



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/146/2023

EX PARTE:

**Richard Scott TUCKER as joint and several
administrators of AERISON PTY LTD (ACN
060 786 656) (ADMINISTRATORS
APPOINTED) -and-**

First named First Plaintiff

**Craig Peter SHEPARD as joint and several
administrators of AERISON PTY LTD (ACN
060 786 656) (ADMINISTRATORS
APPOINTED) -and-**

Second named First Plaintiff

**John Allan BUMBAK as joint and several
administrators of AERISON PTY LTD (ACN
060 786 656) (ADMINISTRATORS
APPOINTED) -and-**

Third named First Plaintiff

**Richard Scott TUCKER as joint and several
administrators of AERISON ENERGY
SERVICES PTY LTD (ACN 665 237 392)
(ADMINISTRATORS APPOINTED) -and-**

Fourth named First Plaintiff

**Craig Peter SHEPARD as joint and several
administrators of AERISON ENERGY
SERVICES PTY LTD (ACN 665 237 392)
(ADMINISTRATORS APPOINTED) -and-**

Fifth named First Plaintiff

**John Allan BUMBAK as joint and several
administrators of AERISON ENERGY
SERVICES PTY LTD (ACN 665 237 392)
(ADMINISTRATORS APPOINTED) -and-**

Sixth named First Plaintiff

**Richard Scott TUCKER as joint and several
administrators of AERISON EPC PTY LTD
(ACN 640 499 387) (ADMINISTRATORS
APPOINTED) -and-**

Seventh named First Plaintiff

**Craig Peter SHEPARD as joint and several
administrators of AERISON EPC PTY LTD
(ACN 640 499 387) (ADMINISTRATORS
APPOINTED) -and-**

Eighth named First Plaintiff

**John Allan BUMBAK as joint and several
administrators of AERISON EPC PTY LTD
(ACN 640 499 387) (ADMINISTRATORS**

Ninth named First Plaintiff

APPOINTED) -and-

Richard Scott TUCKER as joint and several administrators of AERISON HOLDINGS PTY LTD (ACN 149 198 176) (ADMINISTRATORS APPOINTED) -and-

Tenth named First Plaintiff

Craig Peter SHEPARD as joint and several administrators of AERISON HOLDINGS PTY LTD (ACN 149 198 176) (ADMINISTRATORS APPOINTED) -and-

Eleventh named First Plaintiff

John Allan BUMBAK as joint and several administrators of AERISON HOLDINGS PTY LTD (ACN 149 198 176) (ADMINISTRATORS APPOINTED) -and-

Twelfth named First Plaintiff

Richard Scott TUCKER as joint and several administrators of AERISON MECHANICAL AND ELECTRICAL TECHNOLOGY PTY LTD (ACN 620 639 974) (ADMINISTRATORS APPOINTED) -and-

Thirteenth named First Plaintiff

Craig Peter SHEPARD as joint and several administrators of AERISON MECHANICAL AND ELECTRICAL TECHNOLOGY PTY LTD (ACN 620 639 974) (ADMINISTRATORS APPOINTED) -and-

Fourteenth named First Plaintiff

John Allan BUMBAK as joint and several administrators of AERISON MECHANICAL AND ELECTRICAL TECHNOLOGY PTY LTD (ACN 620 639 974) (ADMINISTRATORS APPOINTED) -and-

Fifteenth named First Plaintiff

Richard Scott TUCKER as joint and several administrators of AERISON SERVICES PTY LTD (ACN 617 466 529) (ADMINISTRATORS APPOINTED) -and-

Sixteenth named First Plaintiff

Craig Peter SHEPARD as joint and several administrators of AERISON SERVICES PTY LTD (ACN 617 466 529) (ADMINISTRATORS APPOINTED) -and-

Seventeenth named First Plaintiff

John Allan BUMBAK as joint and several administrators of AERISON SERVICES PTY LTD (ACN 617 466 529) (ADMINISTRATORS APPOINTED) -and-

Eighteenth named First Plaintiff

**AERISON PTY LTD (ACN 060 786 656)
(ADMINISTRATORS APPOINTED) -and-**

Second Plaintiff

**AERISON ENERGY SERVICES PTY LTD
(ACN 665 237 392) (ADMINISTRATORS
APPOINTED) -and-**

Third Plaintiff

**AERISON EPC PTY LTD (ACN 640 499 387)
(ADMINISTRATORS APPOINTED) -and-**

Fourth Plaintiff

**AERISON HOLDINGS PTY LTD (ACN 149
198 176) (ADMINISTRATORS APPOINTED) -
and-**

Fifth Plaintiff

**AERISON MECHANICAL AND
ELECTRICAL TECHNOLOGY PTY LTD
(ACN 620 639 974) (ADMINISTRATORS
APPOINTED) -and-**

Sixth Plaintiff

**AERISON SERVICES PTY LTD (ACN 617 466
529) (ADMINISTRATORS APPOINTED)**

Seventh Plaintiff

**ORDERS OF THE HONOURABLE JUSTICE LUNDBERG
MADE ON 21 SEPTEMBER 2023**

UPON APPLICATION of the plaintiffs under section 447A of the Corporations Act 2001 (Cth) (Act) and sections 90-15 of the Insolvency Practice Schedule (Corporations) forming Schedule 2 of the Act (IPS) and UPON HEARING Mr P Edgar of counsel for the plaintiffs, IT IS ORDERED THAT:

1. Leave be given to amend the Originating Process in the form of the Amended Originating Process dated 20 September 2023.
2. Pursuant to section 447A(1) of the Act, Part 5.3A of the Act is to operate in relation to the second to seventh plaintiffs (Group Companies) such that a further second Meeting convened on 22 September 2023 by notice issued by the Administrators on 14 September 2023 (Further Second Meeting) is a meeting of creditors convened under s 439A of the Act but that, at the Further Second Meeting, for the purposes of any resolution pursuant to section 439C of the Act, the creditors of the Group Companies may resolve only:
 - (a) that the Group Companies execute a deed of company arrangement specified in the resolution (even if it differs from the proposed deed (if any) details of which accompany any notice of meeting); or
 - (b) that the Group Companies be wound up.
3. Pursuant to section 90-15 of the IPS, 75-225 of the IPR is to operate as if the notice issued by the Administrators on 14 September 2023 calling the Further Second Meeting is valid notice to eligible creditors of that meeting.

4. The First Plaintiffs publish notice of these orders to the online creditor portal at <<https://kordamentha.com/creditors/aerison-group>> as soon as possible following extraction, to the creditors of the Group Companies (including persons or entities claiming to be creditors), and by email to ASIC, FEG, CBA and the Landlords.
5. An order that the costs of the application be treated as costs in the administration of the Group Companies.

BY THE COURT

THE HONOURABLE JUSTICE M LUNDBERG

