

Circular to Creditors, Lessors, Sub-Lessors and Growers

28 December 2023

Dear Sir/Madam

Quintis Leasing Pty Ltd (Administrators Appointed) ACN 080 978 721 ('the Company')

I refer to the Administrators' circular to creditors of 21 December 2023 advising creditors that the Administrators made an ex parte application to the Federal Court of Australia ('Court') pursuant to sections 447A and 443B(8) of the Corporations Act 2001 (Cth) ('Act') and section 90-15 of the Insolvency Practice Schedule ('IPS') to extend the period under section 443B of the Act during which the Administrators may occupy the property the subject of the leases to which the Company is a party ('Property') without incurring personal liability to 30 January 2024, or such other date as the Court determines, and thereafter, to such further date, if any, order by the Court ('Court Application').

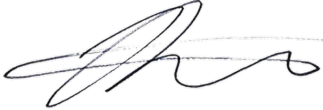
The Court Application was heard by the Court on Friday 22 December 2023, where the Court delivered the following summarised orders:

- Order 1: the period during which the Administrators are not liable for rent or other amounts payable by the Company under any of its leases was extended to 30 January 2024, and the time to give notice under section 443B(3) of the Act was extended to 30 January 2024.
- Order 2: the Administrators must take all reasonable steps to notify all known creditors and owners, lessors and sub-lessees of any property affected by Order 1 of the orders, and be given access to download the sealed orders.
- Order 3: any of the parties mentioned in Order 2 has the liberty to apply to modify or discharge both Orders 1 and 2 on two business days' notice to the Administrators and the Court.
- Order 4: the costs of the application to the Court are costs in the Administration of the Company.
- Order 5: the matter has been listed for a further hearing on 30 January 2024 in respect of any further Court application brought by the Administrators pursuant to sections 447A or 443B(8) of the Act or section 90-15 of the IPS.

A sealed copy of the Court's orders is attached to this circular and is also available to download from KordaMentha's website at: www.kordamentha.com/creditors.

If you require any further information, please do not hesitate to contact Isabelle Brown on 08 9220 9343 or by email at ibrown@kordamentha.com.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Richard Tucker', with a long horizontal flourish extending to the right.

Richard Tucker
Administrator



Federal Court of Australia

District Registry: Western Australia

Division: General

No: WAD332/2023

IN THE MATTER OF QUINTIS LEASING PTY LTD (ADMINISTRATORS APPOINTED) ACN 080 978 721

RICHARD SCOTT TUCKER IN HIS CAPACITY AS JOINT AND SEVERAL ADMINISTRATOR OF QUINTIS LEASING PTY LTD (ADMINISTRATORS APPOINTED) ACN 080 978 727 and others named in the schedule
Plaintiffs

ORDER

JUDGE: JUSTICE FEUTRILL

DATE OF ORDER: 22 December 2023

WHERE MADE: Perth

THE COURT ORDERS THAT:

1. Pursuant to s 447A(1) of the *Corporations Act 2001* (Cth), Part 5.3A of the Act be modified insofar as it applies to the first and second plaintiffs (in their capacities as joint and several administrators of the third plaintiff) and the third plaintiff (as a company under administration) such that:
 - (a) s 443B(2)(a) of the Act operates as if the expression ‘that begins more than 5 business days after the administration began’ were replaced with the expression ‘that begins on 30 January 2024’; and
 - (b) s 443B(3) of the Act operates as if the expression ‘Within 5 business days after the beginning of the administration’ were replaced with the expression ‘By 30 January 2024’.
2. The plaintiffs must take all reasonable steps to cause notice of these orders to be given to each known creditor of the third plaintiff and each known owner or lessor and each known sub-lessee of property affected by paragraph 1 of these orders (collectively, **affected persons**) and the Australian Securities Investments Commission, within three (3) business days after the making of these orders, by:



- (a) notifying each affected person via email of the making of the orders and providing a link to a website where the affected person may download the orders, using the email address of each affected person at such email address as is recorded in the books and records of the third plaintiff;
 - (b) where an email address is not recorded in the books and records of the third plaintiff but a postal address is recorded, notifying each such affected person in writing of the making of the orders and providing a link to a website where that affected person may download the orders, using the postal address for each such affected person recorded in the books and records of the third plaintiff;
 - (c) placing a copy of the sealed orders on the website maintained by the first and second plaintiffs at <https://www.kordamentha.com/creditors>; and
 - (d) sending a copy of the sealed orders to ASIC at its email address.
3. The plaintiffs and any person who can demonstrate a sufficient interest (including any affected person) have liberty to apply on two (2) business days' notice being given to the plaintiffs and the Court to modify or discharge paragraphs 1 and (or) 2 above.
 4. The plaintiffs' costs of, or incidental to, this application be costs in the administration of the third plaintiff.
 5. The matter be listed for a hearing on 30 January 2024 in respect of any further application by the plaintiffs for orders under sections 443B(8) and 447A(1) of the Act and (or) section 90-15 of Schedule 2 of the Act, *Insolvency Practice Schedule (Corporations)*, or otherwise.

Date that entry is stamped: 22 December 2023


Registrar



Schedule

No: WAD332/2023

Federal Court of Australia

District Registry: Western Australia

Division: General

Second Plaintiff SCOTT BRADLEY KERSHAW IN HIS CAPACITY AS JOINT
AND SEVERAL ADMINISTRATOR OF QUINTIS LEASING
PTY LTD (ADMINISTRATORS APPOINTED) ACN 080 978
721

Third Plaintiff QUINTIS LEASING PTY LTD (ADMINISTRATORS
APPOINTED) ACN 080 978 721