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2 September 2024

**To Creditors as addressed**

Dear Sir/Madam

**Nuheara Limited ACN 057 140 922  
And its subsidiaries set out in Annexure A  
(All Administrators Appointed) (Collectively referred to as ‘the Companies’)**

**Extension of the Convening Period for the Second Creditors Meeting**

We refer to our Circular to Creditors dated 23 August 2024 and 27 August 2024, regarding our application to the Supreme Court of Western Australia (**the Court**) for orders to extend the period within which to convene the second meeting of creditors of each of the Companies.

On 30 August 2024, the Court made orders that pursuant to section 439A(6) of the Corporations Act 2001, that the convening period for the Companies be extended to midnight on 11 December 2024, and various other related orders (**the Orders**).

Please find attached a copy of the Orders made. For completeness, we note that the Order and other relevant information in relation to our application including previous updates provided in relation to the Companies are available on KPMG’s website at <https://kpmg.com/au/en/home/creditors/nuheara.html>

In accordance with the Orders, the Second Meeting of Creditors must be convened by 11 December 2024 and be held on or before 19 December 2024. A report to creditors pursuant to Insolvency Practice Rules (Corporations) 2016 s75-225(3) and a notice of meeting will be sent to all known creditors of each individual company at least five (5) business days prior to the second meeting of creditors.

Under the Orders, the Administrators have the power to convene the Second Meeting of Creditors at any time between now and 11 December 2024 should they consider it to be appropriate (and may apply to extend the convening period further beyond 11 December if required).

If you have any questions, please contact either Bohan Teakle or Kieran Chu of this office at [nuheara@kpmg.com.au](mailto:nuheara@kpmg.com.au)

Yours faithfully

**Martin Jones**  
Administrator

Encl.

**Annexure A**

Entity	ACN
Nuheara IP Pty Ltd (Administrators Appointed)	605 704 096
Terrace Gold Pty Ltd (Administrators Appointed)	072 608 952



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/137/2024

EX PARTE:

**Martin Bruce JONES as joint and several administrator of NUHEARA LIMITED (ACN 125 167 133) -and-**

First named First Plaintiff

**Matthew David WOODS as joint and several administrator of NUHEARA LIMITED (ACN 125 167 133) -and-**

Second named First Plaintiff

**Clint Peter JOSEPH as joint and several administrator of NUHEARA LIMITED (ACN 125 167 133) -and-**

Third named First Plaintiff

**Martin Bruce JONES as joint and several administrator of NUHEARA IP PTY LTD (ACN 605 704 096) -and-**

First named Second Plaintiff

**Matthew David WOODS as joint and several administrator of NUHEARA IP PTY LTD (ACN 605 704 096) -and-**

Second named Second Plaintiff

**Clint Peter JOSEPH as joint and several administrator of NUHEARA IP PTY LTD (ACN 605 704 096) -and-**

Third named Second Plaintiff

**Martin Bruce JONES as joint and several administrator of TERRACE GOLD PTY LTD (ACN 072 608 952) -and-**

First named Third Plaintiff

**Matthew David WOODS as joint and several administrator of TERRACE GOLD PTY LTD (ACN 072 608 952) -and-**

Second named Third Plaintiff

**Clint Peter JOSEPH as joint and several administrator of TERRACE GOLD PTY LTD (ACN 072 608 952)**

Third named Third Plaintiff

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**ORDERS OF JUSTICE HILL  
MADE ON 30 AUGUST 2024**

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**UPON APPLICATION of the plaintiffs by originating process dated 26 August 2024, and UPON HEARING Mr J Scovell, of counsel for the plaintiffs, IT IS ORDERED that:**

1. Pursuant to s 439A(6) of the Corporations Act 2001 (Cth) (Act), the convening period for the purposes of the second meeting of the creditors of each of Nuheara Limited (Administrators Appointed) ACN 125 167 133, Nuheara IP Pty Ltd (Administrators Appointed) ACN 605 704 096 and Terrace Gold Pty Ltd (Administrators Appointed) ACN 072 608 952 (together the Companies) under s 439A(5)(b) of the Act be extended to midnight on 11 December 2024 (the Extended Convening Period).
2. Pursuant to s 447A of the Act, Part 5.3A of the Act is to operate in relation to each of the Companies as if the meeting of creditors of the Companies required by s 439A of the Act may be held at any time during the Extended Convening Period or the period of five business days after the end of the Extended Convening Period, notwithstanding the provisions of s 439A(2) of the Act.
3. The Plaintiffs have liberty to apply to the Court for any further extensions of the convening period of the Companies, and such application may be made at any time during the Extended Convening Period.
4. The Plaintiffs provide a copy of these orders to all creditors of the Company within 2 business days after they are made, by uploading them to the creditors' portal and by sending them to creditors (by email to those creditors for whom the Plaintiffs have an email address).
5. Any person has leave to apply to vary these orders upon 3 business days' notice to the Plaintiffs.
6. The costs of this application be costs in the administration of the Companies and be paid out of the assets of the Companies.

BY THE COURT

THE HONOURABLE JUSTICE J HILL