

THIRTY-EIGHTH PUBLIC LIQUIDATION REPORT

Date: 23 April 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.</i> A. van Hees and <i>mr. drs.</i> C.M. Harmsen
Delegated judge	<i>mr.</i> M. de Vries
Business activities	Banking
Consolidated turnover in 2007	EUR 20,498,000
Reporting period	22 January 2021 to 22 April 2021 inclusive

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1. OUTLINES

(A) General

In the previous thirty-seven 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 January 2021 inclusive. In this public liquidation report, the Trustees report on the work that they performed during the period from 22 January 2021 to 22 April 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 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 Trustees had concluded this settlement agreement so that they could settle this item more quickly. The Trustees no longer have any confidence that this debtor will comply with the settlement agreement concluded with him. A cost/benefit analysis has led the

Trustees to reach the conclusion that further debt collection work regarding this item will be discontinued;

2. A claim against a Dutch debtor, currently still amounting to approximately EUR 73,000. The bankrupt estate has a mortgage right which is expected to provide sufficient cover for this 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 184,000. This amount does vary, however, depending on the exchange rate of the Indonesian rupiah. So far, five payments (amounting to a total of EUR 37,689.05) have been made to the bankrupt estate. The Trustees are working on selling this claim to an interested party in order not to have to wait until the end of the composition period applicable under the compulsory composition agreement before it can wind up Indover Bank. The Trustees have now reached agreement in principle with this interested party. The transfer of the claim must take place under Indonesian law. The Trustees have engaged an Indonesian lawyer to advise them and the purchaser of the claim, and to draft the necessary documentation;
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 Indonesia Asia Ltd has (converted into euros) approximately EUR 1.9 million in cash. Relatively limited winding-up costs will still have to be incurred with the further liquidation. The balance remaining after the liquidation will be paid to the bankrupt estate of Indover Bank. During the past reporting period the Trustees have held discussions with a party that had approached the Trustees, expressing interest in purchasing the shares in Indover Asia Ltd. An advantage of a sale was that liquidation could be stopped so that the liquidation of Indover Bank would consequently not be delayed. Since Indover Asia Ltd. is being wound up, the Trustees also consulted the liquidators of Indover Asia Ltd. on a potential sale. These latter discussions brought to light the fact that stopping the liquidation of Indover Asia Ltd. that would be necessary for the sale would entail significant costs. The Trustees asked the interested party to declare itself willing to take over these costs. This party made it known that it was unwilling to do this unconditionally. The Trustees have therefore decided to have Deloitte in Hong Kong continue with the liquidation, and has asked Deloitte to do this with due speed.

2. INITIAL OVERVIEW

2.1 Management and organisation

See the previous public liquidation reports.

2.2 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.

2.3 Balance sheet

The remaining assets (following the 5th interim payout) consist primarily of liquid assets: as of 16 April 2021 a total of approximately EUR 1,264,246, 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 along with the definitive liquidation of Indover Asia Ltd.

The assets still to be liquidated consist of the participation in Indover Asia Ltd and only a few 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.

2.4 Current legal proceedings

All proceedings have now ended.

See also the previous public liquidation reports.

2.5 Insurance

See the previous public liquidation reports.

2.6 Lease

See the previous public liquidation reports.

2.7 Cause of bankruptcy

See the previous public liquidation reports.

3 EMPLOYEES

3.1 Date of notice of dismissal

See the previous public liquidation reports.

3.2 Work

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4 ASSETS

Real estate

See the previous public liquidation reports.

Operating assets

See the previous public liquidation reports.

Stock/work in progress

See the previous public liquidation reports.

Other assets

4.12 Description

The Trustees refer to Outlines, paragraph B of this report.

4.13 Proceeds of sale

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4.14 Work

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5. DEBTORS

During the past reporting period, the Trustees have received information from the German trustee of Andreas Kufferath GmbH & Co that it is highly likely that Indover Bank will receive a payment from this bankruptcy. The Trustees had not expected that a payment to ordinary creditors could be made in this bankruptcy. It would now appear that Indover will receive a payment amounting to approximately 10.8% of the claim outstanding at that time of EUR 190.749.01, therefore an amount of approximately EUR 20,600.

For the remaining debtors, see under Outlines, paragraph B of this report.

See also the previous public liquidation reports.

6. BANK / COLLATERAL

See the previous public liquidation reports. There are no special circumstances to report on these matters.

7. RESTART / CONTINUATION

See the previous public liquidation reports.

8. LEGAL COMPLIANCE

See the previous public liquidation reports.

9. CREDITORS

During the past reporting period, a third-party attachment was levied against the Trustees at the expense of one of the verified creditors. The Trustees have taken note of this.

For the remainder, see the previous public liquidation reports.

10. OTHER

10.1 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.

It would appear that the claim on an Indonesian debtor referred to above under Outlines, paragraph B(3) can now be sold. The Trustees are assuming that this sale will be successful. The settlement of a claim on a Dutch debtor, referred to above under Outlines, paragraph B(2), is being hampered because the COVID pandemic is making it difficult to enforce the mortgage right provided by that debtor. It has therefore been decided to sell this claim as well.

The liquidation of subsidiary Indover Asia Ltd. will still generate relevant proceeds. It is difficult, however, to speed up this liquidation process. Unfortunately, attempts to sell the shares in this subsidiary, and in this way to achieve a faster liquidation, have been unsuccessful. The Trustees have urged the liquidators (Deloitte Hong Hong) to settle the liquidation as soon as possible.

The Trustees hope to reach a final settlement of the bankruptcy of Indover Bank during the course of this calendar year. They are dependent, however, on factors beyond their control, in particular the period within which the subsidiary, Indover Asia Ltd, can be wound up.

In view of the limited free assets available of approx. EUR 335,000, 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. That will then be the final payment in this liquidation.

10.2 Action Plan

The work of the Trustees in the next reporting period will largely consist of winding up and liquidating Indover Asia Ltd, the administration and settlement of the remaining credits (see above, Outlines, 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.

10.3 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 July 2021. The public liquidation reports and any additional information will be made available for inspection by creditors on the website www.stibbe.com/indover.

10.4 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, 23 April 2021

mr. A. van Hees
Trustee in bankruptcy

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