



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID1620/2018

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION
Plaintiff

ASKK INVESTMENT GROUP PTY LTD
Defendant

ORDER

JUDGE: JUSTICE DAVIES

DATE OF ORDER: 20 December 2018

WHERE MADE: MELBOURNE

THE COURT ORDERS THAT:

1. In the first instance, service of the Originating Process be dispensed with and be heard *instanter*.
2. Subject to paragraph 3, until 4.00 pm on 8 February 2019, the Defendant, by itself, and/or its agents, employees or associates be restrained from:
 - (a) selling, charging, mortgaging or otherwise dealing with, disposing of or diminishing the value of all or any real property of which the Defendant is the registered proprietor or is entitled to become the registered proprietor, including the land known as Lot 2, 615 Hume Highway, Beveridge Victoria, (being all of the land comprised in certificate of title volume 10685 folio 976) (**Property**);
 - (b) selling or otherwise dealing with any legal or beneficial right the Defendant has to, or interest the Defendant has in, the Property;
 - (c) without limiting the terms of sub-paragraphs (a) and (b) above, entering into any agreement relating (directly or indirectly) to all or any of the Property or incurring additional liabilities in relation to the Property, including but not



limited to the use of a credit facility, loan, mortgage, drawdown facility or a re-draw facility secured against all or any of the Property;

(d) removing, or causing or permitting to be removed any property of the Defendant constituted by funds in bank accounts held by the Defendant (**Bank Accounts**), including but not limited to the following accounts held by the Defendant with Westpac Banking Corporation:

(i) 033-338 539311; and

(ii) 033-338 539338;

(e) without limiting the terms of sub-paragraph (d) above, withdrawing, transferring or otherwise disposing of or dealing with, any monies available to the Defendant in any account with any bank, building society or other financial institution in which the Defendant has any legal or equitable interest including, but not limited to, the monies standing to the credit of the Bank Accounts.

3. Paragraphs 2(d) and 2(e) do not prohibit the Defendant from withdrawing from the Bank Accounts up to the total amount of \$50,000 for the purposes of paying the Defendant's legal expenses in relation to this matter.

4. The Plaintiff has leave, to the extent necessary, to give to:

(a) the relevant authorities that record, control and regulate the ownership of real property, motor vehicles and maritime vessels and craft; and

(b) any bank, building society or other financial institution through which, to the best of the Plaintiff's belief, the Defendant operates any account; and

(c) any other person or entity, holding or controlling property, which, to the best of the Plaintiff's belief, belongs to the Defendant

notice of these Orders, by delivering a copy of them to a person apparently in the employ of that entity or person.



5. By 4:00 pm on 21 December 2018 the Plaintiff serve the Defendant with copies of:
 - (a) the Originating Process;
 - (b) the Affidavits of Naomi Margaret Johnston dated 19 and 20 December 2018;
and
 - (c) the Plaintiff's submissions filed in support of this application.
6. The Plaintiff also serve the Defendant with a copy of the transcript of the hearing of 20 December 2018 as soon as is practicable.
7. The Originating Process is adjourned to 9.30 am on 8 February 2019.
8. Costs reserved.
9. Liberty to apply.
10. Such further or other order as to the Court seems appropriate.

Date that entry is stamped: 21 December 2018.

Warrick Soden
Registrar