



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/92/2023

EX PARTE:

**Richard Scott TUCKER as joint and several
administr AERISON GROUP LTD (ACN 614
735 474) (ADMINISTRATORS APPOINTED)
and Ors**

Plaintiffs

**ORDERS OF THE HONOURABLE JUSTICE STRK
MADE ON 30 JUNE 2023**

UPON THE EX PARTE APPLICATION of the plaintiffs (described in schedule A to these orders) by interlocutory process pursuant to s 447A of the Corporations Act 2001 (Cth) filed on 30 June 2023, AND AFTER HEARING MM Ferreira on behalf of the first plaintiffs, IT IS ORDERED THAT:

1. Pursuant to s 439A(6) of the Corporations Act, the period within which the first plaintiffs are required to convene the second meeting of creditors under s 439A(1) of the Corporations Act for the second to eighth plaintiffs (collectively, the Group Companies) be extended to 29 August 2023.
2. Pursuant to s 447A(1) of the Corporations Act, Part 5.3A of the Corporations Act is to operate in relation to the Group Companies as if the second meeting of the creditors of the Group Companies required by s 439A of the Corporations Act can be held at any time during, or within 5 business days after the end of the convening period, as extended by the order at paragraph 1 above, notwithstanding the provisions of s 439A(2) of the Corporations Act, provided that at least 5 business days' notice of such meeting is given, in accordance with ss 75-225 and 70-40 of the Insolvency Practice Rules (Corporations) 2016 (Cth).
3. The costs of this application be treated as costs in the administration of the Group Companies.
4. Any person who can demonstrate a sufficient interest to vary or discharge orders 1 - 3 above (including any creditor of the Group Companies) has liberty to apply to the court on three business days' written notice to the first plaintiffs.
5. Any application for access pursuant to O 67B r 11 of the Rules of the Supreme Court 1971 (WA) to inspect the confidential affidavit of Richard Scott Tucker sworn 29 June 2023 and filed in these proceedings on 29 June 2023, and the annexures referred to therein:

- (a) be referred to the court; and
- (b) not be determined until notice of the application is given to the deponent, by his solicitor, and the deponent has reasonable opportunity to be heard in opposition to the application for inspection.

BY THE COURT

THE HONOURABLE JUSTICE L STRK



Schedule A

RICHARD SCOTT TUCKER, CRAIG PETER SHEPARD AND JOHN ALLAN BUMBAK IN THEIR CAPACITIES AS JOINT AND SEVERAL ADMINISTRATORS OF AERISON GROUP LTD (ACN 614 735 474) (ADMINISTRATORS APPOINTED), AERISON PTY LTD (ACN 060 786 656) (ADMINISTRATORS APPOINTED), AERISON ENERGY SERVICES PTY LTD (ACN 665 237 392) (ADMINISTRATORS APPOINTED), AERISON EPC PTY LTD (ACN 640 499 387) (ADMINISTRATORS APPOINTED), AERISON HOLDINGS PTY LTD (ACN 149 198 176) (ADMINISTRATORS APPOINTED), AERISON MECHANICAL AND ELECTRICAL TECHNOLOGY PTY LTD (ACN 620 639 974) (ADMINISTRATORS APPOINTED), AND AERISON SERVICES PTY LTD (ACN 617 466 529) (ADMINISTRATORS APPOINTED)	First plaintiffs
AERISON GROUP LTD (ACN 614 735 474) (ADMINISTRATORS APPOINTED)	Second plaintiff
AERISON PTY LTD (ACN 060 786 656) (ADMINISTRATORS APPOINTED)	Third plaintiff
AERISON ENERGY SERVICES PTY LTD (ACN 665 237 392) (ADMINISTRATORS APPOINTED)	Fourth plaintiff
AERISON EPC PTY LTD (ACN 640 499 387) (ADMINISTRATORS APPOINTED)	Fifth plaintiff
AERISON HOLDINGS PTY LTD (ACN 149 198 176) (ADMINISTRATORS APPOINTED)	Sixth plaintiff
AERISON MECHANICAL AND ELECTRICAL TECHNOLOGY PTY LTD (ACN 620 639 974) (ADMINISTRATORS APPOINTED)	Seventh plaintiff
AERISON SERVICES PTY LTD (ACN 617 466 529) (ADMINISTRATORS APPOINTED)	Eighth plaintiff