

**PROXY FORM**

**Scott's Refrigerated Freightways Pty Ltd  
(Administrators Appointed) (Receivers and Managers Appointed)  
ACN 162 034 326**

**APPOINTMENT OF PROXY**

I/We (if a firm, strike out "I" and set out the full name of the firm) \_\_\_\_\_ of  
\_\_\_\_\_ (insert address)

a creditor of **Scott's Refrigerated Freightways Pty Ltd (Administrators Appointed) (Receivers and Managers Appointed)** appoint

\_\_\_\_\_ Lorraine Biviano, TWU. L9/ 447 Kent st , Sydney 2000 (insert name, address and description of the person appointed)  
or in his or her absence

\_\_\_\_\_ Irene Moggan, TWU. L9/ 447 Kent st, Sydney 2000 (insert name, address and description of the person appointed)

as my/our (choose one):



general proxy



special proxy

to vote at the meeting of creditors to be held on **Monday, 3 April 2023 at 2:30 PM** or at any adjournment of that meeting.

**VOTING BY SPECIAL PROXY** – only complete the table below if the proxy is a special proxy.

I/We hereby direct my/our special proxy to vote on the resolution(s) if tabled at the above meeting of creditors or at any adjournment of that meeting, as indicated below:

Resolution(s)	For	Against	Abstain
<b>Outcome of the Company</b>			
<b>Appointment of Liquidators</b>			
1 That the Company be wound up and Shaun Fraser, Jonathan Henry, Jason Preston and Matthew Caddy be appointed Joint and Several Liquidators.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Control be returned to directors (if applicable)</b>			
2 That the Administration should end and control of the Company be returned to the Company's directors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolution(s)	For	Against	Abstain
<b>Deed of Company Arrangement (if applicable)</b>			
3			
That the Company execute a Deed of Company Arrangement and Shaun Fraser, Jonathan Henry, Jason Preston and Matthew Caddy be appointed Joint and Several Deed Administrators.			
<b>Voluntary Administrators Remuneration resolutions</b>			
<b>Retrospective Voluntary Administrators' remuneration</b>			
4			
That the remuneration of the Voluntary Administrators for the period from 27 February 2023 to 17 March 2023, calculated at hourly rates as detailed in the Remuneration Report dated 27 March 2023, is determined in the sum of \$145,247.50, exclusive of GST.			
<b>Prospective Voluntary Administrators' remuneration</b>			
5			
That the future remuneration of the Voluntary Administrators for the period from 18 March 2023 to 3 April 2023, is to be determined at a sum equal to the cost of time spent by the Administrators and their partners and staff, calculated at the hourly rates as detailed in the Remuneration Report dated 27 March 2023, up to a capped amount of \$92,000.00, exclusive of GST.			
<b>Liquidation resolutions</b>			
<b>Prospective Liquidators' remuneration</b>			
6			
That the future remuneration of the Liquidators of Scott's Refrigerated Freightways Pty Ltd (Receivers and Managers Appointed) (In Liquidation) for the period of the liquidation, is to be determined at a sum equal to the cost of time spent by the Liquidators and their partners and staff, calculated at the hourly rates as detailed in the Remuneration Report dated 27 March 2023, up to a capped amount of \$340,000.00, exclusive of GST.			
<b>Committee of Inspection</b>			
7			
That a committee of inspection be formed, the members of which are to be determined at the meeting.			
<b>Committee of Inspection's dealings</b>			
8			
That despite the operation of IPS 80-55 and IPS 80-60, members of the committee may directly or indirectly derive a profit or advantage, or purchase assets from the external administration of the Company if the profit or advantage is derived.			
<b>Destruction of books and records</b>			
9			
That the books and records of the Company may be destroyed following the deregistration of the Company, subject to the consent of the Australian Securities & Investments Commission being obtained.			
<b>Liquidators' ability to compromise debts</b>			
10			
That so far as necessary for the beneficial winding up of the Company, the Liquidators are hereby authorised pursuant to subsections 506(1A) and			

Resolution(s)	For	Against	Abstain
477(2A) of the Corporations Act 2001 to comprise any debts greater than the prescribed amount (currently \$100,000).			
<b>Liquidators' ability to enter into agreements</b>			
11 That so far as necessary for the beneficial winding up of the Company, the Liquidators are hereby authorised to enter any agreements on behalf of the Company involving a term or obligations extending more than three months in accordance with section 477(2B) of the Corporations Act 2001.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other</b>			
<b>Meeting Adjournment (if required)</b>			
12 That the creditors of the Company support the adjournment of the second meeting of creditors for a period of up to 45 business days.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2023

Name \_\_\_\_\_

Signature \_\_\_\_\_

Select which of the below applies (choose one):

The creditor is a company and I am signing as a director of the company

The creditor is a partnership and I am signing as a partner of the partnership

The creditor is a company and I am signing as an authorised representative/duly constituted attorney of the company

I am signing in my personal capacity as a member or contributory of Scott's Refrigerated Freightways Pty Ltd (Administrators Appointed)

I am an individual and I am signing in my personal capacity (which includes employees)

Other: \_\_\_\_\_

The creditor is a sole trader and I am signing as the proprietor

**Proxy forms should be completed and returned to/ received by the Administrators by no later than 12:00PM (AEDT) on Friday, 31 March 2023 to:**

RETURN TO: **Scott's Refrigerated Freightways Pty Ltd**  
**(Administrators Appointed) (Receivers and Managers Appointed)**

care of McGrathNicol

Email (preferred): [scottsgeneral@mcgrathnicol.com](mailto:scottsgeneral@mcgrathnicol.com)

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