



Transcript of Proceedings

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State Reporting Bureau
Date: 28 October, 2004

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

MACKENZIE J

Application No 340 of 2004

SABINA BRIGITTE HOLLERER

Applicant

and

ANSAVAH PTY LTD
(ACN 083 231 4850)

Respondent

CAIRNS

..DATE 30/09/2004

JUDGMENT

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

HIS HONOUR: In this matter provisional liquidators were appointed as a matter of urgency since it was apprehended by the applicant, a director and shareholder of Ansavah, that a substantial company asset, a yacht, was about to be removed from the jurisdiction by her estranged husband, the other director and shareholder.

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Subsequently the yacht was arrested in Darwin. No steps have been taken by anyone to release the yacht which is valued at 180,000 to \$185,000 on the material before me. It apparently was transferred from the company name to the husband's name in July of this year shortly before the application for winding up was made.

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The application for winding up has been served on the company at its registered address. The provisional liquidators have disclosed that the company has few assets, leaving the yacht out of account, and a debt of a value equivalent to the estimated value of the yacht to the Australian Taxation Office.

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Other trade creditors, according to the material, are estimated at \$10,000 to \$12,000. There is a claim that there is a balance owed to the husband of about \$57,000. The Registrar has given a certificate in accordance with local practice as to compliance with the requirements for the winding up. The application rests on the general grounds and the just and equitable ground.

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I am satisfied on the facts before me that at least it is just and equitable that the company be wound up, and I will make an order in terms of the draft initialled by me and placed with the papers.

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