



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD818/2020

**IN THE MATTER OF VAH NEWCO NO. 2 PTY LTD (IN LIQUIDATION) ACN 160 881 354 AND VB INVESTCO PTY LTD (IN LIQUIDATION) ACN 101 961 095**

**RICHARD HUGHES IN HIS CAPACITY AS LIQUIDATOR OF EACH OF VAH NEWCO NO. 2 PTY LTD (IN LIQUIDATION) AND VB INVESTCO PTY LTD (IN LIQUIDATION)** and others named in the schedule  
Plaintiff

### **ORDER**

**JUDGE:** JUSTICE MIDDLETON

**DATE OF ORDER:** 02 October 2020

**WHERE MADE:** Sydney

#### **THE COURT ORDERS THAT:**

1. Pursuant to sections 482(1) of the *Corporations Act 2001* (Cth) (**Corporations Act**) and section 90-15 of the Insolvency Practice Schedule (Corporations) (being Schedule 2 to the Corporations Act), the winding up of each of VAH Newco No. 2 Pty Ltd (in liquidation) (subject to deed of company arrangement) and VB Investco Pty Ltd (in liquidation) (subject to deed of company arrangement) (together, the **Companies**) be terminated effective as at the date of these orders.
2. The Plaintiffs' costs of the application be treated as costs in the administration, or otherwise in the deed administration, of each of the Companies, jointly and severally.
3. The First Plaintiff must take all reasonable steps to cause notice of these orders to be given, within two (2) business days of the making of these orders, to:
  - (a) the creditors (including persons or entities claiming to be creditors) of each of the Companies, in the following manner:
    - (i) where the creditor is a registered user on the Halo Platform, by publishing a notice via the Halo Platform;
    - (ii) where the creditor is not a registered user on the Halo Platform but the First Plaintiff has an email address for a creditor, by notifying each such creditor,



via email, of the making of the orders and providing a link to a website where the creditor may download the orders and the Interlocutory Process;

- (iii) where a creditor is not a registered user on the Halo Platform and the First Plaintiff does not have an email address for a creditor but has a postal address for that creditor (or has received notification of non-delivery of a notice sent by email in accordance with paragraph (a)(ii) above), by notifying each such creditor, via post, of the making of the orders and providing a link to a website where the creditor may download the orders and the Interlocutory Process;
  - (iv) where a creditor is not a registered user on the Halo Platform and the First Plaintiff does not have an email address for a creditor but has an email address for a trustee, custodian or other agent who represents or may act on behalf of that creditor, by notifying each such trustee, custodian or other agent, via email, of the making of the orders and providing a link to a website where the trustee, custodian, other agent or creditor may download the orders and the Interlocutory Process; and
  - (v) placing scanned, sealed copies of the Interlocutory Process and the orders on the website maintained by the First Plaintiff at <https://www2.deloitte.com/au/en/pages/finance/articles/virgin-australiaholdings-limited-subsidiaries.html>; and
- (b) the Australian Securities and Investments Commission.

4. These orders be entered forthwith.

Date that entry is stamped: 2 October 2020

*Sia Lagos*  
Registrar



**Schedule**

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Second Plaintiff           VAH NEWCO NO.2 PTY LTD (IN LIQUIDATION) ACN 160  
881 354

Third Plaintiff            VB INVESTCO PTY LTD (IN LIQUIDATION) ACN 101 961  
095

Fourth Plaintiff           SALVATORE ALGERI, VAUGHAN NEIL STRAWBRIDGE  
AND JOHN LETHBRIDGE GREIG