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HE DISTRICT COURT AUCKLAND

WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARIEXX INDICTABLY and CRIMINAL RECORD

TERRY WILLIAM HAY 286A Remuera Road Remuera AUCKLAND

I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on 28 December 2006, at Auckland, did commit an offence ag....st section 256 and section 66 of the Crimes Act 1961 in

he made a false document, namely a 'Consent and Certificate of Director' form (Form 9), purportedly on behalf of, and signed by, 'Sanjay Patel', being a fictitious person, with the intent that it be acted upon by the Registrar of Companies as if genuine to effect a change in directorship of Fresh Prepared Limited.

being an offence punishable summarily indictably

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Informant Sworn before me at

**XRF** TNQ Date of Birth DOB Country of Birth COB Company Director LIC. No.

Type of Case TOC Licence issued or renewed by

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WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARIEYX INDICTABLY and CRIMINAL RECORD

TERRY WILLIAM HAY 286A. Remuera Road Remacra AUCKLAND

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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on or about 22 January 2007, at Auckland, did commit an nce against section 377 of the Companies Act 1993 and section 66 of the Crimes Act 1961 in that:

he with respect to a document required by, or for the purposes of, the Companies Act 1993, namely a notice sent to the Companies Office for registration advising of the liquidation of Fresh Prepared Limited, made a statement that was false in a material particular in that the filed document advised that a fictitious person ('Babubhai Patel') had been appointed as liquidator of the company, knowing this statement to be false.

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WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARIEYX INDICTABLY INFORMATION and CRIMINAL RECORD

TERRY WILLIAM HAY 286A Remuera Road Remuera AUCKLAND

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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on 22 / uary 2007, at Auckland, did commit an offence against section 256 and section 66 of the Crimes Act 1961 in that:

he made a false document, namely a notice sent to the Companies Office for registration to advise of the liquidation of Fresh Prepared Limited and the appointment of the liquidator 'Babubhai Patel' signed by, 'Babubhai Patel', he being a fictitious person, with the intent that it be acted upon by the Registrar of Companies as if genuine.

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WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARILYX INDICTABLY and CRIMINAL RECORD

TERRY WILLIAM HAY 286A Remuera Road Rennera AUCKLAND

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Company Director Occupation OCC

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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on about 7 February 2007, at Auckland, did commit an offence against section 377 of the Companies Act 1993 and section 66 of the Crimes Act 1961 in that:

he with respect to a document required by, or for the purposes of, the Companies Act 1993, namely a Liquidator's First Report for Fresh Prepared Limited filed with the Companies Office, made a statement that was false in a material particular and knew this statement to be false.

# Particulars of Falschood

The filed form advised:

- That a fictitious person ('Babubhai Patel') had been a) appointed as liquidator of the company; and
- That all assets of the company had been sold, b) whereas they had not.

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WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARIKYX INDICTABLY and CRIMINAL RECORD

TERRY WILLIAM HAY 286A Remuera Road Remuera AUCKLAND

I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on or about 7 February 2007, at Auckland, did commit an office against section 256 and section 66 of the Crimes Act 1961 in that:

he made a false document, namely a Liquidator's First Report, purportedly on behalf of 'B Patel', being a fictitious person, with the intent that it be acted upon by the Registrar of Companies and creditors as if genuine.

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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on 15 November 2007, at Auckland, did commit an offence iinst section 377 of the Companies Act 1993 and section 66 of the Crimes Act 1961 in that:

he with respect to a document required by, or for the purposes of, the Companies Act 1993, namely a Final Liquidator's Report for Fresh Prepared Limited filed with the Companies Office, made a statement that was false in a material particular and knew this statement to be false.

# Particulars of falsehood

The filed form advised:

- That a fictitious person ('Babubhai Patel') had acted (a) as liquidator in the liquidation of the company;
- That there were no asset realisations and therefore no (b) asset distributions.
- That it was appropriate to have the company ) removed from the register.

