

THIRTY-FOURTH PUBLIC LIQUIDATION REPORT

Date: 6 April 2020

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. M. de Vries</i>
Business activities	Banking
Consolidated turnover in 2007	EUR 20,498,000
Reporting period	16 December 2019 to 31 March 2020 inclusive

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

In the previous thirty-three public liquidation reports, the trustees in bankruptcy (the "**Trustees**") reported on their work during the period from the bankruptcy date (1 December 2008) to 15 December 2019 inclusive. In this public liquidation report, the Trustees report on the work that they performed during the period from 16 December 2019 to 31 March 2020 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 non-performing loans ("**NPLs**") in IAL's liquidation assets were collected in the previous reporting period and for the rest written off. 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

The proceedings against Bank Indonesia (BI), which included a requirement to verify BI's claim against Indover, have ended. For the course of the proceedings, see the previous public liquidation reports.

During the last reporting period the Trustees paid out to BI an amount of EUR 35,269,433.87. This is 81% of BI's confirmed claim, meaning that BI has received the same percentage of its claim as has been paid out to all allowed unsecured creditors until now.

(D) Proceedings against Bank Indonesia

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

(E) Points still to be settled

The Trustees give in this paragraph a brief overview of the points still outstanding that must be settled before proceeding with the final liquidation of Indover Bank:

1. A claim against an Indonesian debtor, which predates the bankruptcy of Indover Bank, and which was already the subject of court proceedings at that time. Problems have nevertheless arisen again with the Trustees' implementation of the settlement agreement agreed with this debtor. The buyout payment agreed in that settlement agreement amounts to USD 93,000;
2. A claim against a Dutch debtor, currently amounting to approximately EUR 97,000. The bankruptcy estate has a mortgage right which is expected to provide sufficient cover for the claim in a normal market;
3. A claim against an Indonesian debtor, who has offered a composition plan to its creditors, including Indover Bank, on the basis of which the claim will be repaid over a period of thirteen years. This composition plan has been confirmed by the Indonesian court and is therefore binding for all the creditors concerned. Consequently the claim, converted into euros, now amounts to approximately EUR 350,000. The Trustees are trying to sell this claim in order not to have to wait until the end of the composition period before it can wind up Indover Bank, but so far have been unsuccessful;
4. The voluntary liquidation of Indover Asia Ltd, a subsidiary of Indover Bank in Hong Kong. The liquidation of this subsidiary is not yet complete. At present IAL has approximately EUR 2.1 million in cash, the remainder of which will be paid to the liquidation assets of Indover after the liquidation of the bankrupt estate has been completed.
5. A discussion with the tax authorities on offsetting turnover tax during the winding-up period. Before its bankruptcy, Indover could offset with the tax authorities 50% of the turnover tax charged to it. During the liquidation the Trustees relied on the same setoff facility. A few discussions have taken place with the tax authorities, who have in fact permitted the setoff while reserving all rights. The tax authorities have asked the Trustees to notify it in the event that the Trustees should wish to proceed with the final liquidation. The Trustees have meanwhile informed the tax authorities that they are

aiming to achieve the final liquidation and have given them until 18 April 2020 to submit a claim with respect to that turnover tax. This concerns a sum of €201,601 for offset turnover tax.

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 2018 inclusive amounts to rounded EUR 255 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 (following the payout to BI in the last reporting period) consist primarily of liquid assets: as of 31 March 2020 a total of approximately EUR 11,288, of which approximately EUR 58,000 has been reserved for payments yet to be made to allowed unsecured creditors by virtue of the first four interim payments.

The remaining assets consist of the IAL participation and several outstanding loans. Against these are the remaining debts to creditors.

The liquid assets have (partly) 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

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.

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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 Trustees refer to part E of this report.

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. Action Plan

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 (paragraph 3.12).

In the previous liquidation report, the Trustees stated that they expected to be able to settle the points still outstanding during the first half of 2020, so that they could then proceed with the final liquidation of Indover Bank by means of a final distribution.

The Trustees cannot disregard the fact that the world looks completely different now to how it looked in December 2019. Due to the COVID-19 crisis and the government measures taken as a result in the Netherlands and abroad, it is obvious that the final outstanding items will take longer to be settled than the Trustees had foreseen in December 2019. The major uncertainties in the world at present make it impossible for the Trustees to determine with any certainty at this stage when the outstanding items can be settled. The Trustees are aware that in the current economic climate all the parties urgently need liquidity, and so they now intend to make a fifth interim distribution as soon as possible and wait until all the outstanding items have been settled before making a very limited final distribution. The delegated judge has meanwhile ordered the Trustees to make a fifth interim distribution. A total of approximately EUR 10,780,000 will be distributed to the allowed unsecured

creditors. This means that in this fifth interim distribution, these creditors will receive an amount equal to approximately 2.935% of their claim allowed in this liquidation. This brings the total amount paid out, i.e. including the four earlier distributions, to approximately 83.935%.

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 July 2020. The public liquidation reports and any additional information will be made available for inspection 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.

Amsterdam, 6 April 2020

mr. A. van Hees
Trustee in bankruptcy

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