

**IN THE HIGH COURT OF NEW ZEALAND  
WELLINGTON REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
TE WHANGANUI-A-TARA ROHE**

**CIV-2018-485-792  
[2020] NZHC 1003**

UNDER the Receiverships Act 1993 and Part 19 of  
the High Court Rules 2016

BETWEEN LARA MAREE BENNETT,  
JOHN HOWARD RISK and  
MICHAEL LONGMAN  
Applicants

AND EBERT CONSTRUCTION LIMITED  
(in receivership and liquidation)  
Respondent

AUCKLAND VENTILATION SERVICES  
LIMITED  
First Interested Party

TASLO STEEL SECURITY LIMITED  
Second Interested Party

On the papers

Counsel: R L Pinny for Applicants

Judgment: 15 May 2020

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**JUDGMENT (NO. 3) OF CHURCHMAN J**

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[1] In November 2018, the applicants were appointed receivers of a fund comprising of retentions held on trust for the subcontractors of the respondent (Ebert Construction Limited) (in receivership and liquidation).

[2] The applicants have now completed the receivership and have filed a final report dated 9 April 2020.

[3] By application dated 20 April 2020, the applicants seek an order formally bringing the receivership of the retentions fund to an end.

[4] Having reviewed the receivers' report, I am satisfied that the receivership should be concluded. The receivership has resulted in a payment of approximately 96 cents in the dollar which, in the circumstances, represents a favourable outcome.

[5] Accordingly, I formally order that the receivership of the retentions fund is now at an end. I note that the receivers continue to act as receivers of Ebert Construction Limited (in receivership and liquidation) and nothing in this order relates to that receivership.

A handwritten signature in black ink, reading "P.B. Churchman J". The signature is written in a cursive style with a large, stylized "J" at the end.

**Churchman J**

Solicitors:  
Simpson Grierson, Wellington for Applicants