

COMBINED PUBLIC REPORT PURSUANT TO ARTICLE 73a DUTCH BANKRUPTCY
ACT

REPORT NO. 10

Bankruptcy Trustee: *mr. drs. J.L.M. Groenewegen*
Supervisory Judge *mr. I.M. Bilderbeek*
Reporting period : 1 January through 31 July 2019
Reporting date : 22 August 2019

Regarding the bankruptcies of:

Swets Information Services B.V. ("Swets")	date of bankruptcy:	23 September 2014
	bankruptcy number:	F.13/14/517
Accucoms B.V. ("Accucoms")	date of bankruptcy:	01 October 2014
	bankruptcy number:	F.13/14/544

1. PRELIMINARY REMARKS

- 1.1 This is the tenth combined public report by the bankruptcy trustee (the “**Trustee**”) in the bankruptcies of Swets and Accucoms (hereinafter jointly: the “**Swets Companies**”).

This report covers the period from 1 January through 31 July 2019 and should be read in conjunction with the previous public reports on the bankruptcies of, among others, the Swets Companies.

- 1.2 To the extent that this report does not address issues stated in the previous report, these issues have either been settled or there were no noteworthy developments in comparison to the state of affairs in the previous bankruptcy report. This report shall use the definitions as stated in the first bankruptcy report.

Given the strong mutual interwovenness between the activities of the Swets Companies, the public reporting in the bankruptcies of the Swets Companies will be effected by way of combined public reports.

- 1.3 In this report, the Trustee describes in a simplified manner the current status in accordance with the guidelines for bankruptcy reports as applicable in the Netherlands.

- 1.4 The Trustee emphasizes that the information in this report is the subject of further investigation and is (largely) based on information and statements made available to him by (the management board of) the Swets Companies. At a later stage this information may be subject to adjustments. Therefore, no statements can yet be made about the completeness and accuracy of the information included in this report.

- 1.5 No rights can be derived from this and/or subsequent public reports. Nothing in this public report can be interpreted as an acknowledgement of liability or as a waiver of any right.

- 1.6 In the performance of his activities, the Trustee has used the (legal) services of CMS and Insolresearch (bankruptcy accountant) in the period covered by this report.

2. DISCHARGE OF THE LIQUIDATION OF SEVERAL SWETS ENTITIES

- 2.1 A number of bankruptcies of the Swets Group were terminated in this reporting period.

- 2.2 On 19 February 2019, the bankruptcies of Swets & Zeitlinger Group, Koninklijke Swets, Swets & Zeitlinger Beheer, Swets & Zeitlinger Finance, Domus and Frencken were terminated due to a lack of assets.

- 2.3 The bankruptcy of Swets & Zeitlinger International was terminated on 8 March 2019 as a result of the (final) distribution list having become final and binding. The claim of the sole preferential creditor (the tax authorities) could be paid in full. A distribution of (rounded) 0.67% of the claims could be made to unsecured creditors.

- 2.4 As at the date of this report, only the bankruptcies of Swets Information Services B.V. (**Swets**) and Accucoms B.V. are still in progress. The bankruptcy of Accucoms will be terminated in the short term in a simplified manner pursuant to Articles 137a of the Bankruptcy Act. The bankruptcy of Swets awaits the completion of the proceedings of the Spanish employees (see under 4.1 below).

3. SWETS CONCORDIA B.V. AND BLADERCOM B.V.

- 3.1 The Trustee refers to the previous public report. The final liquidation of these non-bankrupt entities of the Swets Group has yet to be effected.

4. PENDING LEGAL PROCEEDINGS

4.1 Claim by Spanish employees against Swets (bankruptcy of Swets)

The Trustee refers to the description of the proceedings instituted by a number of former employees of the Spanish group company Swets Information Services SL (“Swets Spain”), as included in the 6th public report.

In the appeal proceedings brought by the former employees before the Amsterdam Court of Appeal, the oral arguments were presented on 14 September 2018, but the Amsterdam Court of Appeal has not delivered a decision yet. A decision in the proceedings is now scheduled to be delivered on 17 September 2019.

5. DEBTORS; NO MORE OTHER ASSETS

5.1 Sale of remaining debt portfolio

The Trustee refers to the consultation with Mirus International B.V. (“Mirus”) referred to in the previous report. The Trustee has sold the remaining debt portfolio to Mirus, after having obtained permission from the supervisory judge and with the consent of the pledgee. The proceeds have been deducted from the remaining claim of the bank syndicate that had a pledge on the remaining debt portfolio sold.

As a result, all of the Trustee’s activities with regard to assets of the Swets Companies have been terminated. There are no more assets that can be realised for the benefit of the creditors.

