



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID272/2023

KATE WARWICK, KELLY TRENFIELD AND JOSEPH HANSELL AS JOINT AND SEVERAL ADMINISTRATORS OF EACH OF THE SECOND TO FOURTEENTH PLAINTIFFS and another/others named in the schedule
Plaintiff

ORDER

JUDGE: JUSTICE MCEVOY

DATE OF ORDER: 05 May 2023

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Pursuant to s 439A(6) and s 447A(1) of the *Corporations Act 2001* (Cth) (**the Act**), the period within which the first plaintiffs (**administrators**) must convene the second meeting of creditors of each of the second to fourteenth plaintiffs (**companies**) under s 439A of the Act (**second meetings**) be extended to **11:59 pm on Monday, 13 November 2023**.
2. Pursuant to s 447A(1) of the Act, Pt 5.3A of the Act is to operate in relation to each of the companies so that, notwithstanding s 439A(2) of the Act, the second meetings may be held together or separately at any time during the period up to, or within 5 business days after the end of, the convening period as extended in paragraph 1 above, provided that the administrators give notice of the meeting in accordance with r 75-225(1) and r 75-15 of the *Insolvency Practice Rules (Corporations) 2016* (Cth) (**IPR**).
3. Within two business days of these orders being made, the administrators are to give notice of these orders to creditors of each of the companies (including persons claiming to be creditors) by means of a circular:
 - a. to be published on the website maintained by the administrators in respect of the administration of the companies; and



- b. to be sent by email or by post to all known creditors.
4. Pursuant to s 447A(1) of the Act and s 90-15 of the *Insolvency Practice Schedule (Corporations)* (**IPSC**) (being Schedule 2 to the Act), Pt 5.3A of the Act is to operate in relation to the companies such that if, pursuant to any provision in any of Part 5.3A of the Act, the IPSC, or the IPR, the administrators are required to provide any other notification to creditors during the administration of the companies, such notice will be validly given to creditors of the companies by:
 - a. giving such notice electronically by email sent to the email address of any creditor (including persons claiming to be creditors) of the companies for whom or which the administrators hold an email address;
 - b. sending such notice to the postal address or facsimile number, or otherwise as provided for by the Act or the IPR, to any creditors not being a creditor referred to in sub-paragraph 4(a) above; and
 - c. to the extent that the matter relates to a meeting that is the subject of rule 75-40(4) of the IPR, causing such notice to be published in the Insolvency Notices website located at: <https://publishednotices.asic.gov.au/>
5. Until further order, pursuant to s 37AF of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**) and on the ground that it is necessary to prevent prejudice to the proper administration of justice for the purpose of s 37AG of the FCA Act, the unredacted affidavit of David Alexander Hardy affirmed on 4 May 2023 is not to be disclosed or made available for inspection by any person, other than any Judge of the Court, any member of any Judge's staff or any officer of the Court, the Plaintiffs, their staff and their legal representatives and any other person who signs an undertaking in a form acceptable to the administrators.
6. Liberty be granted to any person who can demonstrate sufficient interest to discharge or modify these orders on the giving of three business days' written notice to the Plaintiffs and the Court.
7. The administrators' costs of and incidental to this application be costs in the administration of the companies.



Date that entry is stamped: 5 May 2023

Sia Lagos
Registrar



Schedule

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Second Plaintiff	BWX LIMITED ACN 163 488 631 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Third Plaintiff	BEAUTIWORX PTY LTD ACN 163 847 916 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Fourth Plaintiff	LHS NO. 2 PTY LTD ACN 165 455 201 (ADMINISTRATORS APPOINTED)
Fifth Plaintiff	SAPU CORPORATION PTY LTD (FORMERLY USPA CORPORATION PTY LTD) ACN 163 273 514 (ADMINISTRATORS APPOINTED)
Sixth Plaintiff	EDWARD BEALE HAIR CARE PTY LTD ACN 167 891 161 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Seventh Plaintiff	BWX BRANDS PTY LTD ACN 602 062 117 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Eighth Plaintiff	BWX AUSTRALIA PTY LTD ACN 601 966 170 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Ninth Plaintiff	SUKIN AUSTRALIA PTY LTD ACN 602 062 199 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Tenth Plaintiff	RENEW SKIN CARE AUSTRALIA PTY LTD ACN 606 139 315 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Eleventh Plaintiff	DERMA SUKIN AUSTRALIA PTY LTD ACN 606 140 818 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)



Twelfth Plaintiff	LIGHTNING DISTRIBUTION PTY LTD ACN 610 861 455 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Thirteenth Plaintiff	BWX DIGITAL PTY LTD ACN 621 403 370 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)
Fourteenth Plaintiff	THE GOOD COLLECTIVE PTY LTD ACN 169 556 398 (RECEIVERS & MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)