



Tower 2, Collins Square  
727 Collins Street  
MELBOURNE VIC 3000

ABN: 51 194 660 183  
Telephone: +61 3 9288 5555  
Facsimile: +61 3 9288 6666

PO Box 2291U  
MELBOURNE VIC 8001  
Australia

[www.kpmg.com.au](http://www.kpmg.com.au)

## CIRCULAR TO CREDITORS

23 July 2020

Dear Sir / Madam,

**Specialty Mens Apparel Pty Ltd (in Liquidation)**  
**ACN 149 766 307 (“the Company”)**  
**ABN 73 149 766 307**  
**Trading as “Ed Harry”**

We refer to our Statutory Report dated 22 July 2019 and to our previous correspondence in relation to the Company.

The purpose of this circular is to provide an update regarding the progress of the Liquidation and to declare a final dividend to unsecured creditors.

### Priority creditors

Dividends totalling \$2,849,681 have been paid in respect of priority creditor claims (employee entitlements).

I note all priority creditor claims have now been satisfied in full.

### Secured creditors

The Commonwealth Bank of Australia (“the CBA”) held a General Security Interest, registered on the Personal Property Securities Register over the Company’s assets.

We have remitted dividends totalling \$2,419,311 to the CBA, representing 100c/\$ of their current outstanding claim.

The CBA also holds a number of bank guarantees supporting rental bonds which are yet to be redeemed by landlords. A final dividend of \$22,608 is pending relating to these bank guarantees.

We are currently liaising with the secured creditor and relevant landlords in relation to these amounts and anticipate remitting a dividend for the balance of outstanding secured amounts by 16 August 2020.

### Unsecured creditors

We advise that the liquidation has reached the stage where a final dividend can be paid to unsecured creditors.

Please refer to the attached documentation:

- Form 534 - Notice to creditors to submit formal proof of debt or claim;
- Form 548 – Notice to creditor or person claiming to be a creditor of intention to declare a final dividend.  
**Please note that the dividend will be paid on 18 September 2020.**
- Form 535 – Formal Proof of Debt - creditors **who have not** previously lodged a Formal Proof of Debt with the Liquidators are requested to prove their claims. Please ensure that the Form 535, together with all supporting documentation, is returned to this office by no later than 16 August 2020.

A listing of unsecured proof of debt forms received to date has been included at **Appendix 1** of this circular. It is recommended that creditors review this list to ensure their proof of debt has been received by the Liquidators. **If you have lodged a proof of debt and it does not appear on the listing provided, please advise our office via email at [edharry@kpmg.com.au](mailto:edharry@kpmg.com.au).**

If you wish to have the dividend payment made directly to your bank account and you have not previously provided your details, please provide the following details by no later than 16 August 2020:

**Creditor name:**

**Account name:**

**BSB number:**

**Account number:**

Our current estimated dividend (subject to final proving of claims) is 4c/\$. The dividend rate has reduced from our previous estimates due to increases in the quantum of claims submitted, specifically relating to landlord claims.

Should you have any questions please do not hesitate to contact Gillian Vogel of this office via email at [edharry@kpmg.com.au](mailto:edharry@kpmg.com.au).

