

18 January 2010

Please find attached copy of our complaint sent to ASIC dated 24 July 2009 on the conduct of liquidators (...) of the liquidation of (...) company (which to date is still in progress).

We received a one page response from ASIC essentially saying that ASIC would take no action but that we could take legal action if we wished.

We also sent a detailed complaint to the I.P.A. from which we received no formal response.

We remain deeply dissatisfied by the liquidation process and, as a consequence, have incurred significant financial loss and believe this is due to the liquidation system being fundamentally flawed. Please see summary as per ASIC complaint, page 3 and our latest response to the liquidator, Annexure G.

Our experience has been that the liquidation process is one where the liquidators are a law unto themselves and to question their actions either means more fees in their time or engaging a lawyer (again an expensive option). It seems that most creditors are so shell-shocked by the unfairness and expense of a liquidation that they are reluctant to fight it for fear of incurring yet more expense. It seems to be a process where it is a win/win scenario for the liquidators every time.

Yours faithfully  
(...)