

THIRTY-SEVENTH PUBLIC LIQUIDATION REPORT

Date: 22 January 2021

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 and 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	22 October 2020 to 21 January 2021 inclusive

THIRTY-SEVENTH PUBLIC LIQUIDATION REPORT – OUTLINES

(A) General

In the previous thirty-six public liquidation reports, the trustees in bankruptcy (the "**Trustees**") reported on their work during the period from the bankruptcy date (1 December 2008) to 21 October 2020 inclusive. In this public liquidation report, the Trustees report on the work that they performed during the period from 22 October 2020 to 18 January 2021 inclusive.

(B) 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 of IAL against an Indonesian debtor, which predates the bankruptcy of Indover Bank, and which was already the subject of court proceedings at that time. Problems, now also Covid-19 related, have nevertheless arisen again with the implementation by the Trustees and the liquidators of IAL of the settlement agreement agreed with this debtor. The buyout payment agreed in that settlement agreement amounts to USD 35,144. The sum of USD 93,000 mistakenly stated in previous reports was incorrect. This was the allowed part of the claim by the debtor. A settlement has been reached for a lower amount because a complete set of land certificates that must be returned to the debtor at the end of the credit agreement is not available. There are no new developments on this matter to report;

2. A claim against a Dutch debtor, currently amounting to approximately EUR 82,000. The bankrupt estate has a mortgage right which is expected to provide sufficient cover for the claim in a normal market. As a result of the Covid-19 pandemic, this debtor, whose business involves the sale of food products to restaurants, has asked the Trustees for a repayment arrangement. The Trustees have granted the debtor a repayment. At present the arrears amount to a total of 5 months of instalments. It is clear that even after the pandemic has passed the debtor will be unable to repay or refinance the debt. The Trustees are therefore examining the options for selling this claim;
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, after deducting the haircut determined in the composition, converted into euros, now amounts to approximately EUR 214,000. This amount does vary, however, depending on the exchange rate of the Indonesian rupiah. 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. In anticipation of this, during the past reporting period the Trustees submitted the necessary documentation through their Indonesian lawyer in order to be considered for a payout. Four payouts (totalling EUR 33,457.82) have been made so far. The Trustees will continue their discussions with a party interested in this claim;
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 (converted into euros) approximately EUR 1.9 million in cash, the remainder of which will be paid to the liquidation assets of Indover Bank after the liquidation of the bankrupt estate has been completed. During the past reporting period the Trustees have held discussions with a party that has approached the Trustees, expressing interest in purchasing the shares in Indover Asia Ltd. Since Indover Asia Ltd. is being wound up, the Trustees have also consulted the liquidators of Indover Asia Ltd. on the matter. These latter discussions brought to light the fact that the suspension of the liquidation of Indover Asia Ltd. that will be necessary for the sale will entail significant costs. The Trustees have asked the interested party to declare itself willing to take over these costs. Further negotiations have been held with this party during the past reporting period; this has not yet led to a positive result. The advantage of a sale is that the liquidation can be stopped and the settlement of the bankruptcy of Indover Bank will consequently not be delayed. If the sale of Indover Asia Ltd does not succeed, the liquidation will have to be continued by Deloitte in Hong Kong.

1. INITIAL OVERVIEW

1.1. Management and organisation

See the previous public liquidation reports.

1.2. Profit and loss

Indover's cumulative loss over the period from 6 October 2008 (the date that emergency regulations were applied to Indover) to 31 December 2019 inclusive amounts to rounded EUR 258.5 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 5th interim payout) consist primarily of liquid assets: as of 14 January 2021 a total of approximately EUR 1,266,467, of which approximately EUR 928,347 has been reserved for payments yet to be made to allowed unsecured creditors by virtue of the first five interim payments. This partly concerns creditors to whom one or more payments could not be made for various reasons, in most cases due to the absence of the correct payment details. In addition, of this EUR 928,374, a sum of EUR 405,543.28 is earmarked for the 5th interim distribution to Indover Asia Ltd. Since the Trustees are waiting for the liquidation of Indover Asia Ltd, and a payment of Indover Asia Ltd for the benefit of the bankrupt estate of Indover Bank can be expected in this process, the Trustees have decided in consultation with the liquidator of Indover Asia Ltd not to transfer the sum accruing to Indover Asia Ltd from the 5th interim distribution, but to settle it at the time of the definitive liquidation of Indover Asia Ltd.

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

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.

1.7. **Cause of bankruptcy**

See the previous public liquidation reports.

2. **EMPLOYEES**

2.1. **Date of notice of dismissal**

See the previous public liquidation reports.

2.2. **Work**

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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 B of this report.

3.13. Proceeds of sale

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3.14. Work

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4. DEBTORS

For further information, see under B. of this report.

See also 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

The Trustees are aiming to achieve a final liquidation as soon as possible. However, the liquidation is dependent on factors outside their control. For example, the settlement of a claim on an Indonesian debtor continues to come up against new problems. The sale of this claim at a reasonable price is unfortunately not possible. The liquidation of subsidiary Indover Asia Ltd. will still generate relevant proceeds. It is difficult, however, to speed up this liquidation process. The Trustees are however making attempts to sell the shares of this subsidiary, but this route is not without obstacles. The liquidation of the remaining assets and collection of debts still outstanding is also still being affected by the current economic situation. In view of the above, the Trustees cannot make any announcement concerning the settlement of the outstanding points, and with it the liquidation of Indover Bank.

In view of the limited free assets available of approx. EUR 338,000, and the costs of making a distribution to a large number of creditors in many different countries, it is by no means clear that a (6th) interim distribution can be made at present. The Trustees are assuming that they will only make a distribution (i.e. the final, or liquidating distribution) when all points still outstanding have been settled.

9.2. Action Plan

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

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 at the end of April 2021. 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.

Stibbe

Amsterdam, 22 January 2021

mr. A. van Hees
Trustee in bankruptcy

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