

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 14/02/2022 8:10:25 PM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged: Originating process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 2
File Number: VID68/2022
File Title: IN THE MATTER OF DIXON ADVISORY & SUPERANNUATION SERVICES PTY LTD (ADMINISTRATORS APPOINTED) ACN 103 071 665
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: Hearing
Time and date for hearing: 16/02/2022, 2:15 PM
Place: Court Room Not Assigned, Owen Dixon Commonwealth Law Courts Building Level 7, 305 William Street, Melbourne



Sia Lagos

Dated: 15/02/2022 11:36:48 AM AEDT

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



ORIGINATING PROCESS

No. VID of 2022

Federal Court of Australia
District Registry: Victoria
Division: General

**IN THE MATTER OF DIXON ADVISORY &
SUPERANNUATION SERVICES PTY LTD
(ADMINISTRATORS APPOINTED)
ACN 103 071 665**

**STEPHEN LONGLEY AND CRAIG CROSBIE IN THEIR
CAPACITY AS JOINT AND SEVERAL
ADMINISTRATORS OF DIXON ADVISORY &
SUPERANNUATION SERVICES PTY LTD
(ADMINISTRATORS APPOINTED) ACN 103 071 665**

Plaintiffs

A. DETAILS OF APPLICATION

This application is made under sections 439A and 447A of the *Corporations Act* 2001 (Cth) (**Act**) and section 90-15 of the *Insolvency Practice Schedule (Corporations)* (Schedule 2 to the Act) (**IPSC**).

On the facts stated in the supporting affidavit of Stephen Graham Longley sworn 14 February 2022, the Plaintiffs claim:

Convening Period

1. an order pursuant to section 439A(6) of the Act that the period within which the Plaintiffs must convene the second meeting of the creditors of Dixon Advisory & Superannuation Services Pty Ltd (Administrators Appointed) ACN 103 071 665 (the **Company**) be extended up to and including 17 August 2022.
2. An order pursuant to section 447A(1) of the Act that Part 5.3A of the Act is to operate in relation to the Company as if the second meeting of the creditors of the Company required by section 439A of the Act be held at any time during, or within 5 business days after the end of, the convening period

Filed on behalf of (name & role of party)

Plaintiffs

Prepared by (name of person/lawyer)

Paul James

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postcode)

Level 18, 333 Collins Street, Melbourne VIC 3000



as extended by the order at paragraph 1 above, notwithstanding the provisions of section 439A(2) of the Act.

Other notices to creditors to be provided electronically

3. An order pursuant to section 447A(1) of the Act and section 90-15 of the IPSC, that if, pursuant to any provision in any of Part 5.3A of the Act, the IPSC, or the *Insolvency Practice Rules 2016* (Cth) (IPR), the Plaintiffs are required to provide any other notification to creditors during the administration of the Company, the applicable notice requirements will be satisfied if the Plaintiffs give such notice by taking the following steps:
 - (a) where the Plaintiffs are in possession of an email address for a creditor, by notifying each such creditor of the relevant matter by an email sent to that email address;
 - (b) where the Plaintiffs are not in possession of an email address for a creditor, but have a postal address for that creditor (or have received notification of non-delivery of a notice sent by email in accordance with (a) above), by notifying each such creditor in writing of the relevant matter via ordinary pre-paid post;
 - (c) by publishing notice of the relevant matter on the website maintained by the Plaintiffs at <https://insolvency.pwc.com.au/singleEntityCases/dixon-advisory-superannuation-services-pty-ltd/casePage>; and
 - (d) to the extent that the matter relates to a meeting that is the subject of section 75-40(4) of the IPR, by causing notice of the meeting to be published on the ASIC published notices website at <https://insolvencynotices.asic.gov.au/>.

Requests for information including creditor contact information

4. An order pursuant to section 90-15 of the IPSC, that, in complying with any requests for information pursuant to ss 70-40 or 70-45 of the IPS and/or in discharging any other obligation to disclose names or contact information of any creditors or potential creditors of the Company, the Plaintiffs may:
 - (a) redact from any document the names or contact information of any creditors or potential creditors of the Company; and
 - (b) withhold the names or contact information of any creditors or potential creditors of the Company.

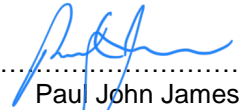
Ancillary Orders

5. An order that within 2 business days of the making of these orders, the Plaintiffs cause notice of this originating process, and the orders made, to be given to creditors of the Company in accordance with the order at paragraph 3 above.



6. An order that liberty is granted to any person who can demonstrate sufficient interest to modify or discharge the orders made pursuant to this application on not less than 48 hours' notice to the Plaintiffs.
7. An order that the Plaintiffs' costs of the application are costs in the administration of the Company.
8. Such other or further order as this Honourable Court considers appropriate.

Date: 14 February 2022

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Paul John James
Plaintiffs' Solicitor

This application will be heard by the Federal Court, 305 Williams St, Melbourne VIC 3000.

B. NOTICE TO DEFENDANT(S) (IF ANY)

TO: n/a

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given;
- (b) directions may be given for the future conduct of the proceeding;
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

Note: Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY

n/a

**D. FILING**

Date of filing: 14 February 2022

Registrar

This originating process is filed by Paul John James for the plaintiffs.

E. SERVICE

The plaintiffs' address for service is:

Clayton Utz
Lawyers
Level 18
333 Collins Street
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Attention: Paul James

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It is intended to serve a copy of this originating process on the Australian Securities and Investments Commission.