

19 August 2020

Circular to creditors

Dear Sir/Madam

DECMIL CONSTRUCTION NZ LIMITED (in Liquidation) (Decmil NZ)

I refer to my appointment as Liquidator of the Company on 15 April 2020 and my previous circulars dated 4 and 13 August 2020. The circular dated 4 August 2020 included a link to a copy of my application to the High Court of New Zealand seeking directions as to status of certain funds held by the Company (**Application**).

In accordance with the Court's orders (as set out in the Minute of Associate Judge R M Bell dated 3 August 2020), I am to convene, if requested by creditors, a meeting of each of the classes of claimants (retention creditors and non-retention creditors) so that each group can coordinate their response to the Application, if they wish to do so.

I have received a request from a retention creditor to convene a meeting of retention creditors.

Accordingly, I will convene two separate meetings, for retention and non-retention creditors, as follows:

1. Meeting of retention creditors to be held on Tuesday, 1 September 2020, at 2pm (New Zealand time).
2. Meeting of non-retention creditors to be held on Wednesday, 2 September 2020, at 2pm (New Zealand time).

Given the current restrictions in place in New Zealand due to COVID-19 and the uncertainty around future restrictions, I will hold the meetings remotely via the Zoom platform. This will ensure the meetings can go ahead regardless of any restrictions in place and will avoid any potential delay.

Instructions on how to register for the meetings are **enclosed**, please ensure you familiarise yourself with these instructions and register by the required deadline to be able to attend the meetings.

Once registered, you will be sent a Zoom calendar invite. Only those creditors of the relevant class will be permitted to attend the respective meeting, and I reserve the right to decline a request to attend a meeting to ensure this occurs.

As noted in the Court's Minute, the purpose of the meetings is to enable each class of creditors to co-ordinate a response to the Application. This may include, for example, instructing lawyers or appointing a committee to represent your interests. It will not be appropriate for me to discuss strategy or give advice regarding the responses.

If you have any specific questions or matters concerning the Application that you would like discussed at the meeting, it would be helpful if you could email these in advance to DecmilNZ@aviorconsulting.com.au.

Please note that the meetings are not creditors meetings pursuant to the Companies Act 1993 and I will not be answering questions or addressing any general matters regarding the liquidation. If you have any queries about the liquidation generally you may contact my office or email them separately.

If you have queries about the meeting or the Application, my team below will be happy to speak with you:

Contacts:

Eve Switka eswitka@aviorconsulting.com.au
Terrence Chong tchong@aviorconsulting.com.au

Phone: +61 8 6145 0700

Yours faithfully
For the Company



Dermott McVeigh
Liquidator

Encl.

Audio-visual Meeting Instructions

Decmil Construction NZ Limited (In Liquidation) (the Company) Meetings of retention creditors and non-retention creditors

1. Registration

The meetings will be conducted via Zoom Audio & Video platform as follows:

1. Meeting of retention creditors on Tuesday, 1 September 2020, at 2pm (New Zealand time).
2. Meeting of non-retention creditors on Wednesday, 2 September 2020, at 2pm (New Zealand time).

Due to current COVID-19 restrictions in some parts of New Zealand, the meetings will be held via Zoom only - it will not be possible to attend these meetings in person. Creditors unable to use the video component of the Zoom Audio & Video platform may attend by teleconference by dialling in to the Zoom meeting.

Attendance at the meeting is not compulsory.

Creditors wishing to attend the meetings must register their attendance by sending an email to DecmilNZ@aviorconsulting.com.au with the following details:

- The name of your company;
- Which meeting you will be attending;
- The name and surname of the person who will be attending from your company; and
- The email address for the person who will be attending.

Registration must be completed by 5:00pm (New Zealand Time) on Friday, 28 August 2020.

Due to the expected large number of attendees, registrations submitted after the deadline will not be accepted. Also, the meeting of retention creditors is to be attended only by parties with retention claims against the Company. Parties without retention claims will not be admitted. The same approach applies to the meeting of non-retention creditors.

2. Joining the meeting

On Monday 31 August 2020, creditors will receive an email sent to the email address specified in their registration, with a link to join the meeting they registered for. **DO NOT forward this email link as the forwarded link will not work.**

The “ZOOM Cloud Meetings” App may need to be downloaded before the meeting if you are using a mobile device. There is no cost to download this app.

If you hold a Zoom licence, ensure that the email address provided is the same one registered to your licence.

If you would like to test the Zoom function, please contact us **at least** 1 day before the meeting you plan to attend. A test link will be provided to ensure the application is working. Technical support on the day of the meeting will not be available.

3. Beginning of the meeting

At 1:45pm (New Zealand Time) on the day of each meeting, the link will become active and creditors will be able to join the meeting. The identity of each attendee will be verified before joining the meeting.

4. Purpose

The sole purpose of the meetings is to enable each class of creditors to co-ordinate, if they wish to do so, their efforts to prepare a response to the Court application brought by the Liquidator. The meetings are not meetings of creditors in accordance with the Companies Act 1993 and the Liquidator will not be answering questions or addressing general matters regarding the liquidation at these meetings.

Creditors will be able to hear each other and see each other whilst discussing matters.

As the meetings are forums for creditors to discuss how they may respond to the Court application, it will not be appropriate for the Liquidator to discuss strategy or give advice regarding the responses.

5. Questions

If you have any specific questions or matters concerning the Court application that you would like discussed at the meeting, it would be helpful if you could email these in advance to DecmilNZ@aviorconsulting.com.au.

If you have any queries about the liquidation generally you may contact us or send them separately.