

# FREQUENTLY ASKED QUESTIONS

## SUPPLIERS

### *Who are the Receivers and why have they been appointed?*

Mr Peter Walker, Mr James Stewart and Mr Morgan Kelly were appointed joint and several Receivers and Managers of Owen Ferguson Health Group on 24 February 2010 by the ANZ Banking Corporation Limited.

### **OWEN FERGUSON HEALTH GROUP ("THE GROUP") (ALL ADMINISTRATORS APPOINTED) (ALL RECEIVERS & MANAGERS APPOINTED)**

<b>Cliveden Hill Holdings Pty Ltd (Trading As Cliveden Hill Private Hospital)</b>	<b>ACN 007 109 551</b>
<b>Lismore Private Hospital Pty Ltd (Trading As Lismore Private Hospital)</b>	<b>ACN 127 883 416</b>
<b>Owen Ferguson Health Mackay Pty Ltd (Trading As Pioneer Valley Private Hospital)</b>	<b>ACN 121 675 009</b>
<b>Owen Ferguson Health Holdings Pty Ltd</b>	<b>ACN 124 427 765</b>
<b>Owen Ferguson Health Hospitals Pty Ltd</b>	<b>ACN 120 569 119</b>

In respect to the **Cliveden Hill Private Hospital, Lismore Private Hospital, and Pioneer Valley Private Hospital**, the Receivers are:

- In control of the hospitals;
- Intend to trade the hospitals and, if possible, sell the hospitals as a going concern as soon as possible.

A copy of the Receivers' Statement to the media is attached.

### ***How does the appointment of the Receivers affect my dealings with the Group?***

The hospitals will continue to trade during the Receivership period while a buyer is sought for the business as a going concern.

### ***Will my outstanding account be paid?***

The amount outstanding to you at the date of the Receivers' appointment is an unsecured debt of the Company and cannot be paid at this time.

When replying please quote:  
Our Ref: B11.3

Material in the transmission is confidential. No confidentiality is waived, lost, stolen or destroyed by reason that this fax has been mistakenly transmitted.

CORPORATE ADVISORY 

FORENSICS 

CORPORATE RECOVERY 

***The Company still has an outstanding account, why should I trade with the Receivers?***

It is the Receivers intent to continue to trade the hospitals while they attempt to find a buyer.

Under the Corporations Act, the Receivers are personally liable for all debts incurred by the Company with their express authority.

Accordingly, any orders authorised by the Receivers will be paid.

***What is the process for receiving orders from the Company?***

The process for receiving purchase orders from the Company is as follows:

1. Open a new account styled:
  - Cliveden Hill Holdings Pty Limited (Receivers and Managers Appointed); or
  - Owen Ferguson Health Mackay Pty Limited (Receivers and Managers Appointed); or
  - Lismore Private Hospital Pty Limited (Receivers & Managers Appointed), as appropriate.
2. The purchase orders will be reviewed and signed by an authorised person from the Receivers' office.
3. The authorised purchase order will be faxed or emailed to your office.

***Who is authorised to place purchase orders?***

Attached are sample signatures of the Receivers and their staff who are entitled to authorise purchase orders. Payment will only be made on invoices with corresponding authorised purchase orders.

***What should I do if I receive an unauthorised order?***

If you receive a purchase order that has not been signed by an authorised person do not fill the order. Please contact Ms Thiveni Samaraweera of this office on (02) 9286 9999 or [Thiveni.s@fh.com.au](mailto:Thiveni.s@fh.com.au) to arrange for the order to be authorised.

***What about standing orders?***

Standing orders will require authorisation upon the first order and then authorisation if the standing order changes. Any unauthorised changes to standing orders will not be accepted as a liability of the Receivers and will not be paid.

***Who is liable to pay for the orders?***

The Receivers are liable for all authorised orders placed during their period of appointment.

***Where should I send the invoices?***

All invoices should continue to be sent to the Company until further notice.

***Will the Receivers account be paid under ordinary terms?***

The Receivers' accounts will be paid within Company's existing ordinary terms of business.

***If I have questions regarding orders who should I call?***

All queries regarding the Receivership should be forwarded to Ms Thiveni Samaraweera of this office on (02) 9286 9999 or [Thiveni.s@fh.com.au](mailto:Thiveni.s@fh.com.au).

***I have retention of title clause on my invoices, how do I submit my claim?***

All retention of title claims should be submitted in writing to the Receivers. Written submissions should include the following:

1. A copy of the retention of title clause;
2. A copy of the credit application signed by a director; and
3. Copies of all invoices relating to the claim.

***I have stock on consignment at the hospital. How do I get my stock back or make sure that I receive payment for the stock?***

All consignment stock claims should be submitted to the Receivers in writing with evidence of your claim. All claims will be considered on an individual basis.

You are not entitled to repossess consignment stock without the express authority of the Receivers.