



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD371/2025

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

AUSTRALIAN FIDUCIARIES LIMITED ACN 601 228 844 and others named in the
schedule
Defendant

ORDER

JUDGE: Justice Downes

DATE OF ORDER: 11 May 2026

WHERE MADE: Brisbane

UPON NOTING:

The undertakings contained in the orders made on 2 September 2025 (**Order**).

THE COURT ORDERS, BY CONSENT (AS BETWEEN THE PLAINTIFF AND THE SIXTH DEFENDANT, TWENTY-SEVENTH DEFENDANT AND TWENTY-EIGHTH DEFENDANT), THAT:

1. Paragraph 2(b) of the undertakings made by the sixth defendant, twenty-seventh defendant and twenty-eighth defendant (**Alroe Defendants**), Alroe Constructions Pty Ltd ACN 156 130 951 and Alroe Constructions Qld Pty Ltd ACN 646 264 600 as recorded in the Order is varied as follows:
 2. The Alroe Defendants, Alroe Constructions Pty Ltd ACN 156 130 951 and Alroe Constructions QLD Pty Ltd ACN 646 264 600 undertake:
 - (b) not to make any payments that are not:
 - (i) in respect of their legal expenses;
 - (ii) made in the ordinary course of their business; or
 - (iii) payments made in discharging obligations bona fide and properly incurred by any of them under a contract entered into before the Proceeding was commenced, including the Loan Note Deed Poll dated 4 January 2021,
until the final determination of the Proceeding.



2. Liberty to apply on reasonable notice.
3. Costs reserved.

Date orders authenticated: 11 May 2026

Sia Lagos
Registrar

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



Schedule

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Applicant	LEE RUSHTON IN HIS CAPACITY AS DIRECTOR OF THE TENTH AND ELEVENTH DEFENDANT
Interested Person	SOLOMONS CAPITAL AUSTRALIA PTY LTD ACN 635 595 309
Second Defendant	GLOBAL ACTIVE PROPERTY PTY LTD ACN 641 974 656
Third Defendant	GLOBAL YIELD INVESTMENTS PTY LTD ACN 641 974 361
Fourth Defendant	IMPACT FIDUCIARIES PTY LTD ACN 633 621 682 AS TRUSTEE FOR SOCIAL IMPACT TRUST ABN 34 221 385 991
Fifth Defendant	GLOBAL PRIVATE EQUITY PTY LTD ACN 641 023 547
Sixth Defendant	ALTON ENTERPRISES PTY LTD ACN 634 568 111
Seventh Defendant	ELC FIDUCIARIES PTY LTD ACN 643 570 996 AS TRUSTEE FOR EARLY LEARNING PROPERTY TRUST
Eighth Defendant	EDUCATION FIDUCIARIES PTY LTD ACN 642 177 080
Ninth Defendant	SRI FIDUCIARIES PTY LTD ACN 634 072 325 AS TRUSTEE FOR SRI PROPERTY TRUST ABN 61 412 567 086
Tenth Defendant	SRI FIDUCIARIES 2 PTY LTD ACN 647 487 732 AS TRUSTEE FOR SRI PROPERTY TRUST 2 ABN 21 691 923 892
Eleventh Defendant	SRI FIDUCIARIES 3 PTY LTD ACN 649 532 025 AS TRUSTEE FOR SRI PROPERTY TRUST 3 ABN 23 669 460 463
Twelfth Defendant	SDA PROPERTY NOMINEES PTY LTD ACN 634 072 030 AS TRUSTEE FOR SDA HOLDINGS TRUST ABN 49 786 717 152
Thirteenth Defendant	SDA FIDUCIARIES PTY LTD ACN 633 632 283 AS



	TRUSTEE FOR SDA PROPERTY TRUST ABN 16 727 323 078
Fourteenth Defendant	SDA FIDUCIARIES 2 PTY LTD ACN 633 792 711 (CONTROLLER APPOINTED) AS TRUSTEE FOR SDA PROPERTY TRUST 2 ABN 30 803 199 130
Fifteenth Defendant	SDA FIDUCIARIES 3 PTY LTD ACN 634 665 008 AS TRUSTEE FOR SDA PROPERTY TRUST 3 ABN 86 144 960 975
Sixteenth Defendant	SDA FIDUCIARIES 4 PTY LTD ACN 634 665 044 AS TRUSTEE FOR SDA PROPERTY TRUST 4 ABN 91 405 942 410
Seventeenth Defendant	SDA FIDUCIARIES 5 PTY LTD ACN 641 715 237 AS TRUSTEE FOR SDA PROPERTY TRUST 5 ABN 38 960 304 935
Eighteenth Defendant	SDA FIDUCIARIES 6 PTY LTD ACN 641 715 246 AS TRUSTEE FOR SDA PROPERTY TRUST 6 ABN 14 159 956 210
Nineteenth Defendant	SDA FIDUCIARIES 7 PTY LTD ACN 642 131 968 AS TRUSTEE FOR SDA PROPERTY TRUST 7 ABN 31 686 743 307
Twentieth Defendant	SDA FIDUCIARIES 8 PTY LTD ACN 642 132 009 AS TRUSTEE FOR SDA PROPERTY TRUST 8 ABN 87 408 377 958
Twenty First Defendant	PROGRESSIVE EARLY EDUCATION CENTRES PTY LTD ACN 636 113 721
Twenty Second Defendant	GLOBAL MULTIMEDIA PTY LTD ACN 643 569 975 AS TRUSTEE FOR GLOBAL MULTIMEDIA TRUST
Twenty Third Defendant	GLOBAL EDUCATION INNOVATIONS PTY LTD ACN 650 365 021
Twenty Fourth Defendant	VIOLETT PRODUCTION PTY LTD ACN 648 746 534
Twenty Fifth Defendant	NEXUS FILES DEVELOPMENTS PTY LTD ACN 643 550 609
Twenty Sixth Defendant	THE POSSESSED PTY LTD ACN 643 305 668
Twenty Seventh Defendant	E3 DESIGN & BUILD PTY LTD ACN 635 558 959



Twenty Eighth Defendant E3 DESIGN & BUILD NSW PTY LTD ACN 636 046 136

Twenty Ninth Defendant EMPORIO FIDUCIARIES PTY LTD ACN 651 713 487 AS
TRUSTEE FOR EMPORIO TRUST ABN 29 196 718 834

Thirtieth Defendant CHIRN PARK FIDUCIARIES PTY LTD ACN 643 570 236 AS
TRUSTEE FOR CHIRN PARK ELC TRUST ABN 35 854 772
948

Thirty First Defendant POINT FIDUCIARIES PTY LTD ACN 649 961 053 AS
TRUSTEE FOR PARADISE POINT TRUST ABN 50 577 352
584