

# BULK WINE AUCTION



**WEDNESDAY 4TH NOVEMBER, 2020**

**Auction to begin at 2pm**  
**Wine Tasting 10am to 12pm**  
(SA time)

**SAGE HOTEL, 208 South Terrace, Adelaide**

Interfaced with



Nutrien Ag Solutions has been appointed by DiGiorgio Family Wines Pty Ltd to offer for sale, pursuant to Order of the Supreme Court of South Australia, this catalogue of bulk wine in unreserved lots.

The wine will be offered by public Auction held in-room as well as interfaced with an online auction on AuctionsPlus.

Various wine industry chattels will also be offered including barrels and cradles.

For more details contact:

**Leo Redden**

0408 806 021

leo.redden@nutrien.com.au

**Simon McIntyre**

0407 843 202

simon.mcintyre@nutrien.com.au

**Nutrien**  
Ag Solutions®

# HOW TO REGISTER TO BID

**This auction participation is exclusive to registered and approved bidders only.**

**Bidders must register 48 hours prior to the sale.**

**Ensure that the Bidder Registration Form is accurate and complete before returning.**

**Please read the Terms and Conditions attached to this catalogue for more details.**

## How Do I Register To Bid if attending the Auction in person?

All parties interested in bidding to secure any or all of the offered wines must be registered and approved by Nutrien Ag Solutions Limited. Buying parties may authorise brokers/proxy bidders (registered with Nutrien) to bid on their behalf. Bidder registration forms are available from the selling agents. All registered bidders and purchasers are to declare that they have read and understood the basis of this sale together with the terms of payment and delivery terms and conditions.

Bidders must register 48 hours prior to the sale, at which time, if approved will be provided with a bidding number at the auction venue on arrival.



## How Do I Register To Bid on AuctionsPlus?

Registering to bid is a 2-step process. Firstly, complete and submit Nutrien's bidder registration form. Upon approval and acceptance by Nutrien to bid, Auctionsplus will forward directly to your email a link to participate in the auction.

Please ensure you check this link prior to the auction to ensure access is provided.

## How Do I Bid On AuctionsPlus?

You must have received your link from Auctionsplus in order to place a bid.

To place a bid online, connect to the auction and then click on the tile of the lot you are interested in bidding on. Further details of the lot will appear on the right-hand side of the screen. The current price will also be shown, and the bidding screen will show the next bid price. To place a bid, you must unlock the screen and then click the blue button which will say 'Bid \$\_\_\_\_\_'. The lot will turn green once you place a bid, to indicate you are holding the lot. If you are outbid, the lot will turn red.

The lot will be green if you are holding the lot, and red if you have been outbid.

**If you are successful, the selling Agent will contact you by email post sale to organise deposit payment and the execution of the contract of sale by DocuSign (electronic signing) immediately. If the contract is not executed by 5pm (SA time) on the day of the auction the contract of sale will be deemed "in default" and the Vendor will exercise their power of sale to another party. Refer Terms and Conditions.**

# BULK WINE

## Lots 1 - 11

### All wine offered in unreserved Lots

Those lots marked with \* signifies the same type and vintage of wine. If a bidder is successful in purchasing the initial lot marked with \* , they will have the first and immediate right to purchase the proceeding lot marked A\* at the same price as this lot.

eg. the successful bidder of Lot 2\* will have the option of purchasing 2A\* at the same price.

### WINE SAMPLES AND TASTINGS

Wine samples can be obtained by requests via email to the selling agents. 2 bottle samples will be sent. Please allow reasonable time based on delivery constraints. Tasting on the day of sale will be available at the auction venue between 10am and 12pm (SA time) only.

**WINE APPRAISALS** provided by David O'Leary, Winemaker.

Samples provided to David O'Leary by Di Giorgio Family Wines and taken as representative samples in accordance with Industry Standards on the 11<sup>th</sup> September 2020

## LOT 1

NV	Limestone Coast Chardonnay	16,457 litres
Colour	Deep, golden, touch advanced	
Aroma	Ripe peach, melon	
Palate	Quite buttery, slightly oily Needs some freshening. Solid wine.	14/20

## LOT 2\*

NV	Coonawarra Merlot	250,000 litres
----	-------------------	----------------

## LOT 2A\*

NV	Coonawarra Merlot	249,040 litres
Colour	Medium to light	
Aroma	Aged spice, juicy fruit characters	
Palate	Sl bitter, falls away	13/20

