



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD532/2024

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION and others named in
the schedule
Plaintiff

ALAMMC DEVELOPMENTS PTY LTD and others named in the schedule
Defendant

ORDER

JUDGE: Justice O'Sullivan

DATE OF ORDER: 20 December 2024

WHERE MADE: Brisbane

THE COURT NOTES THAT:

“**books**” has the same meaning as in the *Corporations Act 2001* (Cth)

THE COURT ORDERS BY CONSENT THAT:

1. By 5.00pm (AEDT) on 23 December 2024, the fourteenth defendant must (by his solicitors or personally) provide an email to the Receivers (or their solicitors) that describes:
 - (a) the books and other records of the eighth defendant (Harvey Madison Capital Pty Ltd);
 - (b) the means by or place at which those books and records were stored before 1 November 2024; and
 - (c) the means by or place at which those books and records were stored at the date of this order.
2. Subject to paragraph 3 below, by 5.00pm (AEDT) on 24 January 2025, the fourteenth defendant must:
 - (a) make, file and serve an affidavit that describes the matters set out in paragraphs 1(a), (b) and (c);
 - (b) make, file and serve an affidavit that:
 - (i) details any transaction or other dealing in cryptocurrency by:
(A) any of the defendants;



- (B) any other person (including but not limited to Amar Alamar or any other person who was an employee or contractor any of the first to thirteenth defendants) using money from any of the first to thirteenth defendants;
- (ii) explains the transactions and other matters referred to paragraph 2.3 of the email dated 10 December 2024 from Charles Haines of the Receivers' staff to the fourteenth defendant.
3. In the event that the fourteenth defendant wishes to object to compliance with paragraph 2 on the basis that compliance may tend to incriminate him or make him liable to a civil penalty, he must by 5.00pm on 24 January 2025, in accordance with section 128A of the *Evidence Act 1995* (Cth):
- (a) make, file and serve an affidavit disclosing so much of the information required to be disclosed by paragraph 2 to which no objection is taken;
 - (b) make an affidavit containing so much of the information required to be disclosed by paragraph 2 to which objection is taken and deliver it to the Court in a sealed envelope; and
 - (c) make, file and serve a separate affidavit setting out the basis of the objection.
4. Until further order, each of the first to thirteenth defendants must preserve any data or information stored on any mobile phone, laptop computer, desktop computer, tablet or other electronic device owned by it or used in its business.
5. Until further order, each of the fourteenth and fifteenth defendants must preserve any data, messages or information relating to the business, assets or financial affairs of any of the first to thirteenth defendants that are stored on any mobile phone, laptop computer, desktop computer, tablet or other electronic device that is in his or her possession or used by him or her.
6. The Receivers' costs of and incidental to this application are to be payable from the Property of the defendants.
7. There is liberty to apply.

Date orders authenticated: 20 December 2024


Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



Schedule

No: QUD532/2024

Federal Court of Australia
District Registry: Queensland Registry
Division: General

Plaintiff	AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION
Interested Person	ANDREW PETER FIELDING AND HELEN NEWMAN AS JOINT AND SEVERAL RECEIVERS AND MANAGERS OF THE FIRST TO FIFTEENTH DEFENDANTS
Second Defendant	ALAMMC DEVELOPMENTS 2 PTY LTD
Third Defendant	ALAMMC DEVELOPMENTS 3 PTY LTD
Fourth Defendant	ALAMMC DEVELOPMENTS 4 PTY LTD
Fifth Defendant	ALAMMC DEVELOPMENTS 5 PTY LTD
Sixth Defendant	ALAMMC DEVELOPMENTS 6 PTY LTD
Seventh Defendant	ALAMMC DEVELOPMENTS 7 PTY LTD
Eighth Defendant	HARVEY MADISON CAPITAL PTY LTD
Ninth Defendant	SDAMF 2 PTY LTD
Tenth Defendant	SDAMF 3 PTY LTD
Eleventh Defendant	SDAMF 4 PTY LTD
Twelfth Defendant	CORAL COAST MUTUAL PTY LTD
Thirteenth Defendant	MORTGAGE MUTUAL FUND PTY LTD
Fourteenth Defendant	DAVID GEORGE MCWILLIAMS
Fifteenth Defendant	LAURA MARY FULLARTON