

2 December 2013

**TO MEMBERS AND CREDITORS**

Dear Sir/Madam

**D&G Hoists & Cranes Pty Limited (In Liquidation)  
ACN 084 148 096 (the Company) (DGWA)**

We refer to the appointment of Andrew Saker and Martin Jones as Joint and Several Liquidators of the Company on 14 September 2012.

We advise that pursuant to section 508 of the Corporations Act (the Act), we are required to convene an annual general meeting of the Company. Accordingly, a meeting of members and creditors of the Company has been convened for Tuesday, 17 December 2013.

We enclose the following documents regarding the Annual General Meeting:

1. Form 529A: Notice of Meeting. Please note that the meeting commences at **10:30am (AWST)**. You should arrive for registration at least twenty (20) minutes prior to the meeting.
2. The Liquidators' Annual Report to Creditors pursuant to section 508 of the Act, which includes a Remuneration Request Approval Report explaining their remuneration claim setting out:
  - (a) Details of time spent by category of staff at the rates applicable for such staff; and
  - (b) A summary of the work undertaken by the Administrators/Liquidators and their staff in the Liquidation and the preceding Voluntary Administration period.
3. Informal Claim Form for Voting Purposes. If you submitted one of these previously you do not need to submit another one for this meeting.

*A person is not entitled to vote at the meeting unless they provide particulars of the debt or claim to the Liquidators before the meeting. **Please note this form is for voting purposes only.** All creditors must furnish full details of their claims, indicating whether they rank as secured, preferential or unsecured, and whether they claim title to any goods supplied to the Company or any lien over goods in their possession which are property of the Company.*

SYDNEY  
MELBOURNE  
ADELAIDE  
BRISBANE  
PERTH  
JAKARTA  
KUALA LUMPUR  
SINGAPORE

Affiliated through:  
Zolfo Cooper  
CARIBBEAN  
UNITED KINGDOM  
UNITED STATES  
KLC Kennic Lui & Co.  
CHINA  
HONG KONG

4. Appointment of Proxy form. The form enables you to appoint another person to act on your behalf at the meeting. Proxy Forms submitted for prior creditor meetings are not valid at this meeting.

**IMPORTANT**

*A proxy form will be deemed to be invalid by the Chairman if any of the following occurs:*

- (a) The proxy form is not completed in full.*
- (b) If a Company wishes to appoint a proxy, the proxy form must be completed and signed by an officer of the Company under the Company seal. The presence of a Company manager without being appointed as proxy is insufficient.*
- (c) A creditor will not be permitted to vote at the meeting unless that creditor is present in person or his representative has provided a correctly completed proxy form or Power of Attorney.*

The Informal Claim Form for Voting Purposes and Proxy Form should be lodged with this office before the meeting and, in any event no later than **4:00pm on 16 December 2013**. Forms can be sent by facsimile on **(08) 9214 1400** marked to the attention of either Lauren McCann or William Hulmes, or scanned and emailed to [dghoists@fh.com.au](mailto:dghoists@fh.com.au). However, Corporations Regulation 5.6.36A requires lodgement of the original of the Proxy Form with the Liquidators' office within 72 hours of lodging the faxed/emailed copy.

Should you have any enquiries in relation to this matter, please do not hesitate to contact either Lauren McCann or William Hulmes of this office.

Yours faithfully  
**D&G Hoists & Cranes Pty Limited**



**Martin Jones**  
Joint and Several Liquidator

Encl.

**FORM 529A**

**CORPORATIONS ACT 2001**

Paragraph 5.6.12(2)

**NOTICE OF MEETING OF  
MEMBERS AND CREDITORS**

**D&G HOISTS & CRANES PTY LIMITED (In Liquidation)  
ACN 084 148 096 (the Company)**

NOTICE is given that a meeting of members and creditors of the Company will be held at the offices of Ferrier Hodgson, Level 26, BankWest Tower, 108 St Georges Terrace, PERTH WA 6000 on 17 December 2013 at 10:30am (WST) .

AGENDA

1. To receive an account of the Joint and Several Liquidators acts and dealings and the conduct of the Liquidation;
2. To approve further remuneration of the Liquidators; and
3. Any other Business that may be lawfully brought forward.