## LOT 3

2010	Coonawarra Cabernet Sauvignon	34,599 litres
Colour	Deep brick red, tinge of orange	
Aroma	Nice perfume / touch medicinal	
Palate	Juicy, soft, hint of green character	15/20

## LOT 4\*

<b>2012</b>	<b>Coonawarra Cabernet Sauvignon</b>	<b>150,000 litres</b>
-------------	--------------------------------------	-----------------------

## LOT 4A\*

<b>2012</b>	<b>Coonawarra Cabernet Sauvignon</b>	<b>161,550 litres</b>
<b>Colour</b>	Dense, deep red, slight orange hue	
<b>Aroma</b>	Tarry, spice, complex	
<b>Palate</b>	Black olive, rich, good solid wine for the age	<b>15/20</b>

## LOT 5

<b>2013</b>	<b>Coonawarra Cabernet Sauvignon</b>	<b>115,960 litres</b>
<b>Colour</b>	Good solid colour, cedar spice	
<b>Aroma</b>	Violets and spice	
<b>Palate</b>	Jubey fruit, tight tannins, juicy and solid	<b>16/20</b>

## LOT 6\*

<b>2014</b>	<b>Coonawarra Cabernet Sauvignon</b>	<b>150,000 litres</b>
-------------	--------------------------------------	-----------------------

## LOT 6A\*

<b>2014</b>	<b>Coonawarra Cabernet Sauvignon</b>	<b>152,970 litres</b>
<b>Colour</b>	Medium brick red, slightly orange hue	
<b>Aroma</b>	Rhubarb and tarry, complex	
<b>Palate</b>	Light fruit weight, a touch dried out. Looks a bit tired	<b>13/20</b>

## LOT 7

<b>2014</b>	<b>Coonawarra Shiraz</b>	<b>36,000 litres</b>
<b>Colour</b>	Light, medium brick red	
<b>Aroma</b>	Developed, green aromas	
<b>Palate</b>	Quite developed, callow and light	<b>12/20</b>

## LOT 8

2015	Coonawarra Cabernet Sauvignon	65,859 litres
Colour	Medium to deep red brick	
Aroma	Inky, plum cherry fruit, hint of violets	
Palate	Rich and intense, medium bodied, soft and juicy	16/20

## LOT 9

2016	Coonawarra Cabernet Sauvignon	48,700 litres
Colour	Good, bright inky	
Aroma	Touch medicinal	
Palate	Quite dried out, ? Brettanomyces	13/20

## LOT 10\*

2017	Coonawarra Cabernet Sauvignon	150,000 litres
------	-------------------------------	----------------

## LOT 10A\*

2017	Coonawarra Cabernet Sauvignon	148,705 litres
Colour	Good, intense	
Aroma	Stewed plum, cherry, spice	
Palate	Medium juicy palate, soft. Solid wine.	16/20

## LOT 11

2017	Coonawarra Shiraz	45,100 litres
Colour	Sl dull, brick red	
Aroma	Herbal green sl medicinal	
Palate	Medium bodied, red plum juicy, soft	14/20

# CHATELS

## Lots 12-19

### **Hogs Heads and Barriques are not suitable for future wine storage.**

All items can be inspected on site in Coonawarra but strictly only by appointment with the selling agents. Inspectees arriving without notice will be refused entry. Covid policy restrictions will apply when on site.

## LOT 12

**100**      **Hogs Head**  
300lt French and/or American Oak Barrels

## LOT 13

**100**      **Hogs Head**  
300lt French and/or American Oak Barrels

## LOT 14

**100**      **Hogs Head**  
300lt French and/or American Oak Barrels

## LOT 15

**74**      **Hogs Head**  
300lt French and/or American Oak Barrels

## LOT 16

**100**      **Barriques**  
225lt French and/or American Oak Barrels





LOT 17

90

**Barrel Racks**

Falland Galvanised Wine Cradles

LOT 18

70

**Barrel Racks**

Unbranded Galvanised Wine Cradles

LOT 19

72

**Barrel Racks**

Unbranded Galvanised Wine Cradles



Sale and Purchase Agreement  
(Bulk Wine)  
**Agreement Schedule**



THIS AGREEMENT is made on 4th November 2020

<b>SELLER</b>	<b>DiGiorgio Family Wines Pty Ltd</b> Pursuant to Order of the Supreme Court of South Australia
<b>Address</b>	14918 Riddoch Highway, Coonawarra SA 5263 AUSTRALIA
<b>Seller's nominated Contact</b>	Frank DiGiorgio
<b>Seller's Telephone &amp; Email</b>	(+61) 8 8736 3222   dfw@digiorgio.com.au
<b>Selling Agent</b>	Nutrien Ag Solutions Ltd ABN 73 008 743 217