6. CAUSES OF THE BANKRUPTCY / LEGAL VALIDITY

- 6.1 The investigation into the causes of the bankruptcy and any irregularities has been almost completed. The Trustee will provide more information about this in the next public report.

7. PROVISION OF INFORMATION

- 7.1 The CMS Electronic Alert Service referred to in the opening report will of course be continued as well. On the date of this report, 1,003 parties used this service.

8. BANKRUPTCY OF ACCUCOMS

- 8.1 In the bankruptcy of Accucoms there are sufficient liquidated proceeds to allow for a partial payment on the super-preferential claims of the tax authorities and the UWV, but no payment can be made to unsecured creditors. The bankruptcy should therefore be liquidated in a simplified manner pursuant to Articles 137a et seq. of the Bankruptcy Act. Together with this public report, the simplified distribution list in this bankruptcy will be sent to the court registry for filing. The bankruptcy of Accucoms is expected to be terminated in the third quarter of 2019.

9. BANKRUPTCY OF SWETS

9.1 Verification of creditors' claims (general); size of debt burden

The digital verification process was also continued in this reporting period. There were no changes in the size of the estate claims and the prebankruptcy claims in the bankruptcy of Swets in the current reporting period. The Trustee refers to the 9th public report for the latest state of affairs.

9.2 Expected manner of liquidation

The final liquidation and termination of the bankruptcy of Swets can only take place once the proceedings before the Amsterdam Court of Appeal instituted by the Spanish former employees, as referred to above under 4.1, have been completed and the consequences for the amount of the estate debts in this bankruptcy have become clear. The Trustee expects that the final liquidation cannot take place until the first quarter of 2020. It has already been established, however, that it will not be possible to make any payments to unsecured creditors.

10. OTHER

10.1 Number of hours spent and interim financial reports

In this reporting period, the Trustee and his team spent in total approximately 52 hours on the handling of the bankruptcies of the Swets Companies.

10.2 Interim financial reports

The interim financial reports concerning the bankruptcies dated 31 July 2019 of Swets and Accucoms (in Dutch language only) are attached to this public report as **Appendices 1 and 2**.

10.3 Plan of action and activities

In the next reporting period, the Bankruptcy Trustee will complete the investigation into irregularities and causes of the bankruptcies and close the bankruptcy of Accucoms.

For the liquidation of the bankruptcy of Swets, the Trustee refers to paragraph 9.2 above.

10.4 Submission of the next report

If there are no special developments that require an earlier report, the next public report shall be published in the month of November 2019.

11. PUBLICATION ON WEBSITE

11.1 For further information about this bankruptcy, the Trustee refers to the public reports and other messages to be published on the CMS website (www.cms-dsb.com/swets), where this report and all other public reports about the bankruptcies of the Swets Companies will be published.

- 11.2 An English translation of this public report will also be made available on this website as soon as possible. If there are any differences (in interpretation) between the Dutch and the English version of this public report, the Dutch version will prevail.

Amsterdam, 22 August 2019



J.L.M. Groenewegen, Bankruptcy Trustee

Appendices:

- Appendix 1: Interim financial report Swets
Appendix 2: Interim financial report Accucoms

APPENDIX 1

Naam	Swets Information Services B.V.
curator	mr. J.L.M. Groenewegen
Rechter-commissaris	mr. I.M. Bilderbeek
Insolventienummer	C/13/14/517F
Verslag nummer	10

A. Baten	Incl. BTW	BTW
	€	€
A.1: Vrij actief		
1. Aangetroffen middelen		
Kasgeld	2.449,31	0,00
Banksaldi	1.814.464,36	0,00
	1.816.913,67	
2. Opbrengst verkopen		
Opbrengst pand	0,00	0,00
Opbrengst inventaris	0,00	0,00
Af: rechten van derden	0,00	0,00
Af: kosten	0,00	0,00
	0,00	
Opbrengst goodwill / IE rechten	302,50	52,50
Opbrengst deelnemingen	423.528,00	0,00
Opbrengst intercompany vorderingen	0,00	0,00
3. Debiteuren		
Debiteuren pre faillissement	1.001,44	0,00
Af: rechten van derden	0,00	0,00
Af: kosten	0,00	0,00
	1.001,44	
Boedeldebiteuren	96.782,13	0,00
Af: kosten	0,00	0,00
	96.782,13	
4. Overige baten		
Boedelbijdragen	699.305,08	95.385,99
Rente	0,41	0,00
Restitutie belastingdienst pre faillissement	177.488,05	0,00
Boedelmortgage	556.512,18	67.439,95
Kruisposten	78.750,00	0,00
Totaal vrij actief	3.850.583,46	162.878,44