Yours faithfully,



**Brendan Richards**  
**Liquidator**

## Appendix 1 – Listing of claims received in the Liquidation to date

Proof of Debt Summary of Claims: Ed Harry - Specialty Mens Apparel Pty Ltd	
Creditor	POD Value
Active Utilities Canberra Pty Ltd	223.55
AGL Energy Limited	199.42
Aleman, Patricia	39.99
Alexander, Jake	75.00
ASCENTOR PTY LTD	13,200.00
AUSTICO APPAREL PTY LTD ACN 004 073	283,446.85
AUSTRALASIAN PERFORMING RIGHT	7,688.05
Australia Post	23,632.90
Australia Quick Response Pty Ltd	260,827.83
Australian Executor Trustees Limited ACN	689,482.13
Australian opco pty ltd t/as Corporate	3,448.98
Azurium	55,000.00
Barcham, Benjamin Roy	100.00
Belmont Forum Shopping Centre Pty Ltd	166,625.76
Bereicua, Glenn	100.00
Biersteker, Sandra	30.00
Bieson Pty Ltd	194,948.61
Bivone, Steve & Petra	100.00
Bradford, Sean	50.00
Brannan, Jeffrey George	100.00
BRIGHTVIEW GROUP PTY LTD	1,428,759.97
Busutill, Shane Emmanuel	50.00
CALABRIA ENTERPRISES PTY LTD &	67,050.31
Casey, Bryan John	50.00
Chief Commissioner of State Revenue	3,935.26
Child Support Agency	496.00
Clark, David	209,711.78
Clark, Sonia	291,221.00
Clear Choice Nationwide Pty Ltd	248.80
Clozza, Adrian	100.00
Commissioner of State Revenue (WA)	7,685.37
Commissioner of State Taxation	14,863.61
Commissioner of Territory Revenue	1,392.35
Commonwealth Bank of Australia	2,398,618.01
Copley, Margaret	100.00
Crowley, Adrian	212,534.71
Cunningham, Astasia	100.00
DBG INNOVATIONS PTY LTD	33,161.11
DGP CHINA CO., LTD	789,377.47
Deka Australia Management One Pty Ltd ATF Deka Australia No1 Trust	22,056.84
DECONSTRUCT DIGITAL MEDIA PTY LTD	33,000.00
Deloitte Touche Tohmatsu	9,332.40
Department of Treasury and Finance SA	9,607.54
Deputy Commissioner of Taxation	827,095.50

**Proof of Debt Summary of Claims: Ed Harry - Specialty Mens Apparel Pty Ltd**

<b>Creditor</b>	<b>POD Value</b>
Dibbs, Stephen	50.00
Do, Christopher	20.00
DOMENIC MILANI AND MARTIN MILANI	3,014.41
Dougherty, Jarred	40.00
Downs, Stephen	150.00
Drewett, Jackson	120.00
EASTLAND PROPERTY HOLDINGS PTY	447,223.36
EXPEDITION APPAREL PTY. LTD. ACN 051	237,282.31
Far East Harbourn town PTY LTD	66,629.66
Farzad, Naser	30.00
Fidock, Kym	30.00
Filewood, Jody	129.97
Fun Jade Apparel Co Limited	92,873.70
Galileos, Dora	29.99
Glass Sub TC Pty Ltd As Trustee for the	23,733.00
Goater, Andrew Darren	100.00
Gordon, Andrew James	192.45
GPT RE limited and GPT Funds	974,016.40
Grunerts Cartons	264.00
Gunning, Darren	200.00
Hawkins, Anthony	153,300.93
Hawkins, Helen	145,610.50
Highlander Apparel Co. Limited	1,157,716.98
Hodges, Katherine	50.00
Interphone Pty Ltd	784.55
Jacana Energy	2,780.08
Jebb, Colleen	90.00
Jiangsu High Hope International Group	159,387.39
JOC GREAT WALL CORP	363,382.95
Joondanna Investments Pty Ltd	17,934.94
Kerwitz, Lindsay Graham	100.00
Kwasi Studios	5,445.00
Leda Commercial Properties Pty Ltd	355.89
Lendlease Funds Management	288,544.74
Lendlease Real Estate Investments limited as trustee for Lendlease sub regional retail fund	45,984.22
LENLEASE REAL ESTATE INVESTMENTS	565,270.18
Lendlease Real Estate Investments Ltd	80,552.89
LEWIS CAPITAL (ADELAIDE) PTY	138,136.80
LEWIS LAND GROUP PTY LIMITED	190,049.50
Lewis, Terry	100.00
Lilly, Andrew Allan	50.00
Ling, Alex Michael	50.00
Lipoma Pty Ltd atf Riverlink unit trust	264.18
Lipoma Pty Ltd t/a Victoria pt shopping	3,367.00

