

THIRTY-SECOND PUBLIC LIQUIDATION REPORT

Date: 2 September 2019

Company details	N.V. De Indonesische Overzeese Bank (The Indonesia Overseas Bank) (" Indover ")
Liquidation number	08.0579 – F
Date of bankruptcy order	1 December 2008
Trustees in bankruptcy	<i>mr. A. van Hees</i> and <i>mr. drs. C.M. Harmsen</i>
Delegated judge	<i>mr. W.F. Korthals Altes</i>
Business activities	Banking
Consolidated turnover in 2007	EUR 20,498,000
Reporting period	1 May 2019 to 1 September 2019 inclusive

THIRTY-SECOND PUBLIC LIQUIDATION REPORT – OUTLINES**(A) General**

In the previous thirty-one public liquidation reports, the trustees in bankruptcy (the "**Trustees**") reported on their work during the period from the bankruptcy date (1 December 2008) to 30 April 2019 inclusive. In this public liquidation report, the Trustees report on the work that they performed during the period from 1 May 2019 to 1 September 2019 inclusive.

(B) Indover Asia Limited

The Hong Kong company Indover Asia Limited ("**IAL**") is Indover's sole remaining subsidiary. Indover holds 100% of the shares in IAL.

As of 31 December 2010, IAL was placed in members' voluntary liquidation by means of a shareholder decision which the Trustees took on behalf of Indover. Derek Lai and Darach Haughey from Deloitte Touche Tohmatsu in Hong Kong have been appointed as IAL's liquidators.

The remaining claims arising out of non-performing loans ("**NPLs**") were collected in the previous reporting period and for the rest written off (see paragraph 1.4 below).

The liquidators of the 100% subsidiary company IAL, with its registered office in Hong Kong, also took care of collecting IAL's sole outstanding (performing) loan. This loan has been repaid in full.

See also paragraph 3.12 below for more on IAL.

(C) Claim validation proceedings

On 28 June 2019 the Supreme Court ruled in the claim validation proceedings relating to the claim submitted by Bank Indonesia ("**BI**") (no. 3 on the list of provisionally disputed claims) in the amount of EUR 43,542,510.95 (see below, paragraph (D)). The Supreme Court disallowed the appeal in cassation submitted by the Trustees, as a result of which the claim by BI in the liquidation of Indover amounting to EUR 43,542,510.95 is now definitively confirmed. The Trustees will therefore pay out to BI an amount of EUR 35,269,433.87. This is 81% of its confirmed claim, meaning that BI will receive the same percentage of its claim as has been paid out to all allowed unsecured creditors until now. The actual payment to BI will only be made once the two prejudgment attachments levied by a third party against BI at the Trustees have been lifted.

(D) Proceedings against Bank Indonesia

The object of these proceedings was to obtain full payment of the claims of all creditors, plus interest. To this end, the Trustees invoke a guarantee given by BI in a press release of 16 February 1998, in which it stated that as long as it would remain a shareholder of Indover it would ensure that Indover would continue to meet its obligations. This undertaking was subsequently reiterated and confirmed several times by BI. As stated in earlier reports, on 27 August 2014 the Amsterdam District Court delivered its final judgment and dismissed the Trustees' counterclaim. The appeal and appeal in cassation lodged by the Trustees were both disallowed. The ruling of the Supreme Court of 28 June 2019 referred to above under (C) also relates to these claims.

See also, as regards the course of the proceedings thus far, the previous public liquidation reports.

1. INITIAL OVERVIEW

1.1. Management and organisation

See the previous public liquidation reports.

1.2. Profit and loss

Indover's cumulative losses over the period 6 October 2008 (the date that emergency regulations were applied to Indover) to 31 December 2017 inclusive amounts to rounded EUR 252.4 million. The cumulative loss can be attributed to the losses that were sustained in the seizure and execution of collateral security provided by Indover to the creditors, and as a result of the early termination of financial derivatives. Furthermore, interest had to be paid on acknowledged claims, accounts receivable have been written off, losses have been realized on the investment portfolio and the foreign currency positions, and liquidation costs have been incurred in the bankruptcy.

1.3. Balance sheet

The remaining assets consist primarily of liquid assets: as of 1 September 2019 a total of approximately EUR 46,787,000. An amount of EUR 35,269,433.87 of these liquid assets will be paid out to BI after the two prejudgment attachments levied on them by a third party have been lifted.

From the remainder the Trustees are paying the costs of the further winding up of the bankrupt estate of Indover. In this regard, one should think of the costs relating to the legal proceedings against BI and the settlement of the remaining loans including in particular the NPLs. The remaining assets consist of the IAL participation and several outstanding loans. The debts consist of the remaining debts to creditors.