<b>PURCHASER (Individual or Company Name)</b>	
<b>ACN (if required)</b>	
<b>Address</b>	
<b>Purchaser's nominated contact</b>	
<b>Purchaser's Telephone &amp; Email</b>	

<b>Lot No</b>	
<b>Description</b>	
<b>Appellation / Region</b>	Coonawarra
<b>Delivered Product Condition</b>	As per sample
<b>Agreed Volume</b>	0 Litres
<b>Volume Price</b>	\$ - AUD/ Litre exc. GST
<b>Total Volume Price Calculated</b>	\$ - exc. GST
<b>Purchaser Premium</b>	2% inc. GST
<b>Loading Fee</b>	\$0.01/litre inc. GST
<b>TOTAL PRICE PAYABLE</b>	\$ - inc GST
<b>Deposit payable (20% of total price)</b>	\$ -
<b>Balance payable prior to dispatch (80% of total price)</b>	\$ -

<b>Incoterm</b>	EXW + Loading Fee Above
<b>Incoterm Location / Place</b>	DiGiorgio Family Wines, Coonawarra SA
<b>Additional Optional Volume</b>	No
<b>Payment Terms</b>	100 % prepayment before dispatch. All funds must be cleared. Payable 20% by 5pm (SA time) on 4th November 2020 into selling agents trust account and the balance of 80% payable by the 9th November 2020 and in any event 48 hours prior to dispatch. Refer Terms & Conditions.
<b>Delivery Container Type</b>	Road Tanker (purchasers cost)



<b>Specific delivery instruction (if relevant)</b>	
<b>Technical Specification</b>	As per Sales Catalogue.
<b>Other Terms</b>	<p>All details relating to this Sale &amp; Purchase Agreement are to remain confidential between the Seller, Purchaser &amp; Nutrien Ag Solutions Ltd.</p> <p>All funds will be retained by the selling agent pending confirmation of the dispatch documentation. Any adjustments will be made within 7 days of dispatch.</p> <p>The purchaser is to pay the seller \$0.01/litre inc GST for tanker loading fees together with a 2% (inc GST) purchaser premium on Total Volume Price Calculated.</p>

**Important:**

This schedule is part of the agreement, and should not be read without reference to the full documents. By signing this agreement you are taken to have read and agreed to all the Terms & Conditions as provided by the Selling Agents.

**SELLER**

<b>Signed by:</b> Frank DiGiorgio	Company Number: 38 099 736 964 for and on behalf of (Company Name) <b>DiGiorgio Family Wines Pty Ltd</b> Pursuant to Order of the Supreme Court of South Australia
I declare that I have the authority to sign on behalf of the named company. <b>See Terms &amp; Conditions attached</b> I declare that I have read and understood the Terms & Conditions of this agreement. <b>Date:</b> <span style="margin-left: 200px;"><b>Sign:</b></span>	

**PURCHASER**

<b>Signed by:</b>	Company Number: for and on behalf of (Company Name)
I declare that I have the authority to sign on behalf of the named company. <b>See Terms &amp; Conditions attached</b> I declare that I have read and understood the Terms & Conditions of this agreement. <b>Date:</b> <span style="margin-left: 200px;"><b>Sign:</b></span> <b>Date:</b> <span style="margin-left: 200px;"><b>Sign:</b></span>	

# SALE AND PURCHASE AGREEMENT TERMS AND CONDITIONS

- 1. The Parties:** The vendor is Di Giorgio Family Wines Pty Ltd (producer licence number 50806896) of 14918 Riddoch Highway, Coonawarra South Australia, 5263, Australia (“DFW”). DFW is an established, well recognised premium wine producer. DFW is acting pursuant to an Order of the Supreme Court of South Australia. The wines are being auctioned by Nutrien Ag Solutions Limited (NAS”) of Level 1, 165 Grenfell Street, Adelaide South Australia, 5000.
- 2. Offered Wines:** All wine lots are offered as described in this catalogue and online, and as sampled at the tasting event prior to the auction. A total of 19 lots will be offered with sale Lots 1 to 11 being the bulk wine offerings and lots 12 to 19 wine industry chattels. An opportunity will exist prior to auction to purchaser the entire offering as one parcel of bulk wine offered. Refer to section. **Pre-Auction total volume offer**. Refer condition 7 herein.

