

## 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: 8/04/2026 8:41:38 AM AEST  
Date Accepted for Filing: 8/04/2026 8:56:43 AM AEST  
File Number: VID324/2026  
File Title: AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION v  
INTERPRAC FINANCIAL PLANNING PTY LTD (ACN 076 093 680) &  
ORS  
Registry: VICTORIA 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. VID of 2026

Federal Court of Australia  
District Registry: Victoria  
Division: Commercial and Corporations

BETWEEN

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

Plaintiff

**INTERPRAC FINANCIAL PLANNING PTY LTD (ACN 076 093 680) and others named in the Schedule**

Defendants

### A. DETAILS OF APPLICATION

This application is made under:

- (a) section 1323 of the *Corporations Act 2001* (Cth) (**Corporations Act**);
- (b) sections 23, 37AF and 37AG of the *Federal Court of Australia Act 1976* (Cth) (**Federal Court of Australia Act**).

The nature of the proceeding is an application for orders:

- (a) relating to the property of the First Defendant, including for the appointment of a receiver/receiver and manager to certain property of the First Defendant under section 1323(1)(h) of the Corporations Act and section 23 of the Federal Court of Australia Act; and
- (b) suppression or non-publication orders in relation to **Confidential Exhibit SK-2** filed by the Plaintiff in support of the application.

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Filed on behalf of the Plaintiff  
Prepared by Gina Wilson GLW:9775218.002  
Law firm: **Maddocks** Lawyers  
Tel 03 9258 3555  
Email gina.wilson@maddocks.com.au

Fax: 03 9258 3666

**Address for service** Collins Square, Tower Two, Level 25, 727 Collins Street Melbourne VIC 3008  
[9775218.005:47124241\_2][9775218.006:52672265\_8]



For the purposes of this Application,

“**Books**” has the meaning in section 9 of the Corporations Act.

“**Deed of Cross Guarantee**” means the deed of cross-guarantee dated 25 May 2022 entered into by the Group Entities (as defined in that deed) including the First, Second and Third Defendants, and which names the Second Defendant as the “Holding Entity” and “Trustee”.

“**Disposal**” means the sale of shares in the First Defendant pursuant to a share sale agreement executed by the Third Defendant and Fourth Defendant in March 2026.

“**Property**” means the choses in action comprising the guarantees in clauses 3.1 and 6.1 of the Deed of Cross Guarantee.

“**Other Property**” means all real or personal property, assets or interests in property of any kind, within or outside Australia including choses in action and, by virtue of section 1323(2A) of the Corporations Act, any property held otherwise than as sole beneficial owner, other than the Property.

On the facts stated in the supporting affidavit of Simon James Kerr, with Exhibits, affirmed on 7 April 2026 (**Kerr Affidavit**), the Plaintiff seeks the following relief:

### **Interim Orders**

1. An order pursuant to section 1323(3) of the Corporations Act and/or section 23 of the Federal Court of Australia Act, that until the hearing and determination of the proceeding, or further order, the First and Second Defendants be restrained from lodging (whether by themselves, or their agents or employees) any certificate or notice pursuant to clause 4.2(c) of the Deed of Cross Guarantee.

### **Appointment of Receiver**

2. Until further order, pursuant to section 1323(1)(h)(ii) of the Corporations Act, Sarah Emily Seeckts and Gayle Louise Dickerson of KPMG be appointed as the joint receivers and managers (**Receivers**), without security, of the Property, for the purposes of:
  - (a) securing the Property; and
  - (b) preparing a report in accordance with order 3.
3. The Receivers shall, within 90 days of the date of this order or such other date as the Court



may order, provide to the Court and the parties a report containing an opinion on:

- (a) whether the Disposal is a bona fide sale, and the consideration for the sale is fair and reasonable, within the meaning of clause 4.2(c)(i) of the Deed of Cross Guarantee; and
  - (b) the financial position and solvency of the First Defendant.
4. For the purposes of attaining the objectives for which the Receivers are appointed, the Receivers have the following powers:
- (a) the power to investigate the matters set out in order 3;
  - (b) the powers set out in sections 420(1), (2)(a) (in relation to the Property), (2)(p), and (2)(q) of the Corporations Act;
  - (c) the power to apply to the Court for directions or further orders.
5. The powers in order 4 shall not extend to selling, charging, mortgaging, encumbering or otherwise dealing with, disposing of and/or diminishing the value of all or any of the Property, or causing or permitting to be sold, charged, mortgaged, encumbered or otherwise dealt with, disposed of or diminished in value, all or any of the Property.
6. The Receivers shall be entitled to reasonable remuneration and reasonable costs and expenses properly incurred in the performance of their duties pursuant to these orders as may be fixed by the Court on the application of the Receivers, such sum to be calculated on the basis of the time reasonably spent by the Receivers, at the rates specified in the Consent to Act at Annexure A to these orders, such fees to be paid out of the Other Property of the First Defendant.
7. The Receivers shall be entitled to be indemnified out of the Other Property of the First Defendant for any liability properly incurred in performing their duties and discharging their functions pursuant to these orders.

