

Date : 16 March 2021
Reference : 8245[179]
Re : Bankruptcy PlanB4You B.V. [C/01/16/135F]

This case is being handled by: mr. P.R. Dekker [Lawyer]

Dear Sir of Madam,

You have submitted a claim of € **xxx** within the context of the above-mentioned bankruptcy.

PlanB4you was involved in the organisation of a *pyramid scheme* in which the promised returns could only be paid from the funds to be invested by new investors. Apart from raising new investment funds, PlanB4you had no other business activities that generated sufficient proceeds to be able to comply with the return obligations towards individual investors.

Despite the fact that you participated in a *prohibited* pyramid scheme, arrangements have been made with the Public Prosecution Service that turn out favourably for you as an investor.

The Public Prosecution Service levied a fairly comprehensive attachment against the property of PlanB4you, which includes bank accounts. Attachments were also levied against its director and accomplices in this fraud. The proceeds from these attachment actions on the part of the Public Prosecution Service were paid to the insolvent estate in consultation with the Public Prosecution Service. The Public Prosecution Service was not obliged to do so! The Public Prosecution Service imposed one condition with respect to this payment and that condition is that I as insolvency practitioner pay to the investors at most what they invested following deduction of the amounts they received from PlanB4you.

I therefore point out to you expressly that you will not receive interest in respect of your investment and that the return promised by PlanB4you will not be paid. The Public Prosecution Service does not wish for you *to benefit* from a prohibited game of chance. In view of the condition imposed by the Public Prosecution Service in respect of the funds that were attached, the delegated judge in the bankruptcy of PlanB4you therefore determined that investors can receive back at most their investment and cannot claim the return promised by PlanB4you. Participation in a prohibited investment product can never result in a distribution within the context of the bankruptcy that is higher than the funds that were invested less the amounts already received.

This means that your claim is included up to the amount you invested demonstrably less the amounts PlanB4you already paid to you.

A percentage of the claim you have submitted will be paid. That percentage has not yet been determined definitively because not all funds have been received as yet. I assume for the time being that 80% of your claim can be paid out in case of a negative scenario approximately and as much as 100% in case of the most favourable scenario. Any funds that remain in the end will be transferred to the State of the Netherlands. I refer you in this connection to the decision to that effect delivered by the delegated judge.

<https://www.dekkersmits.com/wp-content/uploads/2021/03/EN-F16.135-art.176-eng-GB.pdf>

You have submitted a claim of € **xxx**. However, the bank statements provided to me by the Public Prosecution Service show that you already received payments amounting to a total of € **xxx**.

This means that I will only include your claim in the list of provisionally admitted claims for an amount of € **xxx**.

If you disagree, you may indicate this in a letter. If you do, I will place the remainder of your claim on the listed provisionally *contested claims*.

All claims that have been submitted will be assessed by the delegated judge on 21 July 2021. If you claim an amount that is higher than the amount I consider you are entitled to, the delegated judge will refer the dispute between yourself and me, as insolvency practitioner, to the district court for what are known as claim validation proceedings. This means that there will be legal proceedings between yourself *as claimant for validation* and the undersigned as insolvency practitioner. The proceedings will be brought before the Oost-Brabant District Court. You are obliged to have yourself represented by a lawyer during those proceedings. You will also owe court fees. The court fees amount *in principle* to €309.00 and a lower court fee is charged in some cases. I point out to you that claim validation proceedings will delay the settlement of the bankruptcy to a significant degree. This has consequences for all investors (more than 1,100) who have submitted a claim.

For the time being, I will include your claim for an amount of € **xxx**.

There is no point contacting my office by telephone in connection with this letter. I urgently request that you do not call me in view of the number of persons who have submitted a claim! You will always be informed if a next phase in the settlement commences.

Kind regards,

P.R. Dekker
Insolvency practitioner