

Duplicate

SUPREME COURT OF QUEENSLAND

REGISTRY: BRISBANE
NUMBER: BS1146/22

IN THE MATTER OF PRIVIUM PTY LTD (IN LIQUIDATION) ACN 085 773 931

FIRST APPLICANTS: **JOHN RICHARD PARK, JOANNE EMILY DUNN
AND KELLY-ANNE LAVINA TRENFIELD IN
THEIR CAPACITY AS JOINT AND SEVERAL
LIQUIDATORS OF PRIVIUM PTY LTD (IN
LIQUIDATION) ACN 085 773 931**

AND

SECOND APPLICANT: **PRIVIUM PTY LTD (IN LIQUIDATION) ACN 085
773 931**

ORDER

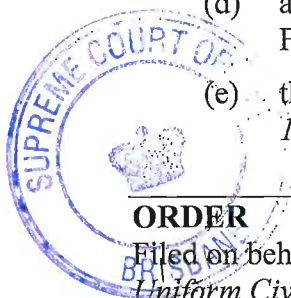
Before: Boddice J

Date: 1 February 2022

Initiating document: Originating Application filed 1 February 2022.

THE COURT ORDERS THAT:

1. The requirement under rule 9.2(2) of the Corporations Proceeding Rules, being Schedule 1A of the *Uniform Civil Procedure Rules 1999* (Qld) ("CPR") that twenty-one (21) days before filing an Originating Application, a Form 16 be served on the persons noted in rule 9.2(2)(a)-(d) of the CPR be dispensed with.
2. Pursuant to rule 1.8 of the CPR and rule 116 of the *Uniform Civil Procedure Rules 1999* (Qld) service on the creditors of the Second Applicant of:
 - (a) the Originating Application filed on 28 January 2022;
 - (b) the substantive affidavit of Joanne Emily Dunn filed on 28 January 2022;
 - (c) a Form 16, in the form at Annexure A hereto;
 - (d) any order made in respect of Interlocutory Application heard on 1 February 2022,
 - (e) the notice pursuant to section 16 of the *Service and Execution Process Act 1992* (Cth),



ORDER

Filed on behalf of the Applicants
Uniform Civil Procedure Rules 1999 (Qld)
Rule 660

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is taken to be affected by the First Applicants causing, on or before, 4pm (AEST) on Thursday, 3 February 2022:

- (i) each of the documents mentioned in paragraphs 2(a) to 2(e) above to be published on the website
<https://www.fticonsulting.com/creditors/privium-companies> (the “Website”);
 - (ii) an email to be sent to creditors of the Second Applicant (for whom an email address is recorded) giving notice that they may view all substantive court documents in respect of this Application (including those mentioned in order 2(a) to 2(e) above) on the Website;
 - (iii) a one page notice, in the same form as the email of that mentioned in paragraph 2(ii) above, to be mailed to creditors of the Second Applicant (for whom an email address is not recorded) by pre-paid post, giving notice that they may view all substantive court documents (including those mentioned in order 2(a) to 2(e) above) on the Website.
3. Should the First Applicants intend to rely on further material at the final hearing, service of that material is to be affected by the First Applicants:
 - (a) uploading the material to the Website;
 - (b) sending an email to creditors (for whom an email address is recorded) informing them that further material in relation to the Application has been uploaded to the Website; and
 - (c) mailing by pre-paid post a one page notice to creditors (for whom an email address is not recorded) informing them that further material in relation to the Application has been uploaded to the Website.
4. Any creditor of the Second Applicant who wishes to appear at the hearing of the Originating Application shall, by 4pm (AEST) on Friday, 18 February 2022, file and serve at the Applicants’ address for service:
 - (a) a Form 4 - Notice of Appearance; and
 - (b) any affidavit upon which he, she or it intends to rely upon at the final hearing, which records the objection to the remuneration claimed and states the grounds of objection.
5. Where the First Applicants are served with material by a person wishing to be heard at the final hearing, the First Applicants are to, by 4pm (AEST) on Monday, 21 February 2022:
 - (a) upload the material to the Website;
 - (b) send an email to creditors (for whom an email address is recorded) informing them that further material in relation to the Application has been uploaded to the Website;
 - (c) mail by pre-paid post a one page notice to creditors (for whom an email address is not recorded) informing them that further material in relation to the Application has been uploaded to the Website.
6. The Originating Application (insofar as the final relief sought) be set down for hearing on 24 February 2022 for 45 minutes.
7. Costs of the Originating Application (insofar as the interlocutory relief ought) be reserved.

8. There be liberty to apply granted to any person who can demonstrate sufficient interest, to modify or discharge these orders made upon not less than 72 hours' notice to the Applicants.

Signed:

A handwritten signature in black ink, consisting of a large, stylized loop, is written over a circular purple stamp. The stamp contains the text "SUPREME COURT OFFICE" at the top and "BRISBANE" at the bottom, with a central emblem.

Deputy Registrar: