



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD92/2020

GAYLE DICKERSON, TIM MABLESON AND RYAN EAGLE IN THEIR CAPACITIES AS JOINT AND SEVERAL DEED ADMINISTRATORS OF MCWILLIAM'S WINES GROUP LTD (SUBJECT TO A DEED OF COMPANY ARRANGEMENT) ACN 000 024 108

First Plaintiffs

MCWILLIAM'S WINES GROUP LTD (SUBJECT TO A DEED OF COMPANY ARRANGEMENT) ACN 000 024 108

Second Plaintiff

ORDER

JUDGE: JUSTICE FARRELL

DATE OF ORDER: 29 September 2020

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. The interlocutory process filed on 29 September 2020 by the first plaintiffs and the second plaintiff (collectively, the **applicants**) (seeking orders pursuant to s 444GA of the *Corporations Act 2001* (Cth)) (the **application**) be listed for hearing before Justice Farrell commencing at **2.15 pm on Monday, 19 October 2020**, with an estimate of half a day.
2. The applicants file and serve on the Australian Securities and Investments Commission (**ASIC**) and any interested person who has indicated that they wish to appear at the hearing of the application in accordance with order 5 below:
 - (a) any further evidence to be relied on in the application by **4.00 pm on Wednesday, 14 October 2020**;
 - (b) a written outline of submissions by **4.00 pm on Thursday, 15 October 2020**.
3. The applicants provide notice to the creditors and members of the second plaintiff of the hearing date of the application, these orders, the affidavit of Gayle Dickerson



dated 29 September 2020 and the availability of an explanatory statement (**Explanatory Statement**) and independent expert's report of Grant Thornton Corporate Finance dated 24 September 2020 (**Independent Expert's Report**), by **4.00 pm on Friday, 2 October 2020**, substantially in the form of the notice which has been marked as exhibit B (the **Notice**) and otherwise in the following manner:

- (a) where the applicants:
 - (i) have an email address for a creditor or member, by sending the Notice by email to each such member;
 - (ii) do not have an email address for a creditor or member (or have received notification of non-delivery of a Notice sent in reliance on (i)) but have a postal address for the creditor or member, by sending the Notice by posting a copy of it to the postal address for each such member;
 - (iii) do not have an email address or a postal address for a creditor or member, by sending or communicating the Notice to the creditor or member in any other way provided for by the *Corporations Act 2001* (Cth) or the *Insolvency Practice Rules (Corporations)*; and
 - (b) by publishing the Notice and uploading the Explanatory Statement and the Independent Expert's Report on the applicants' KPMG website at www.kpmg.com/au/mcwilliams.
4. The applicants make available the Explanatory Statement and the Independent Expert's Report by no later than **4.00 pm on Wednesday, 7 October 2020** by dispatching a copy to any creditor or member who specifically asks for a copy to be sent prior to that date.
5. Any interested person wishing to appear at the hearing of the application is to file and serve on the applicants and ASIC, by no later than **4.00 pm on Monday, 12 October 2020**, a notice of appearance in the prescribed form and indicating the grounds of opposition.



6. Any interested person who is entitled to oppose the application may apply to be joined as a respondent to the application, by no later than **4.00 pm on Monday, 12 October 2020**.
7. The applicants and any interested person have liberty to apply on two business days' notice to Justice Farrell's Associate, specifying the relief sought.

Date that entry is stamped: 29 September 2020

Sia Lagos
Registrar