A.2: 57 lid 3 Fw - actief

5. Bodemzaken		
Opbrengst inventaris	300.004,55	52.066,91
Af: kosten	-74.458,33	-12.922,52
Totaal 57 lid 3 Fw - actief	225.546,22	39.144,39
Totaal actief	4.076.129,68	202.022,83

B. Reeds betaalde boedelschulden	Incl. BTW	BTW
Salaris en verschotten curator	-1.172.835,02	-203.549,88
Algemene faillissementskosten	-579.536,08	-89.212,66
Kosten instandhouden ICT/debiteurenincasso	-389.284,49	-67.439,95
Kosten afwikkeling buitenlandse entiteiten	-61.314,69	0,00
Totaal	-2.202.970,28	-360.202,49

C. Thans nog beschikbaar

A. Baten	4.076.129,68
B. Reeds betaalde boedelkosten	-2.202.970,28
Reeds betaalde / ontvangen boedel BTW na aangifte	0,00
Saldo boedelrekening	1.873.159,40

APPENDIX 2

Naam	Accucoms B.V.
curator	mr. J.L.M. Groenewegen
Rechter-commissaris	mr. I.M. Bilderbeek
Insolventienummer	C/09/14/716F
Verslag nummer	Eindverslag

A. Baten	Incl. BTW	BTW
	€	€
1. Aangetroffen middelen		
Kasgeld	46,00	0,00
Banksaldi	124.269,43	0,00
	124.315,43	
2. Opbrengst verkopen		
Opbrengst pand	0,00	0,00
Opbrengst inventaris	0,00	0,00
Af: rechten van derden	0,00	0,00
Af: kosten	0,00	0,00
	0,00	
Opbrengst voorraden / onderhanden werken	0,00	0,00
Af: rechten van derden	0,00	0,00
Af: kosten	0,00	0,00
	0,00	
Opbrengst goodwill / IE rechten	0,00	0,00
Opbrengst deelnemingen	0,00	0,00
Opbrengst doorstart Accucoms	210.000,00	0,00
3. Debiteuren		
Debiteuren pre faillissement	0,00	0,00
Af: rechten van derden	-163,65	0,00
Af: kosten	0,00	0,00
	-163,65	
Boedeldebiteuren	713,07	0,00
Af: kosten	0,00	0,00
	713,07	
4. Overige baten		
Boedelbijdragen	0,00	0,00
Rente	0,07	0,00
Restitutie belastingdienst pre faillissement	0,00	0,00
Boedelmortgage	0,00	0,00
Kruispoten	0,00	0,00
Totaal	334.864,92	0,00

B. Reeds betaalde boedelschulden	Incl. BTW	BTW
Salaris en verschotten curator	-25.122,70	0,00
Algemene faillissementskosten	-8.705,96	0,00
UWV	-100.190,18	0,00
Huur	-125,86	0,00
Totaal	-134.144,70	0,00

C. Thans nog beschikbaar

A. Baten	334.864,92
B. Reeds betaalde boedelkosten	-134.144,70
Reeds betaalde / ontvangen boedel BTW na aangifte	0,00
Saldo boedelrekening	200.720,22

D. Nog te betalen boedelschulden	Incl. BTW	BTW
Salaris en verschotten curator	0,00	0,00
Algemene faillissementskosten	630,00	0,00
Kostenvergoeding t.b.v. Swets Information Services B.V.	4.410,00	0,00
UWV loonvordering en premies opzegtermijn	0,00	0,00
Huur	0,00	0,00
Totaal	5.040,00	0,00

E. BTW

A. Baten	0,00
B. Reeds betaalde boedelkosten	0,00
D. Nog te betalen boedelschulden	0,00
	0,00
Reeds betaalde / ontvangen boedel BTW na aangifte	0,00
Saldo	0,00

F. (Voorlopig) Saldo

A. Baten	334.864,92
B. Reeds betaalde boedelkosten	-134.144,70
D. Nog te betalen boedelschulden	-5.040,00
E. BTW	0,00
(Voorlopig) voor uitdeling beschikbaar saldo	195.680,22

G. Saldo uit te betalen aan	Totaal vordering	Uitkering	Percentage
1. Preferente vorderingen			
a. Aanvraagkosten faillissement	0,00		
b. Fiscus	1.603.539,00	194.480,02	12,13%
c. UWV art. 66 lid 3 WW	9.895,95	1.200,20	12,13%
d. UWV art. 66 lid 1 WW	63.095,81		
e. Werknemers	0,00		
	1.676.530,76	195.680,22	
Conform bijlage	583.359,15		
Totaal	2.259.889,91	195.680,22	