

Interlocutory application

No. NSD 747 of 2021

Federal Court of Australia
District Registry: New South Wales
Division: General

**IN THE MATTER OF THE FORUM GROUP OF COMPANIES PTY LIMITED ACN 151 964 626
(IN LIQUIDATION)
(ACN 151 964 626)**

**Jason Preston and Jason Ireland in their capacity as joint and several liquidators of the
First to Twenty-Fifth Plaintiffs**

First Applicant

**Jason Preston and Jason Ireland in their capacity as joint and several provisional
liquidators of the Twenty-Sixth to Twenty-Eighth Plaintiffs**

Second Applicant

The Applicants apply for the interlocutory orders set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Time and date for hearing: August 2021 at 10.15am

Place: Law Courts Building, 184 Phillip Street, Queens Square, Sydney NSW 2000

Filed on behalf of: The Applicants

Prepared by: Chris Prestwich

Law firm: Allens

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KBPS 515332468v4 121031672

Date: 19 August 2021

Signed by an officer acting with the authority
of the District Registrar

Interlocutory orders sought

1. Pursuant to rule 9.05 of the Federal Court Rules 2011, the following be joined as parties to this proceeding:
 - (a) Forum Finance Pty Ltd ACN 153 301 172 (In Liquidation) as the Twenty-Fifth Plaintiff;
 - (b) Forum Group Financial Services Pty Ltd ACN 623 033 705 (Provisional Liquidators Appointed) as the Twenty-Sixth Plaintiff;
 - (c) Forum Enviro Pty Ltd ACN 168 709 840 (In Provisional Liquidation) as the Twenty-Seventh Plaintiff; and
 - (d) Forum Enviro (Aust) Pty Ltd ACN 607 484 364 (Provisional Liquidators Appointed) as the Twenty-Eighth Plaintiff.
2. Pursuant to section 477(2B) of the Corporations Act 2001 (Cth) (**Act**), approval be granted for the First and Second Applicants (**Liquidators**) to enter into, on behalf of the First to Twenty-Eighth Plaintiffs, a funding agreement between the Liquidators and Westpac Banking Corporation (**Funding Agreement**) substantially in the form at pages 16 to 27 of Exhibit JP-1 of the affidavit of Jason Preston affirmed 19 August 2021.
3. Pursuant to section 90-15 of the Insolvency Practice Schedule (Corporations) 2016 that the Liquidators are justified in entering into the Funding Agreement and are authorised to carry its terms to effect.
4. The costs of and incidental to this Interlocutory Application be costs and expenses in the liquidation of and paid out of the assets of the First to Twenty-Eighth Plaintiffs.
5. Any other orders as the Court deems fit.

Service on the Respondents

It is not intended that this application will be served on any other party.

Date: 19 August 2021

A handwritten signature in black ink that reads "Chris Prestwich". The signature is written in a cursive, slightly slanted style.

Signed by Christopher Prestwich
Lawyer for the Applicants

Schedule

No. NSD 747 of 2021

Federal Court of Australia
District Registry: New South Wales
Division: General

**IN THE MATTER OF THE FORUM GROUP OF COMPANIES PTY LIMITED (IN
LIQUIDATION)
(ACN 151 964 626)**

Plaintiffs

First Plaintiff: The Forum Group of Companies Pty Limited ACN 151 964 626 (In Liquidation)

Second Plaintiff: 14 James Street Pty Ltd ACN 638 449 206 (In Liquidation)

Third Plaintiff: 26 Edmonstone Road Pty Ltd ACN 622 944 129 (In Liquidation)

Fourth Plaintiff: 5 Bulkara Street Pty Ltd ACN 630 982 160 (In Liquidation)

Fifth Plaintiff: 6 Bulkara Street Pty Ltd ACN 639 734 473 (In Liquidation)

Sixth Plaintiff: Aramia Holdings Pty Ltd ACN 114 958 717 (In Liquidation)

Seventh Plaintiff: Eros Management Pty Ltd ACN 622 298 346 (In Liquidation)

Eighth Plaintiff: Forum Direct Pty Ltd ACN 054 890 710 (In Liquidation)

Ninth Plaintiff: Forum Fleet Pty Limited ACN 155 440 994 (In Liquidation)

Tenth Plaintiff: Forum Group Pty Ltd ACN 153 336 997 (Receivers Appointed) (In Liquidation)

Eleventh Plaintiff: Forum Group (QLD) Pty Ltd ACN 103 609 678 (In Liquidation)

Twelfth Plaintiff: Forum Group (VIC) Pty Ltd ACN 153 062 018 (In Liquidation)

Filed on behalf of: The Applicants

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- Thirteenth Plaintiff: Imagetec Financial Services Pty Ltd ACN 111 978 182 (In Liquidation)
- Fourteenth Plaintiff: Imagetec Solutions Australia Pty Ltd ACN 074 715 718 (In Liquidation)
- Fifteenth Plaintiff: Intrashield Investment Group Pty Ltd ACN 645 578 829 (In Liquidation)
- Sixteenth Plaintiff: Intrashield Pty Ltd ACN 133 426 534 (In Liquidation)
- Seventeenth Plaintiff: Iugis Investments Pty Ltd ACN 647 627 745 (In Liquidation)
- Eighteenth Plaintiff: Iugis Pty Ltd ACN 632 882 243 (In Liquidation)
- Nineteenth Plaintiff: Iugis Waste Solutions Pty Ltd ACN 647 212 299 (In Liquidation)
- Twentieth Plaintiff: Onesource Australia Holdings Pty Limited ACN 120 463 (In Liquidation)
- Twenty-First Plaintiff: Orca Enviro Solutions Pty Ltd ACN 626 552 645 (In Liquidation)
- Twenty-Second Plaintiff: Orca Enviro Systems Pty Ltd ACN 627 597 782 (In Liquidation)
- Twenty-Third Plaintiff: Smartprint Fleet Management Pty Ltd ACN 132 807 080 (Receivers Appointed) (In Liquidation)
- Twenty-Fourth Plaintiff: Spartan Consulting Group Pty Ltd ACN 168 989 544 (In Liquidation)
- Twenty-Fifth Plaintiff: Forum Finance Pty Ltd ACN 153 301 172 (In Liquidation)
- Twenty-Sixth Plaintiff: Forum Group Financial Services Pty Ltd ACN 623 033 705 (Provisional Liquidators Appointed)
- Twenty-Seventh Plaintiff: Forum Enviro Pty Ltd ACN 168 709 840 (Provisional Liquidators Appointed)
- Twenty-Eighth Plaintiff: Forum Enviro (Aust) Pty Ltd ACN 607 484 364 (Provisional Liquidators Appointed)

Date: 19 August 2021