



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID212/2024

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION
Plaintiff

STEPHEN VINCENT MCGOVERN and another named in the schedule
Defendants

ORDER

JUDGE: JUSTICE ANDERSON

DATE OF ORDER: 26 March 2024

WHERE MADE: Melbourne

PENAL NOTICE

**TO: STEPHEN VINCENT MCGOVERN and
MARK MADAFFERI**

IF YOU (BEING THE PERSON BOUND BY THIS ORDER):

- (A) REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED
IN THE ORDER FOR THE DOING OF THE ACT; OR**
- (B) DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER
REQUIRES YOU NOT TO DO,**

**YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF
PROPERTY OR OTHER PUNISHMENT.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING
WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER
MAY BE SIMILARLY PUNISHED.**

THE COURT ORDERS THAT:

Travel Restraint Orders

1. Until further order, or 13 September 2024, whichever is earlier, pursuant to s 1323(3) of the *Corporations Act 2001* (Cth) (**Corporations Act**), each of the Defendants be restrained from leaving or attempting to leave Australia.



2. To the extent they have not already done so, pursuant to s 1323(3) of the Corporations Act, each of the Defendants deliver up by no later than 4:30pm on 26 March 2024, to the Registry of this Court:
 - (a) all passports in their name which are in their possession, custody or control;
 - (b) any documents evidencing any travel arrangements made for him in the twelve (12) month period commencing from the date of this order; and
 - (c) any copy in their possession, custody or control of any application in his name for a passport, replacement passport or other document permitting international travel made to the authorities of any country on or after the date this order enters into effect.
3. The documents delivered up to the Registry pursuant to Order 2 above be held by the Registry until 13 September 2024, or until further order, whichever is earlier.
4. Until further order, or 13 September 2024, whichever is earlier, the Defendants be restrained from applying for the issue of an Australian or non-Australian passport or other document permitting international travel.
5. In the event that a Defendant cannot locate any passport or other document permitting international travel, he promptly:
 - (a) give notification to the Australian Passport Office, or other relevant authorities responsible for the issue and control of Australian passports or travel documents, or, in the case of a foreign passport or travel document, the relevant authority responsible for the issue and control of such passports or travel documents, confirming that he has lost his passports or travel documents; and
 - (b) file and serve an affidavit stating that fact and exhibiting a copy of the above notification sent.

Notice of orders to Third Parties

6. To the extent necessary, the Plaintiff has leave to give to the relevant authorities that issue and control passports or control entry to and exit from Australia, notice of the



making of any of the foregoing orders by giving a copy of the orders to a person apparently in the employ of any such entity or person.

General

7. The hearing listed before Anderson J at 9.30am on 27 March 2024 be vacated.
8. The proceeding be referred to the National Operations Registrar for allocation to a docket judge.
9. The proceeding be listed for hearing not before 26 August 2024.
10. There be liberty to any party to apply on reasonable notice.
11. Costs reserved.

Date that entry is stamped: 26 March 2024

Sia Lagos
Registrar



Schedule

No: VID212/2024

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Second Defendant MARK MADAFFERI