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TERRY WILLIAM HAY 286A Remuera Road Remuera AUCKLAND XRF
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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on or about 15 November 2007, at Auckland, did commit an ence against section 256 and section 66 of the Crimes Act

he made a false document, namely a Final Liquidator's Report, purportedly on behalf of and signed by 'B Patel', being a fictitious person, with the intent that it be acted upon by the Registrar of Companies and creditors as if genuine.

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WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARILYX INDICTABLY and CRIMINAL RECORD

TERRY WILLIAM HAY 286A Remuera Road Remners. AUCKLAND

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Date of Birth DOB Male SEX

Country of Birth COB

Company Director Occupation OCC

LIC, No. Race RAC

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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at sckland, did commit an offence against section 113 and section 66 of the Crimes Act 1961 in that:

he fabricated evidence in Auckland High Court proceedings CIV 2006-404-6560 by making and filing a false affidavit purportedly swom by 'Babubhai Patel', being a fictitious person, with the intent to mislead the Court as to the validity of the liquidation of Fresh Prepared Limited.

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TERRY WILLIAM HAY
286A Remuera Road
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SEX Male Date of Birth DOB
Country of Birth COB
Occupation OCC Company Director
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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at Arckland, did commit an offence against section 256 and Sound of the Crimes Act 1961 in that:

he made a false document, namely an affidavit purportedly sworn by 'Babubhai Patel', a fictitious person, knowing it to be false with the intent that it be acted upon as genuine in Auckland High Court proceedings CIV 2006-404-6560 to support the validity of the liquidation of Fresh Prepared Limited.

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TERRY WILLIAM HAY 286A Remuera Road Remuera AUCKLAND XRF
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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at Auckland, did commit an offence against section 113 and Lation 66 of the Crimes Act 1961 in that:

He fabricated evidence in Auckland High Court proceedings CIV 2006-404-6560 by making and filing a false 'Consent of Liquidator' purportedly signed by 'B Patel', being a fictitious person, which document was attached as an exhibit to the filed affidavit of 'Babubhai Patel', with the intent to mislead the Court as to the validity of the liquidation of Fresh Prepared Limited.

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WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARIKYX INDICTABLY and CRIMINAL RECORD CRN

TERRY WILLIAM HAY 286A Remuera Road Remuera AUCKLAND

I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enfercement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November and 3 December 2007, at Auckland, did commit an offence against section 256 of the Crimes Act

he made a false document, namely a 'Consent of Liquidator' purportedly signed by 'B Patel', a fictitious person, knowing it to be false with the intent that it be acted upon as gemine in Auckland High Court proceedings CIV 2006-404-6560 to support the validity of the liquidation of Fresh Prepared Limited.

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Company Director

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IN THE DISTRICT COURT AUCKLAND

WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARIEYX INDICTABLY and CRIMINAL RECORD

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Date of Birth DOB

Country of Birth COB

Occupation OCC

Company Director

Race RAC

LIC. No.

Type of Case TOC

Male

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I, PHILIP ANTONY DAY, of Anckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at Auckland, did commit an offence against section 113 and at ( ection 66 of the Crimes Act 1961 in that:

he fabricated evidence in Auckland High Court proceedings CIV 2006-404-6560 by making and filing a false 'Notice of Special Meeting of Shareholders to Appoint Liquidator', purportedly signed by 'Sanjay Patel', being a fictitious person, which document was attached as an exhibit to the filed affidavit of 'Babubhai Patel', with the intent to mislead the Court as to the validity of the liquidation of Fresh Prepared Limited.

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TERRY WILLIAM HAY
286A Remuera Road
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SEX Male Date of Birth DOB
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Occupation OCC Company Director
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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at A—kland, did commit an offence against section 256 of the C.\_nes Act 1961 and section 66 of the Crimes Act 1961 in that:

he made a false document, namely a 'Notice of Special Meeting of Shareholders to Appoint Liquidator', purportedly signed by 'Sanjay Patel', a fictitious person, knowing it to be false with the intent that it be acted upon as genuine in the Auckland High Court proceedings CIV 2006-404-6560 to support the validity of the liquidation of Fresh Prepared Limited.

