



Federal Court of Australia
District Registry: Victoria
Division: General

VID 752 of 2014

BETWEEN: **WILLIAM LIONEL LEWSKI**
Appellant (Respondent by Cross-Appeal)

AND: **AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION**
Respondent (Appellant by Cross-Appeal)

VID 753 of 2014

BETWEEN: **MICHAEL RICHARD LEWIS WOOLDRIDGE**
Appellant (Respondent by Cross-Appeal)

AND: **AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION**
Respondent (Appellant by Cross-Appeal)

VID 783 of 2014

BETWEEN: **MARK FREDERICK BUTLER**
Appellant (Respondent by Cross-Appeal)

AND: **AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION**
Respondent (Appellant by Cross-Appeal)

VID 784 of 2014

BETWEEN: **KIM SAMUEL JAQUES**
Appellant (Respondent by Cross-Appeal)

AND: **AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION**
Respondent (Appellant by Cross-Appeal)

VID 795 of 2014

BETWEEN: **PETER CLARKE**
Appellant (Respondent by Cross-Appeal)

AND: **AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION**
Respondent (Appellant by Cross-Appeal)

ORDER

JUDGE: JUSTICE MIDDLETON

DATE OF ORDER: 15 August 2016

WHERE MADE: Melbourne



THE COURT NOTES THAT:

A. The parties (and Australian Property Custodian Holdings Limited ACN 095 474 436 (receivers and managers appointed)(in liquidation)(controllers appointed)(**APCHL**)) have exchanged submissions in relation to the orders to be made on determination of the appeals as follows:

- a. Submissions and proposed orders of the respondent dated: 25 and 26 July 2016;
- b. Submissions and proposed orders of the appellants dated: 25, 26 and 28 July 2016;
- c. Submissions of APCHL dated 9 August 2016;
- d. Submissions of the appellants in reply to APCHL's submissions dated 12 August 2016.

B. The respondent is to serve a copy of this order on APCHL.

THE COURT ORDERS THAT:

1. By 4.00pm on 19 August 2016:

- a. any application, under r 36.31 of the *Federal Court Rules 2011* to join APCHL as a party to any of the appeals, is to be filed and served by APCHL or any party to the appeals;
- b. any party (or APCHL) who applied in accordance with order 1(a) is to file and serve brief submissions in support of the joinder application.

2. By 4.00 pm on 5 September 2016, the Respondent (and APCHL, if any application is made in accordance with order 1(a) above) is to file and serve any further submissions as to the form of final orders to be made in disposition of the appeals.



3. By 4.00pm on 19 September 2016, the appellants are to file and serve any further submissions in reply to any submissions filed in accordance with orders 1 (b) and 2 above.

4. If any party wishes to be heard orally on the determination of any joinder application and the form of final orders, the party may request an oral hearing by 26 September 2016.

Date that entry is stamped: 15 August 2016

Warrick Soden
Registrar