



Federal Court of Australia

District Registry: Western Australia

Division: General

No: WAD147/2023

IN THE MATTER OF AURORA METALS LIMITED (ADMINISTRATORS APPOINTED) (ACN 126 634 606) AND OTHERS NAMED IN THE SCHEDULE (COMPANIES)

RICHARD SCOTT TUCKER, ANTHONY JAY EDWARD MISKIEWICZ AND DAVID CHRISTOPHER OSBORNE IN THEIR CAPACITY AS JOINT AND SEVERAL VOLUNTARY ADMINISTRATORS OF THE COMPANIES named in the Schedule
Plaintiffs

ORDER

JUDGE: JUSTICE FEUTRILL

DATE OF ORDER: 04 July 2023

WHERE MADE: Perth

THE COURT ORDERS THAT:

1. Pursuant to rules 39.05(e), 39.05(g) and 39.05(h) of the *Federal Court Rules 2011* (Cth), paragraph 1 of the orders of 30 June 2023 be amended to insert the words ‘Aurora Metals Limited (Administrators Appointed) (ACN 120 634 606)’ before the words ‘the companies named in the schedule to these orders (**Group Companies**)’.
2. To the extent necessary, pursuant to section 447A of the *Corporations Act 2001* (Cth), part 5.3A of the Act is to operate in such a way as to:
 - (a) treat the appointment of Richard Scott **Tucker**, Anthony Jay Edward **Miskiewicz** and David Christopher **Osborne** as joint and several administrators of **Aurora Metals** Limited (Administrators Appointed) (ACN 120 634 606) on 30 June 2023 by **Pit N Portal Mining Services** Pty Ltd (ACN 116 432 814) as a valid appointment under section 436C of the Act on 30 June 2023; and
 - (b) treat the appointment of Tucker, Miskiewicz and Osborne as joint and several administrators of each of the other Group Companies (as described in the



orders of 30 June 2023) as a valid appointment under section 436A of the Act on 30 June 2023,

unless and until an order of the Court is made varying or setting aside paragraph 1 of the orders of the Court made on 4 July 2023 in proceedings WAD 149 of 2023 by which an order was made under section 588FM of the Act extending the time, to 22 June 2023, for registration in respect of any security interests granted by Aurora Metals in favour of Pit N Portal Mining Services and which arose under a general security agreement dated 28 April 2023 between Aurora Metals, as grantor, and Pit N Portal Mining Services, as grantee.

3. The costs of the relief sought in paragraphs 1 and 2 of the originating process be costs in the voluntary administration of the Group Companies.
4. The plaintiffs take steps to cause notice of these orders to be given, within one business day of making these orders to: (a) the creditors (including persons claiming to be creditors) of the Group Companies in the following manner: (i) where the plaintiffs have an email address for a creditor, by notifying each such creditor, via email of the making of the orders; (ii) where the plaintiffs do not have an email address, by publishing the orders on the website maintained by the plaintiffs, and (b) the Australian Securities and Investments Commission, by its email address.
5. Any person who can demonstrate a sufficient interest to vary or discharge paragraphs 2 and 3 of these orders (including any creditor of the Group Companies) has liberty to apply to the Court on two business days' written notice to the plaintiffs.
6. The plaintiffs have liberty to apply to vary or discharge any order made on the originating process.

Date that entry is stamped: 4 July 2023

Sia Lagos
Registrar



SCHEDULE

AURORA METALS LIMITED (ADMINISTRATORS APPOINTED) (ACN 126 634 606)

AUCTUS CHILLAGOE HOLDINGS PTY LTD (ADMINISTRATORS APPOINTED)
(ACN 605 053 610)

AUCTUS MINERALS PTY LTD (ADMINISTRATORS APPOINTED) (ACN 602 411
852)

CTM ALLUVIAL MINING PTY LTD (ADMINISTRATORS APPOINTED) (ACN 137
305 947)

SURVEYOR MINING PTY LTD (ADMINISTRATORS APPOINTED) (ACN 601 108
776)

COLINACOBRE PTY LTD (ADMINISTRATORS APPOINTED) (ACN 601 312 207)

AUCTUS CHILLAGOE PTY LTD (ADMINISTRATORS APPOINTED) (ACN 605 055
285)

AUCTUS RESOURCES PTY LTD (ADMINISTRATORS APPOINTED) (ACN 136 606
338)

NYNGAN GOLD PTY LTD (ADMINISTRATORS APPOINTED) (ACN 154 650 585)

VISION EXPLORATION PTY LTD (ADMINISTRATORS APPOINTED) (ACN 161 881
018)

TWILIGHT EXPLORATION PTY LTD (ADMINISTRATORS APPOINTED) (ACN 161
880 995)

THESAURUS EXPLORATION PTY LTD (ADMINISTRATORS APPOINTED) (ACN
163 781 342)