

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged: Originating process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 2
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment: 12/09/2024 2:46:00 PM AWST
Date Accepted for Filing: 16/09/2024 8:51:33 AM AWST
File Number: WAD254/2024
File Title: REALTEK SEMICONDUCTOR CORPORATION v MARTIN JONES,
MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS
JOINT AND SEVERAL ADMINISTRATORS OF NUHEARA LIMITED
ACN 125 167 133 (ADMINISTRATORS APPOINTED)
Registry: WESTERN AUSTRALIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: To Be Advised
Time and date for hearing: To Be Advised
Place: To Be Advised



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 2 Originating process

(rules 2.2 and 15A.3)

No. WAD of 2024.

Federal Court of Australia

District Registry: Western Australia

Division: General

IN THE MATTER OF NUHEARA LIMITED ACN 125 167 133 (ADMINISTRATORS
APPOINTED)

REALTEK SEMICONDUCTOR CORPORATION

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS
JOINT AND SEVERAL ADMINISTRATORS OF NUHEARA LIMITED ACN 125 167 133
(ADMINISTRATORS APPOINTED)**

Defendants

A. DETAILS OF APPLICATION

This application is made under section 588FM of the *Corporations Act* 2001 (Cth)

On the facts stated in the supporting affidavit(s), the plaintiff claims:

- 1 Pursuant to section 588FM of the *Corporations Act* 2001 (Cth) 15 March 2024 be fixed as the time for the plaintiff to register on the Personal Property Securities Register (PPSR) established under the *Personal Property Securities Act* 2009 (Cth), PPSR Registration Number 202403150083941 registered against Nuheara Limited (ACN 125 167 133) (Administrators Appointed) for purposes of section 588FL(2)(b)(iv) of the *Corporations Act*.

Filed on behalf of:	Plaintiff	
Prepared by:	Bennett	
Contact:	Dalitso Banda	
Our Reference:	DGS:DXB:118303	
Address for service:	Level 14, Westralia Square 141 St Georges Terrace PERTH WA 6000	Tel: +61 8 6316 2200 Fax: +61 8 6316 2211 Email: elodgment@bennettlaw.com.au ; dbanda@bennettlaw.com.au



2 Such further or other orders as the Court thinks fit.

3 No orders as to costs.

Date: 12 September 2024.

A handwritten signature in blue ink, appearing to be 'Dalitso Banda Bennett', written over a horizontal line.

Signed by Dalitso Banda
Bennett
Lawyer for the Plaintiff

This application will be heard by _____ at address of Court at time am/pm on date _____

B. NOTICE TO DEFENDANT(S) (IF ANY)

TO: Martin Jones, Matthew Woods and Clint Joseph in their capacities as Joint and Several Nuheara Limited Nuheara Limited (ACN 125 167 133) (Administrators Appointed)

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given;
- (b) directions may be given for the future conduct of the proceeding;
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

Note: Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.



C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY

NOT APPLICABLE

D. FILING

Date of filing:

Registrar

This originating process is filed by Dalitso Banda for the plaintiff.

E. SERVICE

The plaintiff's address for service is Bennett, Level 14, Westralia Square, 141 St Georges Terrace, PERTH WA 6000.

It is intended to serve a copy of this originating process on each defendant and on any person listed below:

Martin Jones, Matthew Woods and Clint Joseph in their capacities as Joint and Several Nuheara Limited Nuheara Limited (ACN 125 167 133) (Administrators Appointed)

The time by which a copy of this originating process is to be served has been abridged by order made by name of Judge or Crt officer on date to time and date.