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IN THE DISTRICT COURT AUCKLAND

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Occupation OCC

Company Director

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I, PHILIP ANTONY DAY, of Anckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at Auckland, did commit an offence against section 113 and section 66 of the Crimes Act 1961 in that:

he fabricated evidence in Auckland High Court proceedings CIV 2006-404-6560 by making and filing a letter changing the address of the registered office of Fresh Prepared Limited to a fictitious address, purportedly from 'B Patel', being a fictitious person, which document was attached as an exhibit to the filed affidavit of 'Babubhai Patel', with the intent to mislead the Court as to the validity of the liquidation of Fresh Prepared Limited.

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WHERE DEFENDANT IS TO BE PROCEEDED AGAINST SUMMARILYX INDICTABLY and CRIMINAL RECORD CRN

TERRY WILLIAM HAY
286A Remuera Road
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AUCKLAND

XRF TNQ

SEX Male Date of Birth DOB Country of Birth COB

Company Director

Occupation OCC Race RAC

LIC. No.

Type of Case TOC

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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY on between 9 November 2007 and 3 December 2007, at Auckland, did commit an offence against section 256 of the rimes Act 1961 and section 66 of the Crimes Act 1961 in that:

he made a false document, namely a letter changing the address of the registered office of Fresh Prepared Limited to a fictitious address, purportedly from 'B Patel', being a fictitious person, knowing it to be false with the intent that it be acted upon as genuine in the Auckland High Court proceedings CIV 2006-404-6560 to support the validity of the liquidation of Fresh Prepared Limited.

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I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at Auckland, did commit an offence against section 113 and section 66 of the Crimes Act 1961 in that:

he fabricated evidence in Auckland High Court proceedings CIV 2006-404-6560 by making and filing a letter to DB Hickson purportedly from 'B Patel', a fictitious person, which document was attached as an exhibit to the filed affidavit of 'Babubhai Patel', with the intent to mislead the

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TERRY WILLIAM HAY 286A Remuera Road Renmera AUCKLAND

I, PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY between 9 November 2007 and 3 December 2007, at Anckland, did commit an offence against section 256 of the mes Act 1961 and section 66 of the Crimes Act 1961 in that:

he made a false document, namely a letter to DB Hickson purportedly from 'B Patel', being a fictitious person, knowing it to be false, with the intent that it be acted upon as gemuine in the Auckland High Court proceedings CIV 2006-404-6560 to support the validity of the liquidation of Fresh Prepared Limited.

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he, with respect to a document required by, or for the purposes of, the Companies Act 1993, namely an 'Online Particulars of Company Addresses' form, made a statement that was false in a material particular, in that the filed document appointed a fictitious address for Fresh Prepared Limited, knowing this statement to be false.

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TERRY WILLIAM HAY 286A Remuera Road Remuera. AUCKLAND

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of,

(within the space of six

I. PHILIP ANTONY DAY, of Auckland, Investigation Manager of the National Enforcement Unit for the Ministry of Economic Development say on oath that I have just cause to suspect and do suspect that TERRY WILLIAM HAY within the past two years between 16 November 2006 and 14 Dember 2007, at Auckland, did commit an offence against st\_on 380 of the Companies Act 1993 and section 66 of the Crimes Act 1961 in that:

he carried on the business of Fresh Prepared Limited with the intent to defraud its creditors and the Registrar of Companies.

#### Poertieralsera

- Appointing a fictitious person as a new director, (a)
- Putting the company into liquidation by appointing a (b) fictitious liquidator,
- Changing the name of the company to Salad Foods (c) Limited:

whilst knowing of these falsehoods and continuing to trade the company were not in liquidation.

commit an	offeno	ce against	
			n tha
		RECORD OF HEARING	
Solicitor ap	pearir	ng:	
Remand or Adjn. Dates	Plea	Decision:	
	. 9	( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	
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		·	
		DATE OF HEARING:	
District (	Court	AUCKLAND	

eing an offence punishable summarily indictably SID **HR** Informant Sworn before me at this

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