



Issued: 6 May 2022 12:44 PM

JUDGMENT/ORDER

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Corporations List
Registry	Supreme Court Sydney
Case number	2022/00130874

TITLE OF PROCEEDINGS

First Plaintiff	KordaMentha Shelf Co (APMSPSAF) Pty Ltd ACN 642 981 799
Corporation subject of the proceeding	KordaMentha Shelf Co (APMSPSAF) Pty Ltd ACN 642 981 799

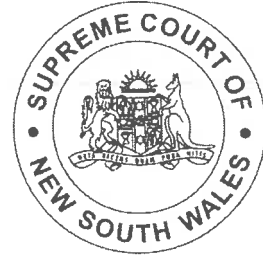
DATE OF JUDGMENT/ORDER

Date made or given	6 May 2022
Date entered	6 May 2022

TERMS OF JUDGMENT/ORDER

1. Order that the plaintiff have leave to file the originating process dated 6 May 2022 returnable instant.
2. Order that any requirement that this originating process be served on any person be dispensed with.
3. Order that the plaintiff have leave to read in support of this originating process the following affidavits filed in proceedings 2021/00179305:
 - (a) affidavit of Bernard Colin Walrut affirmed on 22 June 2021;
 - (b) affidavit of Catherine Margaret Conneely sworn on 22 June 2021;
 - (c) affidavit of Catherine Margaret Conneely sworn on 28 October 2021; and
 - (d) affidavit of Catherine Margaret Conneely sworn on 2 November 2021.
4. Order pursuant to section 583(c)(ii) or alternatively section 583(c)(i) of the Corporations Act 2001 (Cth) (Act) and/or in the inherent jurisdiction of the Court that the APM Security Plan Sickness & Accident Fund ABN 57 413 197 086 (Fund) be wound up.
5. Order pursuant to section 583 of the Act and/or in the inherent jurisdiction of the Court that each of the following applies to the winding up of the Fund: Chapter 5 of the Act and Corporations Regulations 2001 (Cth) (Regulations), Schedule 2 to the Act, being the Insolvency Practice Schedule (Corporations) 2016 (IPSC), the Insolvency Practice Rules (Corporations) 2016 (IPRC) and the Supreme Court (Corporations) Rules 1999 (NSW) (Corporations Rules) (together, Relevant Provisions), subject to the adaptations set out in the Schedule to this Order.
6. Order that Catherine Margaret Conneely and Scott David Harry Langdon of KordaMentha, Level 5, Chifley Tower, 2 Chifley Square, Sydney NSW 2000 be appointed joint and several liquidators of the Fund (Liquidators).
7. Order, if and to the extent necessary, pursuant to section 532(2) of the Act and/or in the inherent jurisdiction of the Court, that leave be granted to the Liquidators to be appointed as liquidators of the Fund.
8. The Plaintiffs costs of this application are its costs in the winding up.
9. Liberty to apply on three days' notice to the Corporations List Judge.

SEAL AND SIGNATURE



Signature D. Cafarelli (L.S.)
Capacity Chief Clerk
Date 6 May 2022

If this document was issued by means of the Electronic Case Management System (ECM), pursuant to Part 3 of the Uniform Civil Procedure Rules (UCPR), this document is taken to have been signed if the person's name is printed where his or her signature would otherwise appear.