



Federal Court of Australia  
District Registry: New South Wales  
Division: General

No: NSD1000/2019

**KENNETH MICHAEL WHITTINGHAM** and others named in the schedule  
Plaintiff

### **ORDER**

**JUDGE:** JUSTICE LEE

**DATE OF ORDER:** 27 June 2019

**WHERE MADE:** Sydney

#### **THE COURT ORDERS THAT:**

1. The requirement to serve the application and any supporting affidavits on the creditors of the following companies is dispensed with:
  - a. JGG Pty Ltd (in Liquidation) ACN 096 477 093 (“**JGG**”)
  - b. Vault 8 Holdings Pty Ltd ACN 105 339 759 (Receivers and Managers appointed) (in Liquidation) (“**Vault 8**”)
  - c. Bullish Bear Holdings Pty Ltd ACN 111 933 067 (Receivers and Managers appointed) (in Liquidation) (“**Bullish**”)
  - d. Harms Consulting Pty Ltd ACN 072 994 202 (in Liquidation) (“**Harms**”)
  - e. Arena Digital Productions Pty Ltd ACN 139 535 158 (in Liquidation) (“**Arena**”)
  - f. Provident Capital Limited (Receivers and Managers appointed) (in Liquidation)  
ACN 082 735 573 (“**Provident**”)
  - g. Central Gippsland Aboriginal Health and Housing Co-operative Limited (in liquidation) G0001934L (“**Central Gippsland**”)
  - h. Beyond Boundaries Auspac Pty Ltd (Subject to a Deed of Company Arrangement) ACN 167 566 592 (**BBA**); and
  - i. M Group Comms Pty Limited (Subject to a Deed of Company Arrangement) ACN 601 767 944 (**MGC**).




together the “**Companies**”.

2. Pursuant to s 473A(1) of the *Corporations Act 2001* (Cth) (**Act**) and/or s 90-15(3)(c) of the Insolvency Practice Schedule to the Act (**Schedule**), the vacancies in the office of liquidator of JGG, Vault 8, Bullish, Harms and Arena caused by the resignation of the First Plaintiff from that office, be filled by the Second Plaintiff.
3. The creditors of JGG, Vault 8, Bullish, Harms, and Arena have leave to apply within 60 days of the making of orders 1 and 2 above.
4. The Second Plaintiff notify the creditors of JGG, Vault 8, Bullish, Harms and Arena of the making of orders 1 to 3 above within 21 days of the orders being made by publishing a copy of these orders on the PricewaterhouseCoopers website (<https://www.pwc.com.au/business-restructuring/insolvency-cases.html>).
5. Pursuant to s 444 of the *Co-operatives National Law Application Act 2013* (VIC), s 4 of the *Jurisdiction of Courts (Cross-vesting) Act 1987* (VIC), and s 473A of the Act an order that the vacancy in the office of liquidator in respect of Central Gippsland caused by the resignation of the First Plaintiff from that office be filled by the Second Plaintiff.
6. The Committee of Inspection of Central Gippsland have leave to apply within 60 days of the making of orders 1 and 5 above.
7. The Second Plaintiff notify the Committee of Inspection of Gippsland of the making of orders 1, 5 and 6 above within 21 days of the orders being made by publishing a copy of these orders on the PricewaterhouseCoopers website (<https://www.pwc.com.au/business-restructuring/insolvency-cases.html>).



8. Pursuant to s 90-15(3)(c) of the Schedule, the vacancy in the office of receiver and manager of Provident caused by the resignation of the First Plaintiff from that office, be filled by the Third Plaintiff.
9. The creditors of Provident have leave to apply within 60 days of the making of orders 1 and 8 above.
10. The Third Plaintiff notify the creditors of Provident of the making of orders 1, 8 and 9 above within 21 days of the orders being made by publishing a copy of these orders on the PricewaterhouseCoopers website (<https://www.pwc.com.au/business-restructuring/insolvency-cases.html>).
11. Pursuant to s 473A(1) of the Act and/or s 90-15(3)(c) of the Schedule, the vacancies in the office of deed administrator of BBA and MGC caused by the resignation of the First Plaintiff from that office, be filled by the Second Plaintiff.
12. The creditors of BBA and MGC have leave to apply within 60 days of the making of orders 1 and 2 above.
13. The Second Plaintiff notify the creditors of BBA and MGC of the making of orders 11 to 12 above within 21 days of the orders being made by publishing a copy of these orders on the PricewaterhouseCoopers website (<https://www.pwc.com.au/business-restructuring/insolvency-cases.html>).

Date that entry is stamped: 27 June 2019

  
Registrar



**Schedule**

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Second Plaintiff            ANDREW JOHN SCOTT

Third Plaintiff             CHRISTOPHER CLARKE HILL