Those lots marked with \* signifies the same type and vintage of wine. If a bidder is successful in purchasing the initial lot marked with \*, they will have the first and immediate right to purchase the proceeding lot marked A\* at the same price as this lot.  
eg. the successful bidder of Lot 2\* will have the option of purchasing 2A\* at the same price.
- 3. Sale Method & Timing:** DFW is offering the sale of bulk wines on the basis of an “**unreserved**” sale. The highest bid accepted by the auctioneer will be the purchaser. All wine lots are being offered exclusively for sale through Nutrien Ag Solutions NAS by way of an auction. All registered bidders should read how the auction will be conducted, as described in **important information** in this sale catalogue. If you are not familiar with the Nutrien auction method then you should ask for a demonstration prior to the auction starting or seek assistance from a Nutrien representative. The auction will be conducted as a live on-line interface auction as well as an option to attend in person at the designated auction venue. The auction is conducted simultaneously to allow all parties to participate. Bidders can attend the auction which will begin at 2PM (SA time) at Sage Hotel 208 South Terrace Adelaide SA or sign in at the exact same time via the Auctions plus platform from any location in the world providing you have internet access and are approved and registered to do so.  
**COVID regulations as at the 4<sup>th</sup> of November 2020 will apply at the auction venue.**
- 4. Registered Buyers:** All parties interested in bidding to secure any or all of the offered wines must be registered and approved by Nutrien Ag Solutions Limited. Buying parties may authorise brokers/proxy bidder (registered with NAS) to bid on their behalf. NAS bidder registration forms are available from the selling agents by completing and lodging such registration. All registered bidders and purchasers are to declare that they have read and understood the basis of this sale together with the terms of payment and delivery Terms and Conditions.

Bidders must register 48 hours prior to the sale at which time, if approved, will be provided with an email confirmation, 24 hours prior to the auction from *AuctionsPlus* with an access link to the auction. Each approved registered bidder will be provided with a bidding number at the auction venue, if attending in person.  
**This auction participation is exclusive to Registered and Approved bidders only.**
- 5. Nutrien Ag Solutions Limited Sale & Purchase Agreement:** On conclusion of the auction the highest bidder will enter an irrevocable contract **Sale and Purchase Agreement** with DFW. NAS will immediately forward a contract via email for signature via electronic docuSign with the total price and registered buyer details. The contract price will be the volume of wine being offered multiplied by the price per litre accepted and knocked down by the auctioneer plus GST, plus the buyer premium of 2% (inc GST) of the purchase price, plus 1c per litre Loading fee (inc GST). The contracts sent must be signed and returned immediately (by 5 PM SA Time on the day of auction), by email and the docuSign process. Buyers will need to provide email addresses for this purpose. Upon arrival, the vendor will sign their part and a copy jointly signed will be sent back to the purchaser. A copy of the Nutrien Ag Solutions Ltd **Sale and Purchase Agreement Terms & Conditions** as contained herein. (DocuSign is a legally binding electronic signing process of contract documentation).

If you register as a proxy bidder on behalf of a purchaser, you as the proxy bidder will be required to execute the Sale and Purchase Agreement and be personally bound by the performance of this agreement. A proxy bidder registration form will need to include the full name of the actual purchaser and also contain the signed authority of that actual purchaser to be an approved and accepted bidder by the selling agents.

**In the event that a purchaser does not comply with any of the terms and conditions of sale by 5 PM ( SA Time) of the 4<sup>th</sup> of November 2020 then NAS and DFW will have the full and irrevocable rights to render the sale void and will reserve their rights to enter into a new sale contract with any third party to the exclusion of the highest bidder.**

