



Federal Court of Australia
District Registry: Victoria
Division: General

No: VID1359/2017

IN THE MATTER OF OROTONGROUP LIMITED (ADMINISTRATORS APPOINTED)
(ACN 000 038 675) & ORS

**VAUGHAN STRAWBRIDGE AND GLEN KANEVSKY (IN THEIR CAPACITIES AS
JOINT AND SEVERAL ADMINISTRATORS OF OROTONGROUP LIMITED
(ADMINISTRATORS APPOINTED) (ACN 000 038 675) & ORS)** and others named in
the schedule
Plaintiffs

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 14 December 2017

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Pursuant to s 439A(6) of the *Corporations Act 2001* (Cth) (**Act**), the convening period defined in s 439A(5)(a) of the Act for the meeting of creditors of each of the second, third and fourth plaintiffs (the **Oroton Administration Companies**) be extended by 90 days to midnight on 9 April 2018.
2. Pursuant to s 447A(1) of the Act, Part 5.3A of the Act is to operate in relation to each of the Oroton Administration Companies such that the meeting of creditors of each of the Oroton Administration Companies required to be held pursuant to s 439A of the Act (the **Second Meeting of Creditors**) may be held at any time during the period up to, or within five business days after, the end of the convening period as extended by paragraph 1 above, notwithstanding the provisions of s 439A(2) of the Act.
3. Pursuant to s 447A(1) of the Act, Pt 5.3A of the Act is to operate in relation to each of the Oroton Administration Companies such that notice of the Second Meeting of Creditors required to be given pursuant to r 75-225(1) of the *Insolvency Practice Rules (Corporations) 2016* (Cth) (the **Insolvency Practice Rules**) (the **Notice**) will be validly given to creditors by:
 - a. sending the Notice by email (**Email**) to the email address of each creditor at such email address provided by creditors to the first plaintiffs (the **Administrators**) or, in the absence of which, as is recorded in the books and records of the Oroton Administration Companies;




- b. where an email address has not been provided by creditors to the Administrators and is not recorded in the books and records of the Oroton Administration Companies, sending the Notice by post (**Letter**) to the postal address of each creditor at such postal address as is recorded in the books and records of the Oroton Administration Companies;
 - c. publishing the Notice on the website maintained by the Administrators at <https://www2.deloitte.com/au/en/pages/finance/articles/orotongroup.html> (**Website**) at least five business days before the Second Meeting of Creditors; and
 - d. providing in the Email, Letter and the Notice as published on the Website:
 - i. notice of the date, time and location of the Second Meeting of Creditors;
 - ii. notice that the report required to be given to creditors of each of the Oroton Administration Companies pursuant to r 75-225(3) of the Insolvency Practice Rules (the **Second Meeting Report**) is available for download on the Website; and
 - iii. details of a telephone hotline number by which any creditor may contact the Administrators to request a paper or electronic copy of the Second Meeting Report.
4. Pursuant to s 447A(1) of the Act, Pt 5.3 of the Act is to operate in relation to the each of the Oroton Administration Companies as though r 75-225(3) of the Insolvency Practice Rules provided that the Second Meeting Report to accompany the Notice may be validly given to creditors of the Oroton Administration Companies by:
- a. making the Second Meeting Report available for download by creditors of the Oroton Administration Companies from the Website in accordance with paragraph 3(d)(ii) of these orders; and
 - b. providing the Second Meeting Report to creditors of the Oroton Administration Companies upon request in accordance with paragraph 3(d)(iii) of these orders.
5. Pursuant to s 447A(1) of the Act, Pt 5.3A of the Act is to operate in relation to each of the Oroton Administration Companies such that all future notices, reports and communications that the Administrators must or may give or send to creditors of the Oroton Administration Companies may be given and/or sent in accordance with the procedures described in paragraphs 3 and 4 above.
6. A notice sent to a creditor of the Oroton Administration Companies pursuant to paragraphs 3 and 4 of these orders, is taken to be given on the business day after it is sent.



7. The plaintiffs and any creditor of the Oroton Administration Companies affected by any order made pursuant to these orders shall have liberty to apply upon two business days' written notice to the parties.
8. Pursuant to r 1.39 of the *Federal Court Rules 2011* (Cth) and r 1.3(a) of the *Federal Court (Corporations) Rules 2000* (Cth) (the **Corporations Act Rules**), service of the plaintiffs' originating process dated 13 December 2017 (the **Originating Process**) on the persons referred to in Section E of the Originating Process in accordance with r 2.7(1) of the Corporations Act Rules be abridged as required.
9. The plaintiffs' costs of this application be paid as a cost of the administrations of each of the Oroton Administration Companies.

Date that entry is stamped: 14 December 2017


Registrar



Schedule

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Second Plaintiff	OROTONGROUP LIMITED (ADMINISTRATORS APPOINTED) (ACN 000 038 675)
Third Plaintiff	OROTONGROUP (AUSTRALIA) PTY LTD (ADMINISTRATORS APPOINTED) (ACN 000 704 129)
Fourth Plaintiff	OROTONGROUP (LICENCE COMPANY) PTY LTD (ADMINISTRATORS APPOINTED) (ACN 166 068 695)