**Proof of Debt Summary of Claims: Ed Harry - Specialty Mens Apparel Pty Ltd**

<b>Creditor</b>	<b>POD Value</b>
Malloch, Joseph	50.00
MARKETLEND PTY LTD ACN 602 720 856	219,948.55
Matthews, Tarryn	50.00
McCaskill, April	137.90
Middleton, Leanne	7.00
Midson, Glenn	100.00
MIRAGE DOORS (AUST) PTY LTD	550.00
Mt Barker Property Investments Pty Ltd	26,353.76
Noffke, Tanya	15.00
Office Of State Revenue (Qld)	7,947.17
O'Malley, Michael	54.98
Osborne, Mitchell Robert Paul	100.00
Pazeski, Simon (Mr)	50.00
PERPETUAL LIMITED	1,481,967.72
PERPETUAL TRUSTEE COMPANY LIMITED	26,705.71
Perron Investment Pty Ltd managing Cockburn Gateway (JLL)	37,536.85
Perron Investment Pty Ltd managing Mirrabooka (JLL)	19,006.96
Pestka, Renee	30.00
Pivit PTY LTD	36.13
Print Management Facilities Australia Pty	36,930.00
QIC Logan Hyperdome Pty Ltd	986,693.21
QIC Werribee Pty Ltd ATF QIC Werribee	35,552.88
QUEENSLAND HOMICIDE VICTIMS	7,500.00
Read, John	137,096.54
Retail First Pty Ltd #401 Cannon Hill	15,871.31
Retail Management Systems Pty Ltd	23,456.21
Retpro Pty Ltd - Ingle Farm	157,785.72
Retpro Pty Ltd - Hollywood Plaza	531,696.41
RETPRO MANAGEMENT PTY LTD - Arndale	413,556.14
Return to Work SA	3,569.75
Return to Work SA	2,669.05
Revenue NSW	3,935.26
Revenue SA	9,607.54
Romeo, Mark	50.00
Rosbert International Pty Ltd	10,814.10
Ryan, Stacey	130.00
SAS Trustee Corportion	19,940.55
SCENTRE GROUP LIMITED	1,548,846.06
SCENTREGRID	1,461.66
SENTINEL COUNTRYWIDE RETAIL TRUST	199,421.07
Sfida Sports International	141,862.09
Sharon Brady	100.00
SHOPPING CENTRES AUSTRALASIA	655,568.34
SID ORTIZ	3,479.76
Single, Jenny	50.00
Singn, Pritpal	22.01

**Proof of Debt Summary of Claims: Ed Harry - Specialty Mens Apparel Pty Ltd**

<b>Creditor</b>	<b>POD Value</b>
SMYJ PTY LTD ACN 625 744 729	21,998.60
Solly, Nathan	50.00
Spangenberg, Grant Henry	39.99
Startrack Express P/L	145,393.61
State Revenue Office of Victoria	6,443.50
Stockland #228 Merrylands	26,647.68
Stockland #319 Wendouree	20,983.41
Stockland #742 Baldivis	31,431.71
Stockland Green Hills #213	25,443.94
Stockland Hervey Bay - The Trust Company Limited	55,144.73
Stockland Shellharbour #227	33,421.76
Stockland Traralgon #324	21,029.28
Stockland Nowra	34,714.08
Stockland Rockhampton	22,658.18
STOCKLAND TRUST MANAGEMENT	21,722.97
SX Asset Management #91 Mt Gambier	34,669.92
TELSTRA CORPORATION LIMITED	21,971.18
The Commissioner for ACT Revenue Office	619.92
THE ENTERPRISE GROUP PTY LTD	88,777.78
The Trustee for QIC Epping Trust	33,704.36
Thomas, Adrian	50.00
Thomas, David William	100.00
TNT AUSTRALIA PTY LTD	2,770.68
Trudy Roberts	50.00
TRURATING AUSTRALIA PTY LTD	9,002.40
Tyco Australia Group Pty Ltd	42,495.20
United Office Choice	15,350.25
UNITED OFFICE SUPPLIES AUSTRALIA	14,577.12
VIP Lighting (Aust) Pty Ltd	6,427.69
Williams Technology Pty Ltd	179,141.02
Wolens, Brad	100.00
WorkCover Queensland	3,148.42
Yeperenye Pty Ltd	14,740.75
Zhejiang Tongxiang Foreign Trade (Group) Co. Ltd	14,641.50
<b>Total unsecured creditors</b>	<b>20,921,023.26</b>

