

**Australian Discount Retail Group  
("the ADR Group")  
(All Receivers and Managers Appointed)  
(All In Liquidation)**

**Response to the Liquidators proposed pooling of the 39 entities within the ADR Group**

\*I/\*We.....  
of.....  
a creditor of.....indebted for a total amount of \$.....

acknowledge the following:

The Liquidators of the ADR Group are proposing pooling for the following reasons:

1. Australian Discount Retail (Trading) Pty Ltd ("ADRT") is the main trading entity and accordingly has the majority of unsecured creditor claims;
2. The ADR Group only had one bank account with all creditor invoices being paid from this account regardless of who the invoice was addressed to;
3. Historically ADRT settled all liabilities, even if another group entity incurred the amount;
4. Seven of the entities within the ADR Group were subject to a Deed of Cross Guarantee dated 28 July 2006. The effect of this guarantee is that each entity has effectively guaranteed the debts for all other entities;
5. The surplus funds received to date from the Receivers and Managers, from the sale of the business and assets of the ADR Group, have been provided as a lump sum that is unable to be split between the respective entities; and
6. Creditor claims against the ADR Group entities (other than ADRT) would result in a claim by that ADR Group company against ADRT. Pooling would mean that the creditor could claim directly against ADRT for their outstanding liability.

\*I/\*We \*support/\*object to an application being made to the Court to have the ADR Group entities pooled.

Other Comments:

.....  
.....  
.....  
.....  
.....  
.....  
.....

DATED this                      day of                      2010.

\_\_\_\_\_  
Signature

Name.....

Contact Number.....

\*    Strike out if inapplicable