

# Thirteenth report pursuant to article 73A of the bankruptcy act in the bankruptcies of

- **Landis Group N.V. (bankruptcy number 02/238F)**
- **Landis Group B.V. (bankruptcy number 02/239F)**
- **Landis Group International B.V. (bankruptcy number 02/146F)**
- **Landis ICT Group B.V. (bankruptcy number 02/145F)**
- **Detron Zakelijke Netwerken B.V. (bankruptcy number 02/154F)**
- **Detron Group B.V. (bankruptcy number 02/333F)**  
all having their registered offices in Utrecht
  
- **Detron Metaal B.V., having its registered office in Zaltbommel (bankruptcy number 209/2002 MB)**
- **ICT.com B.V., having its registered office in Nieuw Venneep (bankruptcy number F132/2002)**

Bankruptcy judge: A.C. Schroten

Receivers: W.J.M. van Andel, Postbus 354, 3500 AJ, Utrecht  
H. Dulack, Postbus 85008, 3508 AA, Utrecht

Utrecht, 23 february 2006

## Introduction

The receivers have opted to record their findings regarding the above companies in one report in view of the relationship between the various companies. Where necessary the companies will be discussed individually.

The receivers are involved in a number of claim validation proceedings. In addition, the receivers have been busy winding up foreign subsidiaries and they have been consulting with the revenue service about the winding-up of tax assessments. The investigation into Landis' past was continued in this period. Insofar as necessary this report is to be read in conjunction with the previous reports.

A Dutch and an English version of this report are available. In the event of a difference in interpretation the Dutch version shall prevail.

This report is intended to provide information to interested parties pursuant to Article 73a of the Bankruptcy Act. No rights can be derived from this report.

## 1. Bank consortium

For the time being, this has been completed.

## 2. Description per company

Supplementing previous reports, following is a description per (bankrupt) company insofar as there is anything to report on the company in question.

### *2.1. Landis UK Plc / Landis ICT Services Ltd./ Data Connectivity*

It is expected that the liquidation of these companies will be completed to a great extent in the course of the second quarter.

### *2.2. Landis ICT Group S.A. (France)*

The French receiver has acknowledged some of the claims presented in these bankruptcy proceedings. However, claims of Landis ICT Group B.V. and others are contested. Landis ICT Group B.V. has approached the creditors with acknowledged claims and offered to buy their claims. The goal of this operation is to accelerate the winding-up of the French bankruptcy. In the coming reporting period it will become clear whether this approach has been successful.

### *2.3. Denmark, Norway and Sweden*

There are no new developments to report.

### *2.4. Landis ICT Group SA (Spain)*

All matters of this company have been wound up. It has been decided not to liquidate

the company for the time being, but to sell it, as it has some value.

#### *2.5. Landis ICT Group GmbH (Germany)*

The liquidation of this company has been completed. The positive balance of approx. € 400,000 will go to Landis ICT Group B.V.

#### *2.6. Landis ICT Group N.V. (Belgium)*

In Belgium there is consultation with the remaining creditors in order to enable liquidation outside of bankruptcy.

#### *2.7. Landis ICT Group GmbH (Austria)*

This file has been completely wound up.

### **2.8. Landis ICT Group B.V.**

#### *2.8.1. Assets*

##### **a. Personal property**

For the time being this point has been completely wound up.

##### **b. Receivables and work in progress**

From 23 April 2002 to 16 February 2006 an amount of € 15.7 million rounded has been collected in respect of receivables and work in progress. At present there are still outstanding receivables (excluding inter-company claims) of a limited scope. The receivers do not deem it the right time to give an opinion on the value of the remaining receivables portfolio. Collection proceedings are ongoing against a limited number of debtors.

##### **c. Shares in subsidiaries**

These companies will be liquidated as much as possible.

#### *2.8.2. Realised takeovers*

- *Datatech/Westcon*  
This takeover has in the meantime been fully completed.
  
- *Future Telecom B.V. and Westminster Capital B.V. (now Detron Corporation B.V.)*  
The receivers have made an arrangement in this case in combination with a number of other matters related to Mr G. Banken. Reference is made to section 4.4.
  
- *Foundation*  
No new developments to report.

### **3. Status of the estates**

The receivers have drawn up interim financial reports per bankruptcy of the status as at 16 February 2006, which are attached as **Appendix 1** to this report.

As at 16 February 2006 the total realised assets were € 33 million rounded. This is set off by € 8.2 million in bankruptcy costs and bankruptcy debts already paid to, inter alia, landlords and lease companies. After deduction of the € 4 million from the proceeds of the security which went to the bank consortium on the basis of the settlement that was agreed, current free assets of € 20.8 million rounded remain.

The financial reports are of a provisional nature and no rights can be derived from these reports. In particular, definite decisions have to be made in certain cases regarding the internal passing on of estate costs to the various bankrupt companies.

#### *3.1. Liabilities*

There is consultation with UWV Gak about the definite claims. This consultation has been virtually completed, so that in the following report further announcements will be made about the results thereof.

With regard to the fiscal position, reference is made to section 4.1.

### **4. Other activities of the receivers**

#### *1. Fiscal position*

Consultation with the revenue service has led to an arrangement for the majority

of the tax assessments. This does not include the claims of the revenue service relating to option agreements over 1997 and 1998 of the nominal amounts of € 1,448,296 and € 2,191,643 respectively. It is expected that proceedings will be continued regarding these matters. In the course of the month of March there will be a final meeting with the revenue service to finalise the arrangement that was made. The following report will set out an overview of the fiscal position in the various bankruptcies.

2. *Investigation into backgrounds and causes of bankruptcies*

An agreement has been made with the investigating committee that it will complete its activities in the first half of 2006. The parties involved in this investigation will be given the opportunity to express their views on the findings.

3. *Enquiry*

By decision of 9 December 2005 the Supreme Court held that the costs of the enquiry cannot be deemed an estate debt. In this connection the VEB has stated that it will pay an advance of € 15,000 for the investigator's costs. The receivers have maintained their position that they do not object to the enquiry, as long as this does not interfere with the receivers' own investigation. In concrete terms this means that they first wish to complete their own investigation before making the results thereof available to the investigator, either in whole or in part. It looks as if VEB does not wish to acquiesce in this position of the receivers.

4. *Ongoing proceedings*

An amicable settlement has been agreed with G. Banken and the companies affiliated with him, Detron Invest, Future Telecom, Westminster Capital and Infratronics, in respect of all ongoing disputes. The arrangement entails that Banken et al. will pay an amount of € 2.7 million rounded as of 1 July 2006 to the estate of Landis Group BV as final settlement of the matter for all parties. Banken et al. have undertaken to give adequate security for their payment obligation in this respect.

5. *Organisation of the estate*

As already announced in the last report, as of 1 January 2006 the estate vacated the building it was using up to that time. The only employee who was still in employment as of that date is no longer employed. The receivers have stored the Landis administration elsewhere at an easily accessible location.

6. *Pension fund*

Consultation with representatives of the Pension Fund has resulted in the Pension Fund being able to perform its obligations to its participants. The Pension Fund must inform the participants whether they are being offered the opportunity to commute their pension capital.

## 5. Prospects

Reference is made to what has been said in the twelfth report.

*H. Dulack, receiver*

*W.J.M. van Andel, receiver*