



[Translation from Dutch into English]

DECISION

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AMSTERDAM DISTRICT COURT

Private-law Division

Moratorium Number.: C13/16.27 S

Bankruptcy Number.: C/13/16/300 F

By decision of this court of 24 June 2016

EMERGO SPORTSWEAR B.V.,

a private company with limited liability,
registered with the Chamber of Commerce under number 30116370,
having its registered office in Amsterdam,
business address: Minervahavenweg 3, 1013 AR Amsterdam,
trading under the name of MCGREGOR,
with branch EMERGO SPORTSWEAR B.V.,
business address: Industrieweg 55, 5145 PD Waalwijk,
with branch MCGREGOR,
business address: Van Baerlestraat 74A, 1071 BA Amsterdam,

was granted a provisional moratorium, appointing M.R. van Zanten, LL.M., liquidator;

By letter of 28 June 2016, which letter was co-signed by Mr A. Broger, director of the aforesaid company, the aforesaid M.R. van Zanten, LL.M., requested that the provisional moratorium be withdrawn and the debtor now subject to the provisional moratorium be declared bankrupt;

It has become evident to the District Court that the prospect of the debtor being able to satisfy its creditors over time is non-existent, and that the situation of the debtor is such that it has ceased to pay;

In view of the provisions of Article 3, paragraph 1, of EU Council Regulation 1346/2000, the District Court is authorised to initiate these main proceedings as, in its view, the centre of the debtor's main interests is located in the Netherlands.

The decision

The District Court:

- withdraws the provisional moratorium granted to the aforesaid Emergo Sportswear B.V.;
- declares the aforesaid Emergo Sportswear B.V. bankrupt; appoints M.J.E. Geradts, LL.M., member of this court, delegated judge, and appoints M.R. van Zanten, LL.M., and M.N. de Groot, LL.M., lawyers in 1090 GS Amsterdam, PO Box 94700, liquidators;
- orders that the liquidators will open letters and telegrammes addressed to the bankrupt company;