The liquid assets have been placed on deposits at the Kas Bank.

Since the liquidation is now virtually complete, no significant increase in the available assets can be expected.

1.4. **Current legal proceedings**

The ruling of the Supreme Court in proceedings against BI means that all proceedings have now ended.

See also the previous public liquidation reports.

1.5. **Insurance**

See the previous public liquidation reports.

1.6. **Lease**

See the previous public liquidation reports.

1.7. **Cause of bankruptcy**

See the previous public liquidation reports.

2. **EMPLOYEES**

2.1. **Date of notice of dismissal**

Indover no longer has any employees since the administrative work has been completed. As of 1 February 2011, the accounts of the bankrupt estate are being kept by a former employee of Indover on the instructions of the Trustees, currently on an on-call basis.

2.2. **Work**

See above, paragraph 2.1.

3. **ASSETS**

Real estate

Paragraphs 3.1 through 3.4: see the previous public liquidation reports.

Operating assets

Paragraphs 3.5 through 3.8: see the previous public liquidation reports.

Stock/work in progress

Paragraphs 3.9 through 3.11: see the previous public liquidation reports.

Other assets

3.12. Description

The only asset in the estate that still has to be realized consists of a loan and the IAL holding (as regards IAL, see above at paragraph (B)). The book value of the remaining outstanding loan provided by Indover as of 1 September 2019 is EUR 120,794.77. The Trustees let the borrower know in July 2018 that as per July 2019, the outstanding balance must be redeemed in full. Until now this borrower has not repaid this loan in full. The Trustees have meanwhile had a payment demand served on the borrower by bailiff's notification and considered legal measures.

The other assets consist of NPLs of Indover that have been entirely written off.

IAL still receives occasional payments on a (small) portion of the settled and written-off NPLs. The ultimate proceeds that can be realized by liquidating IAL will therefore depend in part on the amounts received on these NPLs and the amount of the settlement costs. For the moment, it is not possible to reach a reliable estimate of the eventual proceeds from the liquidation of IAL.

On 1 September 2019, IAL's liquid assets amounted to approximately EUR 2.1 million (*amount based on the HKD exchange rate as of 30 August 2019*).

3.13. Proceeds of sale

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3.14. Work

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4. DEBTORS

In connection with the termination of the activities of the rump bank as at 31 December 2010, the management and liquidation of the remaining loans were taken over by members of the Trustees' team. Ultimately there were still two outstanding loans that had not been written off. Both loans expired at the end of 2014 (after a prior extension with one year). As the debtors proved unable to refinance the loans provided to them, the Trustees contacted them to discuss a possible extension of these loans. On 31 August 2015, one of the two loans was fully repaid. The other loan was extended again until 1 July 2019, after which the outstanding balance of this loan must be redeemed in full. (For the book value, see under 3.12).

See also above, paragraph 3.12, as well as the previous public liquidation reports.

5. **BANK / COLLATERAL**

Paragraphs 3.1 through 5.8: see the previous public liquidation reports. There are no special circumstances to report on these matters.

6. **RESTART / CONTINUATION**

Paragraphs 6.1 through 6.6: see the previous public liquidation reports.

7. **LEGAL COMPLIANCE**

Paragraphs 7.1 through 7.6: see the previous public liquidation reports.

8. **CREDITORS**

Paragraphs 8.1 through 8.7: see the previous public liquidation reports.

9. **OTHER**

9.1. **Liquidation period**

See the previous public liquidation reports.

9.2. **Plan of action**

The work of the Trustees in the next reporting period will largely consist of winding up and liquidating IAL (see above, paragraph (B)), the administration and settlement of the remaining credit.

In 2019, the trustees intend to settle the points still outstanding in order to complete the liquidation in 2020 by making a final liquidating distribution to the allowed creditors.

Creditors whose address and bank details have changed in comparison with the data previously communicated to the Trustees are requested to inform the Trustees thereof as soon as possible.

9.3. **Submission of the next report**

The Trustees will endeavour to issue the following public liquidation report concerning the position of the bankrupt estate within three months. The following public liquidation report can be expected in December 2019. The public liquidation reports and any additional information will be made available for consultation by creditors on the website www.stibbe.com/indover.

Status of the report

This public liquidation report is based on the information which has come to the Trustees' attention during the reporting period. Further information may lead to new findings. This means that the contents of this report or the financial information appended to this report may be adapted at any time. Consequently, no rights may be derived from this public liquidation report or from the appendices to this public liquidation report.

Stibbe

Amsterdam, 2 September 2019

mr. A. van Hees
Trustee in bankruptcy

mr. drs. C.M. Harmsen
Trustee in bankruptcy