6. **Payment Terms:** All wines are offered on terms as described in **Important Information** in this sale catalogue. A deposit equivalent to 20% of the total sale price including the buyer premium payment and the loading fees and GST, will be payable to the selling agents trust account by EFT by 5 PM (SA Time) on the 4<sup>st</sup> of November 2020 together with the signed sale and purchase agreement by the designated time. The details of the agents trust account will be included with the Sale and Purchase Agreement being sent by email. The balance of 80% of the total sale price will be payable (to the agents Trust account with the same reference as on the deposit) by the 9<sup>th</sup> November 2020 and in any event 48 hours prior to dispatch. Early collection/despatch is encouraged.
7. **Total pre-sale Volume Offer:** Through NAS, DFW is offering the total volume of wine as one lot. The **Total pre-sale Volume** offer may provide a buyer with all 11 bulk wine lots, as described. To purchase the total volume of bulk wine offered, a buyer's best and highest bid, must be lodged in writing 14 days prior to the Auction date and in any event no later than 12 noon (SA time) on Wednesday the 21<sup>st</sup> of October. In the event of consideration being given and accepted as one sale, the successful party must have entered into a written sale and purchase agreement no later than 12 noon (SA time) on Friday the 23<sup>rd</sup> of October. If this occurs (total Pre-sale volume lot) the agent will notify all registered bidders by 5 pm (SA Time) on the 26<sup>th</sup> of October at which time all interested parties who have advised of their interest to the selling agents, will be advised of acceptance or otherwise by email, at which time the auction will then proceed for chattels listed being Lots 12 to 19 only.
8. **Wine Storage:** The wines are stored at DFW in Coonawarra, South Australia and every attempt will be made by the DFW winemakers to preserve the quality of the wines as sampled until dispatched. Wines sold at auction, but not dispatched within 30 days of the contract signed date (or as agreed by prior arrangement) will incur a storage charge of AU\$0.04/litre/month or part thereof payable before dispatch.
9. **Wines Dispatch and Adjustment:** Notification via phone and email is required to DFW to gain an agreed dispatch date. No wine will be dispatch without full payments being met in accordance with the terms and conditions. The despatch date must be before 5PM Friday the 4<sup>th</sup> of December or additional storage charges will apply. The transport company and DFW will sign a despatch note confirming the litres loaded that leave the winery. The dispatched litres will form the basis of any adjustments to the price and the loading fees. Adjustments will be refunded within 7 days of dispatch. The payment of any adjustment will constitute final settlement between the seller and purchaser.

## **AUCTION TERMS & CONDITIONS:**

- a) Any person may bid in the auction in person, on line or by their proxy or representative, subject to the conditions of auction and
- b) The vendor has instructed the selling agent that the auction is unreserved.
- c) The auctioneer may refuse a bid if of the opinion that it is not in the best interests of the vendor and will not be obliged to give any reason for refusing a bid.
- d) Bidding increments will be accepted at the discretion of the auctioneer
- e) The person accepted by the auctioneer as having made the highest bid will be the purchaser and that bid will be the purchase price.
- f) The auctioneer will not accept a bid made after the fall of the auctioneer's hammer
- g) Unless otherwise agreed in writing by the purchaser and the vendor before the commencement of the auction.
- h) a contract for the sale of the products, in the form displayed by the auctioneer at the auction, will be completed and signed by or on behalf of the purchaser and the vendor immediately after the fall of the hammer, and
- i) the purchaser will pay a deposit immediately after the fall of the hammer as specified in the conditions of auction
- j) No cooling off rights exist for a sale of any lots by auction.

**These Terms and Conditions contained within, take precedence over the Terms and Conditions that exist on the bidding platform of *AuctionsPlus*. The *AuctionsPlus* Terms and Conditions can be read upon receipt of the email registration sent by *AuctionsPlus* after the bidder registration is accepted and approved.**

**These within Terms and Conditions will be displayed at the auction venue.**

## Bidders Registration Form



<b>AUCTION</b>	Held on 4th November 2020 At Sage Hotel Adelaide, South Terrace Di Giorgio Family Wines Pty Ltd Bulk Wine Sale pursuant to Order of the Supreme Court of South Australia
----------------	---

<b>BIDDER NAME</b>	
<b>ID No.</b> (eg Drivers Licence or Passport)	
<b>Company Name or Individuals names for Contract</b>	
<b>A.C.N.</b> (if required)	
<b>Company Position held by Bidder</b>	
<b>Address</b>	
<b>Phone Number</b>	
<b>Email Address</b>	

**PLEASE TICK AT LEAST ONE OF THE FOLLOWING:**

- Please register me for Online Auctions Plus bidding
- I intend to attend the auction in person
- The Bidder named above is the Proxy Bidder  
(a Proxy Bidder written authority provided by the selling agent will be required)

The agent reserves the right to request a written confirmation from you of your financial capacity to complete the Sale and Purchase Agreement.

Approved & registered bidders will be contacted further with relevant bidding details.

I acknowledge that I have read and understood the Terms and Conditions attached and bid on that basis.

- I am interested in the Total Pre-sale Volume Offer. Only valid till 21st October 2020.  
(refer Clause 7 of Sale Terms & Conditions)

<b>BIDDER</b>
<b>Date:</b> _____ <b>Sign:</b> _____

--

Unique Bidder number assigned