### **Books and records**

8. Pursuant to section 23 of the Federal Court of Australia Act:
- (a) For the purpose of order 2(a), the defendants shall immediately make available to the Receivers all Books in their possession power or control relating to the Disposal.



- (b) For the purpose of orders 2(a) and 2(b), the First Defendant shall, upon request of the Receivers, make available to the Receivers all Books in its possession, power or control relating to the affairs of the First Defendant.
- (c) For the purposes of orders 2(a) and 2(b), the Plaintiff shall, upon request of the Receivers, make available to the Receivers all Books concerning the defendants and/or the Disposal obtained by the Plaintiff under Pt 3 Div 3 of the *Australian Securities and Investments Commission Act 2001* (Cth) and/or sections 792D or 912C of the Corporations Act.

### **Notice of orders to third parties**

- 9. To the extent necessary, the Plaintiff has leave to give notice of these orders to each of the following:
  - (a) Each party to the Deed of Cross Guarantee, aside from the First, Second and Third Defendants.
  - (b) The Australian Financial Complaints Authority.
  - (c) The Australian Stock Exchange.

### **General orders**

- 10. The First Defendant pay the Plaintiff's costs of and incidental to the Originating Process.
- 11. Each party, the Receivers, and any other person affected by these orders, have liberty to apply in relation to any matter arising in connection with these orders upon giving reasonable notice to the parties and Receivers.

### **Confidentiality orders**

- 12. An order pursuant to sections 37AF(1)(a) and (b) and 37AG(1)(a) of the Federal Court of Australia Act that Confidential Exhibit SK-2 to the Kerr Affidavit, which contains personal information of consumers, be marked "Confidential: No access without leave of a judge of the Court" and not be disclosed (by publication or otherwise) to any person other than the parties, their officers and their legal representatives, and staff of the Court, unless so ordered by a judge of the Court on application pursuant to rule 2.32(4) of the Federal Court Rules, until such time as ordered by the Court.



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Signature of Gina Wilson

Plaintiff's legal practitioner

This application will be heard by the Federal Court of Australia at 305 William Street, Melbourne VIC 3000 at \_\_\_\_\_ on \_\_\_\_\_.

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

TO: Interprac Financial Planning Pty Ltd, 'Suite 7 01' Unit 7 L, 1-7 Castlereagh Street, SYDNEY NSW 2000

TO: Sequoia Financial Group Ltd, 'Suite 7 01' Unit 7 L, 1-7 Castlereagh Street, SYDNEY NSW 2000

TO: Sequoia Wealth Group Pty Ltd, 'Suite 7 01' Unit 7 L, 1-7 Castlereagh Street, SYDNEY NSW 2000

TO: Conquest Investment Partners Pty Ltd, '6', 443-449 Toorak Road, TOORAK VIC 3142

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. FILING**

Date of filing: 8 April 2026

A handwritten signature in black ink, enclosed in a rectangular box.

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Signed by an officer acting with the authority of  
the District Registrar

This originating process is filed by the Plaintiff.

**D. SERVICE**

The Plaintiff's address for service is:

Maddocks Lawyers, Collins Square, Tower Two, Level 25, 727 Collins Street, Melbourne, Victoria  
3008.

The Plaintiff's address is Level 7, 120 Collins Street, Melbourne VIC 3000.

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 other Court officer*] on [*date*] to [*time and date*].



## Schedule

No. VID of 2026

Federal Court of Australia  
District Registry: Victoria  
Division: Commercial and Corporations

Second Defendant	Sequoia Financial Group Ltd ACN 091 744 884
Third Defendant	Sequoia Wealth Group Pty Ltd ACN 602 663 794
Fourth Defendant	Conquest Investment Partners Pty Ltd ACN 679 320 088