



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/62/2024

EX PARTE:

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Quintis (Australia) Pty Ltd
(Receivers and Managers Appointed)
(Administrators Appointed)
(ACN 626 970 821)**

First Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Sandalwood Properties Ltd
(formerly known as T.F.S. Properties Ltd)
(Receivers and Managers Appointed)
(Administrators Appointed)
(ACN 093 330 977)**

Second Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Quintis Forestry Pty Ltd
(formerly known as Tropical Forestry
Services Ltd) (Receivers and Managers
Appointed) (Administrators Appointed)
(ACN 080 139 966)**

Third Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Arwon Finance Pty Ltd
(Receivers and Managers Appointed)
(Administrators Appointed)
(ACN 072 486 643)**

Fourth Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Quintis Leasing Pty Ltd
(formerly known as T.F.S. Leasing Pty
Ltd) (Receivers and Managers Appointed)
(In Liquidation) (ACN 080 978 721)**

Fifth Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Fieldpark Pty Ltd (Receivers
and Managers Appointed) (Administrators
Appointed) (ACN 113 440 841)**

Sixth Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Mt Romance Holdings Pty
Ltd (Receivers and Managers Appointed)
(Administrators Appointed)
(ACN 115 659 606)**

Seventh Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of Quintis Sandalwood Pty Ltd
(formerly known as Mt Romance Australia
Pty Ltd) (Receivers and Managers
Appointed) (Administrators Appointed)
(ACN 060 122 698)**

Eighth Plaintiff

-and-

**DANIEL WOODHOUSE, HAYDEN
WHITE and JOHN PARK in their
capacity as joint and several receivers and
managers of About Time We Met Pty Ltd
(formerly known as Australia Sandalwood
Oil Co. Pty Ltd) (Receivers and Managers
Appointed) (Administrators Appointed)
(ACN 088 257 498)**

Ninth Plaintiff

**ORDERS OF THE HONOURABLE JUSTICE STRK
MADE ON 20 SEPTEMBER 2024**

UPON THE APPLICATION made by the plaintiffs by interlocutory process filed on 21 August 2024, AND UPON the minute of proposed draft orders received in a communication on 20 September 2024, AND AFTER HEARING Mr WCJ Zappia on behalf of the plaintiffs on 19 September 2024, IT IS ORDERED THAT:

1. For the purpose of these orders:
 - (a) 'Interlocutory Process' means the interlocutory process filed on 21 August 2024 in the proceeding known as COR 62 of 2024;
 - (b) 'Programming Orders' means the orders made by this Court on 27 August 2024; and
 - (c) 'Quintis Group Companies' has the same meaning as given in the orders made on 27 August 2024.
2. To the extent required, any irregularity in the issue of the Interlocutory Process for service outside of Australia by operation of O 5 r 9 of the *Rules of the Supreme Court 1971* (WA) (RSC), is hereby cured nunc pro tunc pursuant to O 2 r 1(2) of the RSC.
3. Pursuant to O 18 r 6 of the RSC, each person described as a defendant in the Interlocutory Process (that is, Paul Begley, Shirley Spencer as executor of the deceased estate of Colin Spencer, Gregory Brudenell and each person and entity listed in the schedule to the Interlocutory Process titled 'MIS Investors'), be joined defendants to this proceeding.
4. The Programming Orders be amended as follows:
 - (a) Order 1(a) be amended so as to include the words underlined below:

'In accordance with the Supreme Court (Corporations) (WA) Rules 2004 (WA) rule 2.7, the plaintiffs have leave to serve a copy of the interlocutory process filed on 21 August 2024 (the Interlocutory Process) and the affidavits made by Daniel Woodhouse on 15 April 2024, 5 July 2024, 21 August 2024 and a further affidavit to be made by Mr Woodhouse by 4:00pm on Wednesday, 28 August 2024 (collectively the Supporting Affidavits, respectively) and the Programming Orders

(collectively the Court Papers) on each defendant based in Western Australia or interstate, on the Quintis Group Companies, on the Sandalwood Growers' Co-op and on Indian Sandalwood Farming (being organisations which purport to represent one or more of the defendants) by 4:00pm (AWST) Friday, 30 August 2024.'

- (b) Order 1(b)(i) be amended so as to include the words underlined below:

'Service of the Interlocutory Process and the Supporting Affidavits be effected by:

- (i) sending by email (or absent an email address, by post) a copy of the Interlocutory Process and the Supporting Affidavits to the defendants based in Western Australia or interstate, and to the Sandalwood Growers' Co-op and to Indian Sandalwood Farming;'

- (c) Order 3 be amended so as to include the words underlined below:

'Any defendant based interstate or in Western Australia or any person with an interest in the application for substantive orders (see pt A of the Interlocutory Process) who wishes to be heard in this application must file an appearance by 4:00pm (AWST) on Friday, 20 September 2024.'

- (d) Order 4 be amended so as to include the words underlined below:

'Any defendant based in Western Australia or interstate or any person with an interest in the application for substantive orders (see pt A of the Interlocutory Process) who has filed an appearance shall file and serve any affidavit evidence upon which they intend to rely by 4:00pm (AWST) on Friday, 27 September 2024.'

- (e) Order 6 be amended so as to include the words underlined below:

'Any defendant based in Western Australia or interstate or any person with an interest in the application for substantive orders (see pt A of the Interlocutory Process) who has filed an appearance must file written submissions upon which they intend to rely by 4:00pm (AWST) on Friday, 11 October 2024.'

5. Pursuant to O 10 r 11 of the RSC the plaintiffs have leave nunc pro tunc to serve the Court Papers on each defendant who is outside of Australia.

6. Pursuant to O 72 r 4 of the RSC the plaintiffs have leave to effect substituted service of the Court Papers on each defendant who is outside of Australia by effecting service by email (or absent an effective email address, by post).
7. Order 6 of these orders has effect nunc pro tunc, so that service of the Court Papers on any defendant outside of Australia by email before the making of these orders is effective service.
8. Any defendant outside of Australia who wishes to be heard in this application for substantive orders (see pt A of the Interlocutory Process) must file and serve an appearance, any affidavit evidence and the written submissions upon which they intend to rely by 4:00pm (AWST) on Friday, 11 October 2024.
9. By 4:00pm (AWST) on Monday, 23 September 2024, the plaintiffs are to give notice of these orders and the Programming Orders to all defendants, to the administrators and liquidators appointed to each of the Quintis Group Companies, to the Sandalwood Growers' Co-op and to Indian Sandalwood Farming by:
 - (a) email or post (where email addresses are not available); and
 - (b) posting them (if they have not already been posted) on the website maintained by Sandalwood Properties Ltd at www.sandalwoodproperties.com.au, and on any website maintained by FTI Consulting (Australia) relating to the Quintis Group Companies, which post is to be maintained on the website (or websites) until the determination of the application for substantive orders (see pt A of the Interlocutory Process).

Liberty to Apply

10. The parties and any other interested parties have liberty to apply on two (2) business days' notice.

Costs

11. The costs of the hearing today be costs in the cause of the application.