**FORM 534**

*Corporations Regulations 2001  
Subregulation 5.6.48(3)*

**NOTICE INVITING FORMAL PROOF OF DEBT OR CLAIM**

**Specialty Mens Apparel Pty Ltd (in Liquidation)  
Trading as 'Ed Harry'  
ACN 149 766 307  
(the 'Company')**

Take notice that creditors of the Company, whose debts or claims have not already been admitted, are required on or before 16 August 2020 to formally prove their debts or claims and to establish any title they may have to priority by delivering or posting to me at my address a formal proof of debt or claim in accordance with Form 535 or 536 containing their respective debts or claims.

If they do not they will be excluded from:

- (a) the benefit of any distribution made before their debts or claims are proved or their priority is established; and
- (b) objecting to the distribution.

A form of proof of debt is enclosed for your convenience.

Dated this 23<sup>rd</sup> day of July 2020,



**Brendan Richards  
Joint & Several Liquidator**

**FORM 548**

*Corporations Regulations 2001  
Subregulation 5.6.65(1)*

**NOTICE OF INTENTION TO DECLARE FINAL DIVIDEND**

**Specialty Mens Apparel Pty Ltd (in Liquidation)  
Trading as 'Ed Harry'  
ACN 149 766 307  
(the 'Company')**

A final dividend is to be declared on 18 September 2020 for the Company.

You are required formally to prove your debt or claim on or before 16 August 2020. If you do not, I will exclude your claim from participation, and I will proceed to make a final dividend without having regard to it.

A form of proof of debt is enclosed for your convenience.

Dated this 23<sup>rd</sup> day of July 2020



**Brendan Richards  
Joint & Several Liquidator**



**FORMAL PROOF OF DEBT OR CLAIM**

To the Liquidators of:

**Specialty Mens Apparel Pty Ltd (In Liquidation)**

**ACN 149 766 307 (the "Company")**

1. This is to state that the Company was on 23 April 2019, and still is, justly and truly indebted to: \_\_\_\_\_

\_\_\_\_\_

(full name, ABN and address of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor) for \_\_\_\_\_ dollars and \_\_\_\_\_ cents

Particulars of the debt are:

Date	Consideration <i>(state how the debt arose)</i>	Amount	Remarks <i>(include details of voucher substantiating payment)</i>
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\_\_\_\_\_ \$

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: \_\_\_\_\_

\_\_\_\_\_

(insert particulars of all securities held. 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 following form).

Date	Drawer	Acceptor	Amount	Due Date
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\_\_\_\_\_ \$

3. Signed by (select option):

- I am the creditor personally.
- 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.
- I am the creditor's agent authorised in writing to make this statement in writing. I know the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Name: \_\_\_\_\_ Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

<b>RECEIVE REPORTS BY EMAIL</b>	Yes	No
Do you wish to receive all future reports and correspondence from our office via email?	<input type="checkbox"/>	<input type="checkbox"/>
Email:.....		

**If being used for the purpose of voting at a meeting:**

- a) Is the debt you are claiming assigned to you?  No  Yes
- b) If yes, attach written evidence of the debt, the assignment and consideration given.  Attached
- c) If yes, what value of consideration did you give for the assignment (eg, what amount did you pay for the debt?) \$ \_\_\_\_\_
- d) If yes, are you a related party creditor of the Company?  No  Yes  
(f you are unsure contact the Liquidators at edharry@kpmg.com.au)