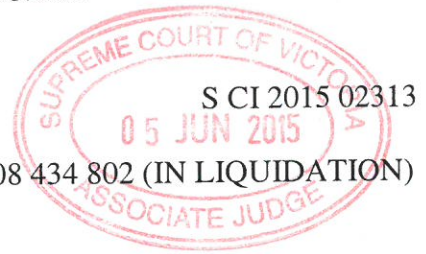


IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL COURT
CORPORATIONS LIST



IN THE MATTER OF COMMSTRAT LIMITED ACN 008 434 802 (IN LIQUIDATION)

AND

IN THE MATTER OF HALLMARK EDITIONS PTY LTD ACN 102 605 434 (IN LIQUIDATION)

GLEN KANEVSKY AND RICHARD JOHN HUGHES IN THEIR CAPACITIES AS LIQUIDATORS OF COMMSTRAT LIMITED (IN LIQUIDATION) ACN 008 434 802

AND GLEN KANEVSKY AND RICHARD JOHN HUGHES IN THEIR CAPACITIES AS LIQUIDATORS OF HALLMARK EDITIONS PTY LTD (IN LIQUIDATION) ACN 102 605 434

Plaintiffs

ORDER

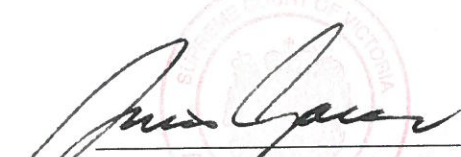
ASSOCIATE JUDGE: The Honourable Associate Justice Gardiner
DATE MADE: 5 June 2014
ORIGINATING PROCESS: Originating process filed 8 May 2015
HOW OBTAINED: Return of originating process
ATTENDANCES: C.T. Möller of Counsel for the plaintiffs
OTHER MATTERS: This order is to be drawn up and signed by an Associate Judge, pursuant to Order 60.02 of the *Supreme Court (General Civil Procedure) Rules 2008*

THE COURT ORDERS THAT:

1. Part 5.3A of the *Corporations Act 2001 (Act)* is to operate in relation to Commstrat Limited (ACN 008 434 802) (**Commstrat**) as if:
 - (a) the plaintiffs were validly appointed as joint and several administrators of Commstrat pursuant to s 436A of that Act on 13 February 2015;
 - (b) Commstrat's creditors validly resolved, on 19 March 2015, that it be wound up and that the plaintiffs be appointed its joint and several liquidators; and
 - (c) the plaintiffs were validly appointed as the joint and several liquidators of Commstrat on 19 March 2015.
2. Part 5.3A of the Act is to operate in relation to Hallmark Editions Pty Ltd (ACN 102 605 434) (**Hallmark**) as if:
 - (a) the plaintiffs were validly appointed as joint and several administrators of Hallmark pursuant to s 436A of the Act on 13 February 2015;
 - (b) Hallmark's creditors validly resolved, on 19 March 2015, that it be wound up and that the plaintiffs be appointed its joint and several liquidators; and

- (c) the plaintiffs were validly appointed as the joint and several liquidators of Hallmark on 19 March 2015.
3. Part 5.3A of the Act is to operate in relation to Commstrat and Hallmark as if their respective creditors validly resolved, at the meeting held on 19 March 2015, that:
- (a) the remuneration of the plaintiffs (in their capacity as joint and several administrators of Commstrat and Hallmark), their partners and staff for the period 13 February 2015 to 6 March 2015 be paid on a time basis in accordance with the hourly rates of Deloitte Touche Tohmatsu and be approved in the amount of \$143,469.90 plus disbursements of \$1,346.47 and GST;
- (b) the remuneration of the plaintiffs (in their capacity as joint and several administrators of Commstrat and Hallmark), their partners and staff for the period 7 March 2015 to 18 March 2015 be paid on a time basis in accordance with the hourly rates of Deloitte Touche Tohmatsu and be approved in the amount of \$20,000.00 plus disbursements and GST to be calculated after the meeting. If a lesser amount is incurred, only the amount actually incurred will be paid;
- (c) the remuneration of the plaintiffs (in their capacity as joint and several liquidators of Commstrat and Hallmark), their partners and staff for the period 19 March 2015 to the end of the liquidations be paid on a time basis in accordance with the hourly rates of Deloitte Touche Tohmatsu, and be approved in the amount of \$50,000.00 plus disbursements and GST subject to further approval being obtained in accordance with the *Corporations Act 2001*. If a lesser amount is incurred, only the amount actually incurred will be paid; and
- (d) the books and records of Commstrat and Hallmark not be destroyed for a period of five years upon winding up.
4. Commstrat and Hallmark are a pooled group for the purposes of section 579E of the Act.
5. The plaintiffs are entitled to be paid from the assets of the pooled group such remuneration as is approved by the resolutions of the creditors of Commstrat and Hallmark, including the resolutions referred to in paragraph 3(a), (b) and (c) above.
6. The plaintiffs' costs of this application are to be paid from the assets of the pooled group.

DATE AUTHENTICATED: 5 June 2015


The Honourable Associate Justice Gardiner