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Frequently Asked Questions (FAQs) - Creditors

Bibere Australian Beverages Pty Ltd trading as Fox Creek Wines (ACN 644 054 320)
Crescere Australian Vineyards Pty Ltd (ACN 654 310 666)
Opportuna Investments Pty Ltd (ACN 662 805 950)

(All Administrators Appointed)
(Collectively referred to as “the Companies”)

Current Status

The purpose of this FAQ is to provide a simple guide to creditors and suppliers about the status of the administration. All questions in relation to the administration should be directed to the KPMG in the first instance. This FAQ should be read in conjunction with our Circular to Creditors and Suppliers dated 18 October 2024.

1 What is the status of the Companies?

Tim Mableson and David Kidman of KPMG were appointed Joint and Several Voluntary Administrators (**Administrators**) of the Companies on Friday, 18 October 2024. Creditors should note that:

- The Administrators are in control of the assets, trading and day-to-day operations of the Companies.
- The Administrators current intention is to continue to trade the Companies whilst seeking expressions of interest for the sale and/or recapitalisation of the Companies business and assets.

2 How do I lodge my creditor claim and what documentation is required to substantiate my claim?

All creditors must upload to the Creditors' Portal full details of any funds owed to them by the Companies.

Supporting documentation is required to be provided. Please contact Antoni Trimboli on (08) 8236 3242 or email AU-FMFoxCreek@kpmg.com.au should you be having any difficulties uploading your claim.

3 Will I get my money back?

The effect of the voluntary administration is that payment of creditors by the Companies is placed on hold pending the outcome of the administration. At this stage and until the outcome of the administration is known, it is not known whether there will be sufficient funds to pay a dividend (i.e. a % return) to unsecured creditors.

The Administrators will send a detailed report on options for the future of the Companies to all creditors, 5 business days prior the second creditors' meeting. This report will contain further information regarding the potential financial outcome for unsecured creditors.

4 I am a supplier. Who can I speak to about existing ongoing supply, contracts and agreements with the Companies?

The Administrators refrain from adopting any of the Companies' contracts existing at the date of their appointment.

All queries regarding ongoing supply with the Companies' should be directed to Samyak Jain of the Administrators staff by telephone (08) 8236 3169 or email to AU-FMFoxCreek@kpmg.com.au.

5 How long does the voluntary administration process last?

The second creditors' meeting is held at the end of the administration process. The default time period is 25 business days however as outlined at the first meeting of creditors, it is likely the second meeting will be adjourned by up to 45 business days at the administrators discretion to allow the sale/recapitalisation process to proceed. Any timeframe thereafter will be dependent on the resolutions passed at the second meeting of creditors.

6 Who should I contact if I have further questions?

For further information concerning the Voluntary Administration process and KPMG, you may wish to visit our website at <https://kpmg.com/au/en/home/creditors/fox-creek-wines.html>.

Should you have questions regarding the administration process, please contact Samyak Jain by telephone on (08) 8236 3169. Alternatively, please direct emails to our functional mailbox AU-FMFoxCreek@kpmg.com.au.

Short guide to the Creditors' Portal

We are using the Creditors' Portal as the primary tool for communicating with creditors and managing claims.

We have prepared this short guide to assist you as a creditor to understand the process that you must undertake to ensure you are appropriately registered as a creditor of the Companies.

Please note, the email registered on the Creditors' Portal will receive all notifications including circulars and reports issued by the Administrators.

Please refer to the following link for further guidance on how to register, submit and manage a claim:
<https://creditors.accountants/Help>



Step 1: Register

- Register as a user at the following link: <https://creditors.accountants/> (use chrome, edge or firefox).
- You will receive a confirmation email to verify your account (verify your email address within 24 hours of registering as a user).
- Once verified, you will be redirected to the Portal.
- If you are already a registered user, please skip to "Login" below.



Step 2: Log in

- Log into the Portal using your username and password.
- You will be redirected to a screen where you need to input the following details:
 - Company creditor – an ABN; or
 - Individual creditor – first and last name.
- You will be prompted to make a declaration to confirm that you are authorised to act on behalf of the company or individual and agree on how you wish to receive future correspondence.



Step 3: Link creditor

- Once you have completed your declaration, you will be redirected to the Portal landing page where you can view the Company under "*Recent Interactions*".
- If you cannot view the Company listed on the landing page you may need a creditor code to link your profile to the Company.
- Please contact the External Administrators for a unique code to register your claim.
- Once you receive your creditor code, log in and click on your user name in the top right hand side and click on "*Creditor Admin*" and input your code and click "*Link*"
- There will be an option to provide an ABN (if relevant) for company creditors, click "*I do not have an ABN*" (individuals) and then click "continue"
- Follow the prompts and confirm you are authorised to act on behalf of the creditor.



Step 4: View company and documents

- You will be able to view the Companies on the landing page or under the “*Debtors*” tab and click “*My debtors*” or “*My claims*”. Click on “*Details*” to be directed to the Companies.
- You will be able to view any documents uploaded under the “*Documents*” tab that relate to the Companies.
- There are additional resources that you can also access under the “*Resources*” tab.



Step 5: Submit a Formal Proof of Debt Form (POD)

- You will be able to view the Group on the landing page or under the “*Debtors*” tab and click “*My debtors*” or “*My claims*”. Click on “*Details*” to be directed to the Group.
- Click on the “*Proof of Debt*” tab.
- Click on the “*Submit*” button and start completing the POD form.
- Tick “*No*” to the question “*Is your proof of debt informal*”. If you are an employee creditor, this will not be an option.
- Upload any supporting documentation for consideration.
- Press “*Next*” and “*Submit*”.



Step 6: Be admitted for voting (performed by the External Administrators)

- Once you have submitted a POD with supporting documentation, we will evaluate your claim to admit for voting purposes at the online meeting .
- If necessary, the External Administrators will request further information with respect to your claim.
- The External Administrators will announce your admission status once the online meeting commences.



Step 7: Appoint a proxy (required for company creditors, optional for individuals)

- If you are a company creditor or individual that is appointing the Chairperson or an alternative person to vote (alternate email to the email registered initially) please complete a proxy form attached to the report to creditors and submit **via email** to the External Administrators.
- The External Administrators will provide the nominated proxy holder with a unique creditor code prior to the meeting for voting purposes only.
- The nominated proxy holder will need to register on the Portal (**Step 1 to Step 3**) to be provided with access to vote at the online meeting on behalf of the creditor.



Step 8: Voting at the online meeting

- You will only be able to vote from the time the online meeting commences (one hour before).
- Log into the Portal and click on “*Open for voting*” on the landing page or the “*Debtors*” tab and “*My debtors*” and click on the relevant company.
- You will be able to view the online meeting under the “*Polls*” tab.
- You will be able to view the resolutions on the screen with the option to vote “*in favour, against or abstain*”.
- If you are a nominated proxy holder, you will be able to view the resolutions and the creditor that you are acting on behalf of.
- The chairperson will read the resolutions, allow you to vote prior to locking the resolutions.
- Please ensure you click “*Submit*” after placing your votes.