



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

No: NSD564/2021

On Appeal from a single Judge of the Federal Court of Australia

CHOO BOON LOO
Applicant

**MORGAN JOHN KELLY IN HIS CAPACITY AS JOINT AND SEVERAL
LIQUIDATOR OF HALIFAX INVESTMENT SERVICES PTY LTD (IN
LIQUIDATION) (ACN 096 980 522)** and others named in the schedule
Respondent

ORDER

JUDGES: JUSTICE MIDDLETON, JUSTICE BEACH and JUSTICE
MOSHINSKY

DATE OF ORDER: 26 October 2021

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. The application for an extension of time to seek leave to appeal be granted.
2. The applicant have leave to appeal from paragraph 14 of the orders of the primary judge dated 19 May 2021.
3. Within seven days, the applicant file and serve a notice of appeal substantially in the form of the draft notice of appeal which is annexure "DAF-3" to the affidavit of Danielle Funston dated 15 June 2021.
4. The appeal be treated as having been heard.
5. The appeal be dismissed.
6. In relation to costs:
 - (a) Within seven days, each party file and serve a written submission (of no more than two pages) on costs.



- (b) Within a further seven days, each party file and serve any responding written submission (of no more than two pages) on costs.
- (c) Subject to further order, the issue of costs be determined on the papers.

Date that entry is stamped: 26 October 2021

Sia Lagos
Registrar



Schedule

No: NSD564/2021

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- Second Respondent PHILIP ALEXANDER QUINLAN IN HIS CAPACITY AS
JOINT AND SEVERAL LIQUIDATOR OF HALIFAX
INVESTMENT SERVICES PTY LTD (IN LIQUIDATION) (ACN
096 980 522)
- Third Respondent HALIFAX INVESTMENT SERVICES PTY LTD (IN
LIQUIDATION) ACN 096 980 522
- Fourth Respondent ELYSIUM BUSINESS SYSTEMS PTY LTD ACN 110 669 282
- Fifth Respondent JASON PAUL HINGSTON
- Sixth Respondent ATLAS ASSET MANAGEMENT PTY LTD ACN 607 442 679
AS TRUSTEE FOR THE ATLAS ASSET MANAGEMENT
TRUST
- Seventh Respondent FIONA MCMULLIN
- Eighth Respondent ANDREW PHILLIP WHITEHEAD AND MARLENE
WHITEHEAD IN THEIR CAPACITY AS THE TRUSTEES OF
THE BEELINE TRUST
- Ninth Respondent ANDREW PHILLIP WHITEHEAD
- Tenth Respondent JEFFREY JOHN WORBOYS
- Eleventh Respondent HONG KONG CAPITAL HOLDINGS PTY LTD (HKCH)