



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD54/2023

**JOHN RICHARD PARK AND JOANNE EMILY DUNN IN THEIR CAPACITIES AS
JOINT AND SEVERAL DEED ADMINISTRATORS OF ELLUME LIMITED** and
another/others named in the schedule
Plaintiff

ORDER

JUDGE: JUSTICE STEWART

DATE OF ORDER: 22 February 2023

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Pursuant to s 444GA(1)(b) of the *Corporations Act 2001* (Cth) (**Corporations Act**), the first plaintiffs (**Deed Administrators**), being the deed administrators of the second plaintiff, Ellume Ltd (Subject to Deed of Company Arrangement) (ACN 141 767 660) (**Company**), be granted leave to transfer all of the existing shares in the capital of the Company from the members (as defined in the Corporations Act) of the Company to Hough Consolidated Pty Ltd (ACN 657 651 280) (**Hough**) or its nominee in accordance with clause 6.3 of the deed of company arrangement dated 22 December 2022, entered into by the Deed Administrators, the Company and Hough (**Deed**).
2. Pursuant to s 447A(1) of the Corporations Act and s 90-15(1) of the *Insolvency Practice Schedule (Corporations)* (**IPS**) set out in Sch 2 of the Corporations Act, any of the Deed Administrators may, jointly or severally, in their capacity as Deed Administrators:
 - (a) execute share transfer forms and any other documents ancillary or incidental to effecting the transfer of the shares referred to in order 1; and
 - (b) enter or procure the entry of the name of Hough or its nominee into the share register of the Company in respect of all shares transferred to Hough or its nominee in accordance with order 1.



3. The plaintiffs' costs of and incidental to this application be costs and expenses in the deed administration of the Company.

Date that entry is stamped: 22 February 2023

Sia Lagos
Registrar



Schedule

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Second Plaintiff

ELLUME LIMITED (SUBJECT TO DEED OF COMPANY
ARRANGEMENT) (ACN 141 767 660)