Proxies to be used at the meeting should be lodged at the office of the Joint and Several Liquidators by 4.00pm on 16 December 2013. A creditor can only be represented by proxy or by an attorney pursuant to Corporations Regulations 5.6.28 and 5.6.32 (inclusive) or if a body corporate by a representative appointed pursuant to Section 250D.

In accordance with Regulation 5.6.23(1) of the Corporations Regulations, creditors will not be entitled to vote at this meeting unless they have previously lodged particulars of their claim against the company in accordance with the Corporations Regulations and that claim has been admitted for voting purposes wholly or in part by the liquidator.

DATED this 2<sup>nd</sup> day of December 2013.



**Martin Jones**  
Joint and Several Liquidator

**D & G HOISTS & CRANES PTY LTD (IN LIQUIDATION)  
ACN 084 148 096 (THE COMPANY)**

**APPOINTMENT OF PROXY  
CREDITORS MEETING**

\*I/\*We (1) .....  
of .....  
a creditor of the Company indicated above, appoint (2) .....  
or in his absence .....  
as \*my/our \*(i) general/special proxy to vote at the meeting of creditors to be held on Tuesday, 17 December 2013, or at any adjournment of that meeting, to vote:

(i) **GENERAL PROXIES ONLY** - On all matters arising at the meeting; **or**

(ii) <b>SPECIAL PROXIES ONLY</b> - on each of the following kinds of resolution in the manner specified:			
Resolutions	For	Against	Abstain
(a) That the remuneration of the Liquidators, as set out in the Remuneration Request Approval Report dated 2 December 2013, for the period from 14 September 2013 to 31 October 2013 be fixed in the amount of \$302,100, plus any applicable GST, and may be paid.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) That the further remuneration of the Liquidators, as set out in the Remuneration Request Approval Report dated 2 December 2013, for the period from 1 November 2013 to completion of the Liquidation, be fixed up to a maximum amount of \$250,000, plus any applicable GST, but subject to upward revision by resolution of creditors, and that the Liquidators be authorised to make periodic payments on account of such accruing remuneration as incurred.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED this            day of December 2013.

..... OR    The Common Seal (5) of  
Signature (3) of individual or person (4)  
authorised by corporate resolution to  
represent the corporation

was hereunto affixed in the  
presence of:

.....  
Director

.....  
Secretary

**CERTIFICATE OF WITNESS**

(This certificate is to be completed only where the person giving it is blind)

I, ..... of .....  
certify that the above instrument appointing a proxy was completed by me in the presence of and at the request of the person appointing the proxy and read to him or her before he or she signed or marked the instrument.

DATED this            day of December 2013.

.....  
Signature of Witness

.....  
Description

.....  
Place of Residence

\*    Strike out if inapplicable

- (1) If a firm, strike out "I" and set out the full name of the firm.
- (2) Insert the name, address and description of the person appointed.
- (3) The signature of the creditor is not to be attested by the person nominated as proxy.
- (4) Note that a corporation may by resolution of its directors provide standing authority for a person to represent it at members meeting and appoint proxies (Section 249(3)& (5)). Copy of authority to be annexed.
- (5) The method of affixing the Common Seal should be prescribed by the creditor corporation's articles

**INFORMAL PROOF OF DEBT FORM  
FOR CREDITORS**

**Regulation 5.6.47**

**D&G HOISTS & CRANES PTY LTD  
(In Liquidation) (the Company)  
ACN 084 148 096**

Name of creditor: .....

Address of creditor: .....

.....

ABN: .....

Telephone number: .....

Amount of debt claimed: \$ ..... (including GST \$ ..... )

Consideration for debt (i.e. the nature of goods or services supplied and the period during which they were supplied):

.....

.....

Is the debt secured? YES/NO

If secured, give details of security including dates, etc:

.....

.....

Other information:

.....

.....

.....  
Signature of Creditor  
(or person authorised by creditor)

---

**Notes:**

Under the Corporations Regulations, a creditor is not entitled to vote at a meeting unless (Regulation 5.6.23):

- a. his or her claim has been admitted, wholly or in part, by the Joint and Several Liquidators; or
- b. he or she has lodged with the Joint and Several Liquidators particulars of the debt or claim, or if required, a formal proof of debt.

A secured creditor may vote (Regulation 5.6.24):

- a. for the whole of his or her debt provided that he or she surrenders his security;
- b. for the deficiency if the value of the security is less than the amount of the debt.

Proxies must be made available to the Joint and Several Liquidators.