

IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR 166 of 2025

IN THE MATTER OF LONG PIPES LTD (ADMINISTRATORS APPOINTED)
ACN 139 473 331

EX PARTE

**Martin Bruce JONES as joint
and several administrators of
Matthew David WOODS**

First Plaintiff

-and-

**LONG PIPES LTD (ADMINISTRATORS
APPOINTED)
(ACN 139 473 331)**

Second Plaintiff



ORIGINATING PROCESS PURSUANT TO CORPORATIONS LAW

Date of Document: 24/10/2025
Filed on Behalf of: The Plaintiffs
Date of Filing: 24/10/2025

Prepared By:

Ashurst Australia
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FILED

A. DETAILS OF APPLICATION

24 OCT 2025

Via eLodgment
**CENTRAL OFFICE
SUPREME COURT**

Folio 1
Page 1

This application is made under sections 439A(6) and 447A(1) of the Corporations Act 2001 (Cth) (Corporations Act).

Extension of convening period and limitation of liability

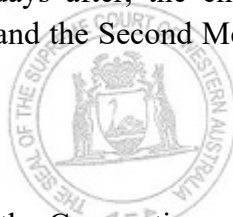
On the facts stated in the supporting affidavit(s), the plaintiff claims:

Extension of the convening period

1. Pursuant to s 439A(6) and s 447A of the Corporations Act, the period within which the First Plaintiffs must convene the second meeting of creditors in respect of the Second Plaintiff under s 439A of the Corporations Act (**Second Meeting**) be extended to 30 November 2025.
2. Pursuant to s 447A(1) of the Corporations Act, Part 5.3A of that Act is to operate in relation to the Second Plaintiff such that, notwithstanding s 439A(2) of that Act, the Second Meeting must be held at any time before, or within five business days after, the end of the convening period as extended by paragraph 1 and the Second Meeting may be held at any time during that period.

Limitation of Liability

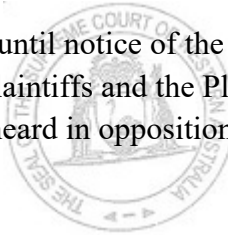
3. Pursuant to s 447A(1) of the Corporations Act, Part 5.3A of that Act is to operate with respect to the Second Plaintiff as if s 443A(1) of the Corporations Act provides that:
 - (a) the liabilities of the First Plaintiffs (in their capacities as administrators of the Second Plaintiffs) incurred with respect to any obligations arising out of, or in connection with, any funding deed between Halley Pty Ltd as trustee for The Clarke Family Trust ACN 009 344 558, the First Plaintiffs (in their capacity as administrators of the Second Plaintiffs) and the Second Plaintiffs, including as a result of any variations to it, are in the nature of debts incurred by the First Plaintiffs in the performance and exercise of their functions as joint and several administrators of the Second Plaintiffs; and
 - (b) notwithstanding that the liabilities referred to in paragraph 3(a) are debts incurred by the First Plaintiffs in the performance and exercise of their functions as joint and several administrators of the Second Plaintiffs, the First Plaintiffs will not be personally liable to



repay such debts or satisfy such liabilities to the extent that their right of indemnity under s 443D of the Corporations Act from the property and assets of the Second Plaintiff is insufficient to satisfy any debts and liabilities incurred by the Administrators arising out of, or in connection with, the Funding Deed.

Confidentiality Order

4. Pursuant to Order 67B, rule 5 of the *Rules of the Supreme Court 1971* (WA) (RSC), until further order, the confidential affidavit of Matthew David Woods sworn on 24 October 2025 and the annexure to it (**Confidential Affidavit**), be restricted to all persons except judicial officers and staff of the Court for the purpose of their employment, the Plaintiffs and their legal advisers, on the basis it contains information that is confidential.
5. Any application for access to the Confidential Affidavit pursuant to Order 67B rule 11 RSC:
 - (a) be referred to the Court; and
 - (b) not be determined until notice of the application is given to the solicitors for the Plaintiffs and the Plaintiffs have had reasonable opportunity to be heard in opposition to the application for inspection.



Costs

6. The costs of the relief sought in paragraphs 1 to 5 (inclusive) of this originating process be costs in the voluntary administration of the Second Plaintiff.

Notice and liberty to apply

7. The First Plaintiffs take steps to cause notice of the orders to be given, within two business days of making the orders, to:
 - (a) the creditors (including persons claiming to be creditors) of the Second Plaintiff in the following manner:
 - (i) where the First Plaintiffs have an email address for a creditor, by notifying each such creditor, via email of the making of the orders;
 - (ii) where the First Plaintiffs do not have an email address for a creditor, by sending a copy of the orders to the postal

address as is recorded in the books and records of the
Second Plaintiff;

- (iii) publishing the orders on the website maintained by the First Plaintiffs, and
 - (b) the Australian Securities and Investments Commission, by its email address.
8. Any person who demonstrates a sufficient interest to vary or discharge paragraphs 1 to 7 (inclusive) of these orders (including any creditor of the Second Plaintiff) have liberty to apply to the Court on three business days' written notice to the First Plaintiffs.
9. The First Plaintiffs have liberty to apply for further or other orders and to vary or discharge these orders.

Ancillary orders

10. Such further or other order as this Honourable Court deems fit.

Date: 24/10/2025

Ashurst Australia

This application will be heard by a Master in Chambers at the Supreme Court of Western Australia in Perth.



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

TO:

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**

D. FILING

Date of filing: 24/10/2025

This originating process is filed by **Ashurst Australia** for the plaintiff.

E. SERVICE

The plaintiff's address for service is -

Ashurst Australia
Brookfield Place Tower 2
Level 10, 123 St Georges Terrace
PERTH WA 6000
Australia



[Form 2 amended in Gazette 13 Feb 2009 p. 308.]



**SUPREME COURT
OF WESTERN AUSTRALIA**

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28 BARRACK STREET
PERTH WA 6000
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**JONES & Anor
SUPREME COURT MATTER No. PER COR 166 of 2025**

This application has been listed for Monday, 27 October 2025 at 11:00 AM at the Supreme Court, David Malcolm Justice Centre, 28 Barrack Street, PERTH.

All parties are required to attend the hearing date unless otherwise advised.

Issued by the Supreme Court of Western Australia
24 Oct 2025

