



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID288/2022

**IN THE MATTER OF THE A TEAM PROPERTY GROUP PTY LTD (ACN 603 138 889)**

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

Plaintiff

**SASHA JOAKIM HOPKINS** and others named in the schedule

Defendants

### **ORDER**

**JUDGE:** JUSTICE BEACH

**DATE OF ORDER:** 24 July 2023

**WHERE MADE:** Melbourne

#### **OTHER MATTERS:**

A. The Court notes that Sasha Joakim Hopkins has, by his counsel, given the following undertakings to the Court:

1. That he will take all reasonable steps to ensure that:

(a) any and all:

(i) proceeds received after the date of these Orders from the sale of the JV Properties (Sale Proceeds); and

(ii) Sale Proceeds that were received before the date of these Orders, and remain within the control of the defendants or the JV parties

will be paid or transferred into the bank account of the JV Company to which the JV Property relates;



- (b) he will, upon request, provide the plaintiff with the details of any bank account (including the name of the bank, account name, BSB and account number) into which the Sale Proceeds are paid;
  - (c) he, his associated entities (including the JV Companies) and/or his agents will only use the Sale Proceeds to pay any creditor with security over the JV Property to which the Sale Proceeds relate, and/or to each investor, strictly in accordance with the terms of any security and/or existing contractual arrangements in place with the investors in the relevant JV Company; and
  - (d) the Sale Proceeds will not be dispersed from any JV Company's account to any associate or related entity of any of the defendants and the JV Companies.
2. Before causing or otherwise facilitating or allowing the disbursement of Sale Proceeds referred to at undertaking 1 above (other than any disbursements for usual costs of sale or legal costs and expenses), he will file and serve on the plaintiff an affidavit in these proceedings deposing to the following:
- (a) the amount of the Sale Proceeds (annexing any settlement statement);
  - (b) the amount to be paid to any creditor with security of the JV Property to which the Sale Proceeds relate (annexing the relevant security agreement);  
and
  - (c) the amount to be paid to any investor (annexing the relevant loan agreement or other contractual arrangement with the investor).
3. He will not cause any disbursements of Sale Proceeds to be made prior to the expiry of 14 days from the date upon which an affidavit that complies with paragraph 2 is filed and served on the plaintiff.
4. If any of the Sale Proceeds are dispersed for the purpose of paying for usual costs of sale or legal costs and expenses (as referred to in paragraph 1 above), within five (5) business days of making the disbursement, Mr Hopkins will notify the plaintiff in writing of the disbursement, and provide the plaintiff with the invoice(s) for the



relevant disbursement(s) (noting that he is entitled to redact any invoices to protect a valid claim of legal professional privilege).

5. The defendants will comply with any reasonable request of the plaintiff for information and particulars concerning any proposed disbursement of the Sale Proceeds within seven (7) days of the plaintiff's request.
- B. The undertaking reflected in paragraph A is subject to further order by way of variation or discharge.
- C. For the purpose of the abovementioned undertakings:
1. Defendants includes the defendants joined to these proceedings by order 1 below.
  2. JV Companies means the following companies: Ludlow St Hamilton Pty Ltd (ACN 626 298 020), Hunter Hopkins Project 2 Pty Ltd (ACN 634 176 382), Hunter Hopkins Project 6 Pty Ltd (ACN 635 382 777), Hunter Hopkins Project 7 Pty Ltd (ACN 636 807 406), Hunter Hopkins Project 8 Pty Ltd (ACN 637 105 821) and Compound Capital Investments 1 Limited (ACN 639 543 972).
  3. JV Properties means the properties known as:
    - (a) 11 Ludlow Street, Hamilton, Queensland 4007;
    - (b) 128 River Terrace, Kangaroo Point, Queensland 4169;
    - (c) 1 Bryson Avenue, Victoria 3186;
    - (d) 103 Paterson Street, Byron Bay, NSW 2481; and
    - (e) 4 Langside Road, Hamilton, Queensland 4007.

### **THE COURT ORDERS THAT:**

#### **Plaintiff's interlocutory application dated 10 May 2023**

1. Pursuant to rule 9.05 of the *Federal Court Rules 2011* (Cth) (Federal Court Rules), the plaintiff has leave to join the following as defendants to these proceedings:



- (a) Ludlow St Hamilton Pty Ltd (ACN 626 298 020);
  - (b) Hunter Hopkins Project 2 Pty Ltd (ACN 634 176 382);
  - (c) Hunter Hopkins Project 6 Pty Ltd (ACN 635 382 777);
  - (d) Hunter Hopkins Project 7 Pty Ltd (ACN 636 807 406);
  - (e) Hunter Hopkins Project 8 Pty Ltd (ACN 637 105 821); and
  - (f) Compound Capital Investments 1 Limited (ACN 639 543 972).
2. Pursuant to rule 8.21 of the Federal Court Rules, the plaintiff has leave to file and serve within 7 days of these orders an amended originating process in the form annexed to the interlocutory process filed on 10 May 2023.
  3. The costs of the plaintiff's interlocutory application dated 10 May 2023 be costs in the cause.

#### **Discharge of Travel Restraint Orders**

4. Paragraphs 15 to 19 (inclusive) of the Orders made on 31 May 2022 (as previously extended and/or varied) be discharged.
5. The Australian passport of the first defendant delivered to the Court pursuant to paragraph 16 of the Orders made on 31 May 2022 (as extended and/or varied) be released to the first defendant.

#### **Timetabling orders**

6. The proceeding be listed for a mediation to be conducted by a Registrar of the Court at a date convenient to the Court and the parties.
7. The matter be listed for a further case management hearing at 9.30 am on 10 November 2023.
8. There be liberty to apply on three business days' notice.



9. Costs reserved.

Date that entry is stamped: 24 July 2023

*Sia Lagos*  
Registrar



**Schedule**

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Second Defendant	THE A TEAM PROPERTY GROUP PTY LTD (ACN 603 138 889)
Third Defendant	SASH INVESTMENT HOLDINGS PTY LTD (ACN 154 443 768)
Fourth Defendant	LUDLOW ST HAMILTON PTY LTD (ACN 626 298 020)
Fifth Defendant	HUNTER HOPKINS PROJECT 2 PTY LTD (ACN 634 176 382)
Sixth Defendant	HUNTER HOPKINS PROJECT 6 PTY LTD (ACN 635 382 777)
Seventh Defendant	HUNTER HOPKINS PROJECT 7 PTY LTD (ACN 636 807 406)
Eighth Defendant	HUNTER HOPKINS PROJECT 8 PTY LTD (ACN 637 105 821)
Ninth Defendant	COMPOUND CAPITAL INVESTMENTS 1 LIMITED (ACN 639 543 972)