



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

**PHILIP ALEXANDER QUINLAN AND MORGAN JOHN KELLY AS JOINT AND SEVERAL LIQUIDATORS 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**

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Second Respondent	HALIFAX INVESTMENT SERVICES PTY LTD (IN LIQUIDATION) ACN 096 980 522
Third Respondent	MORGAN JOHN KELLY AND PHILIP ALEXANDER QUINLAN (IN THEIR CAPACITY AS TRUSTEES)
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)