



**EDDIE  
SENATORE**

**EDDIE SENATORE**  
Advisory

PO Box 3481  
MANUKA ACT 2603

+61 2 6100 3435  
hello@eddiesenatore.com  
eddiesenatore.com

*Insolvency Practice Rules  
75-15 - 75-35  
Corporations Act 2001*

## **NOTICE OF MEETING OF CREDITORS OF COMPANY**

**Italo Australian Club (ACT) Limited (Administrator Appointed) ACN 106 455 314**

**(the “Company”)**

On 20 August 2018 the Company under section 436A appointed Ezio Senatore of Eddie Senatore Advisory as the administrator of the Company.

Notice is given that a meeting of the creditors of the Company will be held as follows:

**Date:** 30 August 2018  
**Time:** 10 am  
**Address:** Level 10, 60 Marcus Clarke Street, Canberra City ACT 2601

### **Agenda**

The purpose of the meeting is to:

- Provide a brief history of the company and the background to the appointment.
- The meeting would also determine:
  - Whether to appoint a committee of inspection; and
  - if so, who are to be the committee's members.
- At the meeting, creditors may also, by resolution:
  - remove the administrator from office; and
  - appoint someone else as administrator of the company.

### **Attending and voting at the meeting**

Creditors are invited to attend the meeting, however they are not entitled to participate and vote at a meeting unless:

- **Proof of debt:** They have lodged with the Voluntary Administrator particulars of the debt or claim and the claim has been admitted, wholly or in part, by the Voluntary Administrator. If a proof of debt has already been lodged, they do not need to do so again. Refer to Note 1 for further guidance on entitlement to vote.



- **Proxies or attendance:** They are either present in person or by electronic facilities (if being made available) or validly represented by proxy, attorney or an authorised person under s250D of the Corporations Act. If a corporate creditor or represented, a proxy form, power of attorney or evidence of appointment of a company representative pursuant to Section 250D of the Corporations Act 2001 (“the Act”) must be validly completed and provided to the Voluntary Administrator at or before the meeting.

To enable sufficient time to review proofs of debt and proxies (or document authorising the representation) should be submitted to Eddie Senatore to [hello@eddiesenatore.com](mailto:hello@eddiesenatore.com) by no later than 10 am on 29 August 2018.

### Electronic facilities

I do intend to make electronic facilities available for this meeting. Please contact my office for details.

Any queries should be directed to [hello@eddiesenatore.com](mailto:hello@eddiesenatore.com) or 0448000010.

Dated 20 August 2018

Ezio Senatore  
Voluntary Administrator

#### Note 1: Entitlement to vote and completing proofs

##### IPR (Corp) 75 85 Entitlement to vote at meetings of creditors

- (1) A person other than a creditor (or the creditor's proxy or attorney) is not entitled to vote at a meeting of creditors.
- (2) Subject to subsections (3), (4) and (5), each creditor is entitled to vote and has one vote.
- (3) A person is not entitled to vote as a creditor at a meeting of creditors unless:
  - (a) his or her debt or claim has been admitted wholly or in part by the external administrator; or
  - (b) he or she has lodged, with the person presiding at the meeting, or with the person named in the notice convening the meeting as the person who may receive particulars of the debt or claim:
    - (i) those particulars; or
    - (ii) if required—a formal proof of the debt or claim.
- (4) A creditor must not vote in respect of:
  - (a) an unliquidated debt; or
  - (b) a contingent debt; or
  - (c) an unliquidated or a contingent claim; or
  - (d) a debt the value of which is not established; unless a just estimate of its value has been made.
- (5) A creditor must not vote in respect of a debt or a claim on or secured by a bill of exchange, a promissory note or any other negotiable instrument or security held by the creditor unless he or she is willing to do the following:
  - (a) treat the liability to him or her on the instrument or security of a person covered by subsection (6) as a security in his or her hands;
  - (b) estimate its value;
  - (c) for the purposes of voting (but not for the purposes of dividend), to deduct it from his or her debt or claim.
- (6) A person is covered by this subsection if:
  - (a) the person's liability is a debt or a claim on, or secured by, a bill of exchange, a promissory note or any other negotiable instrument or security held by the creditor; and
  - (b) the person is either liable to the company directly, or may be liable to the company on the default of another person with respect to the liability; and
  - (c) the person is not an insolvent under administration or a person against whom a winding up order is in force.

**FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)**

To the Voluntary Administrator of **Italo Australian Club (ACT) Limited (Administrator Appointed)**  
**ACN 106 455 314 (the "Company")**

1. This is to state that the company was on 20 August 2018, 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: _____		

**APPOINTMENT OF PROXY**

**Italo Australian Club (ACT) (Voluntary Administrator Appointed) ACN 106 455 314  
(the "Company")**

\*I/\*We \_\_\_\_\_ (name of signatory) Of \_\_\_\_\_ (creditor name)

a creditor of the Company appoint \_\_\_\_\_ (name of proxy)

of \_\_\_\_\_ (address of proxy)

or in his or her absence \_\_\_\_\_ (details of alternate proxy)

as \*my/\*our \*general/\*special proxy to vote at the meeting of creditors to be held on 30 August 2018, or at any adjournment of that meeting.

*If a special proxy, specify how you wish your proxy to vote for each of the resolutions.*

**Resolutions**

Resolutions	For	Against	Abstain
1. That a committee of creditors <b>not</b> be formed			
2. That the appointment of the administrator, Ezio Senatore, is confirmed			

\*I/\*We authorise \*my/\*our proxy to vote as a general proxy on resolutions other than those specified above *(delete if not required)*

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

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

\*Omit if inapplicable

**CERTIFICATE OF WITNESS**

This certificate is to be completed only if the person giving the proxy is blind or incapable of writing. The signature of the creditor, contributory, debenture holder or member must not be witnessed by the person nominated as proxy.

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: \_\_\_\_\_

Signature of Witness: \_\_\_\_\_

Description: \_\_\_\_\_

Place of Residence: \_\_\_\_\_