Creditor approval**

'That the estimated future remuneration of the Liquidators for the period 13 May 2024 to the finalisation of the liquidation is determined at a sum equal to the cost of time spent by the Liquidators and KordaMentha staff, calculated at the hourly rates as detailed in the Remuneration Approval Report to creditors dated 16 May 2024, up to a maximum of \$25,000.00, excluding GST, and approved for payment on a monthly basis in arrears or as required. However, if the value of the work performed exceeds the capped amount, then the Liquidators reserve the right to seek further approval of fees from creditors.'

## Reasons for the proposal and the likely impact it will have on Creditors if it is passed

Section 60-10 of Schedule 2 of the Corporations Act entitles an external administrator of a company to receive remuneration for necessary work properly performed by the external administrator in relation to the external administration in accordance with a remuneration determination. A remuneration determination may be made by a resolution of creditors, as well as by a committee of inspection (if one is established) or by the Court.

Please refer to the remuneration report available on KordaMentha's website at <a href="http://www.kordamentha.com/Creditors">http://www.kordamentha.com/Creditors</a> for information as to how the remuneration has been estimated.

Section 556 of the Corporations Act specifies the order of priority that debts are to be paid from the realised assets of a company. An external administrator's remuneration is paid prior to any dividend distribution to creditors. Any dividend payable to creditors will ultimately be impacted by the realisations achieved in the liquidation and the value of creditor claims admitted to participate in any dividend.

Creditors have the option of approving, not approving or objecting to the proposal being resolved without a

#### Vote on proposal

Name of creditor:							
ACN/ABN (if applicable):							
☐ I am not a related creditor of the Company.							
☐ I am a related creditor of the Company							
Details of the relationship:							
Address:							
Phone:	Email:						
Name of creditor/authorised person:							
Signature:	Date:						

## Return of documents by 7 June 2024

**Creditor details** 

Please complete this document and return with any supporting documents by no later than 7 June 2024 for your vote to be counted, by email to Nick O'Sullivan at <a href="mailto:nick.osullivan@kordamentha.com">nick.osullivan@kordamentha.com</a>. If you have any questions, please call Nick O'Sullivan on (03) 8623 3313.

Completed forms may also be sent by post attention to Nick O'Sullivan at KordaMentha, GPO Box 2985, Melbourne VIC 3001, although you should ensure this is sent with sufficient time to arrive by the date the vote closes, which we cannot guarantee.

## NOTICE OF PROPOSAL TO CREDITORS

# Anatomics Pty Ltd (In Liquidation) ACN 085 542 356 ('the Company')

### **Proposal for Creditor approval**

'That the remuneration of the Liquidators for the period 26 February 2024 to 12 May 2024 in the amount of \$50,038.00, excluding GST, calculated on the basis of time spent by the Liquidators and KordaMentha staff as detailed in the Remuneration Approval Report to creditors dated 16 May 2024, is approved for payment immediately or as required.'

#### Reasons for the proposal and the likely impact it will have on creditors if it is passed

Section 60-10 of Schedule 2 of the Corporations Act entitles an external administrator of a company to receive remuneration for necessary work properly performed by the external administrator in relation to the external administration in accordance with a remuneration determination. A remuneration determination may be made by a resolution of creditors, as well as by a committee of inspection (if one is established) or by the Court.

Please refer to the remuneration report available on KordaMentha's website at <a href="http://www.kordamentha.com/Creditors">http://www.kordamentha.com/Creditors</a> for information as to how the remuneration has been incurred and calculated.

Section 556 of the Corporations Act specifies the order of priority that debts are to be paid from the realised assets of a company. An external administrator's remuneration is paid prior to any dividend distribution to creditors. Any dividend payable to creditors will ultimately be impacted by the realisations achieved in the liquidation and the value of creditor claims admitted to participate in any dividend.

## Vote on proposal

Nο

☐ I do not approve the proposal

Creditors have the option of approving, not approving or objecting to the proposal being resolved without a meeting of creditors. Please select the appropriate Yes, No or Object box referred to below:

Yes 

I approve the proposal

Object 

I object to the proposal being resolved without a meeting of creditors

Your claim against the Company must be admitted for the purposes of voting in the liquidation for your vote to count. Please select the option that applies:

I have previously submitted a proof of debt form and supporting documents

☐ I enclose a proof of debt form and supporting documents with this proposal form

Creditor details		
Name of creditor:		
ACN/ABN (if applicable):		
☐ I am not a related creditor of the Company.		
☐ I am a related creditor of the Company		
Details of the relationship:		
Address:		
Phone:	Email:	
Name of creditor/authorised person:		
Signature:	Date:	

## Return of documents by 7 June 2024

Please complete this document and return with any supporting documents by no later than 7 June 2024 for your vote to be counted, by email to Nick O'Sullivan at <a href="mailto:nick.osullivan@kordamentha.com">nick.osullivan@kordamentha.com</a>. If you have any questions, please call Nick O'Sullivan on (03) 8623 3313.

Completed forms may also be sent by post attention to Nick O'Sullivan at KordaMentha, GPO Box 2985, Melbourne VIC 3001, although you should ensure this is sent with sufficient time to arrive by the date the vote closes, which we cannot guarantee.