



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID383/2023

**IN THE MATTER OF DIXON ADVISORY & SUPERANNUATION SERVICES PTY LTD (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 103 071 665**

**STEPHEN GRAHAM LONGLEY, CRAIG DAVID CROSBIE AND REBECCA LOUISE GILL IN THEIR CAPACITY AS JOINT AND SEVERAL DEED ADMINISTRATORS OF DIXON ADVISORY & SUPERANNUATION SERVICES PTY LTD (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 103 071 665**  
Plaintiffs

**ORDER**

**JUDGE:** JUSTICE MCELWAIN

**DATE OF ORDER:** 05 June 2023

**WHERE MADE:** Melbourne

**THE COURT ORDERS THAT:**

1. Dixon Advisory & Superannuation Services Pty Ltd (subject to deed of company arrangement) (ACN 103 071 665) (**DASS**) be joined as plaintiff to this proceeding.
2. Pursuant to s 447A(1) of the *Corporations Act 2001* (Cth) (**Corporations Act**), Part 5.3A of the Corporations Act is to operate in relation to DASS in such a way as to empower the Court to vary the deed of company arrangement dated 16 December 2022 (**DOCA**) between DASS, the deed administrators (Stephen Graham Longley, Craig David Crosbie and Rebecca Louise Gill (**Deed Administrators**)), E&P Financial Group Limited (ACN 609 913 457) and E&P Operations Pty Ltd (ACN 080 207 076).
3. Pursuant to s 447A(1) of the Corporations Act, the DOCA is varied to amend clause 18.1(b) in the following terms:
  - (b) Notwithstanding anything in clause 18.1(a), the parties and each person bound by this Deed agree that the Sunset Date and Completion End Date can be varied in accordance with clause 18.1(a) of this Deed in



writing and signed by all parties to this Deed without passing a resolution at a meeting of the Deed Company's creditors under s 445A of the Act.

4. Pursuant to s 447A(1) of the Corporations Act, Part 5.3A of the Corporations Act is to operate in relation to DASS in such a way that the DOCA may be varied by agreement of the parties to it as provided for in the varied clause 18.1(b) as set out in paragraph 2 above, notwithstanding the effect of s 445A of the Corporations Act.
5. The plaintiffs are to provide a copy of these orders to creditors of DASS within 5 business days as follows:
  - (a) where the Deed Administrators have an email address for a creditor, by notifying that creditor via email;
  - (b) where the Deed Administrators do not have an email address for a creditor but have a postal address, by notifying that creditor via post; and
  - (c) by publishing them on the website maintained by the Deed Administrators at <https://insolvency.pwc.com.au/singleEntityCases/dixon-advisory-superannuation-services-pty-ltd/casePage>.
6. Any person on demonstrating sufficient interest have liberty to apply on 5 business days' notice in relation to these orders, specifying the relief sought.
7. The Deed Administrators' costs and expenses incidental to this application be costs in the deed administration of DASS.

Date that entry is stamped: 6 June 2023

*Sia Lagos*  
Registrar