

6 July 2022

CIRCULAR TO CLIENTS, CREDITORS & CONTRIBUTORIES

Dear Creditor,

**UNION STANDARD INTERNATIONAL GROUP PTY LTD (IN LIQUIDATION)
ACN 117 658 349 (Company)**

NOTICE OF AN APPLICATION TO THE FEDERAL COURT OF AUSTRALIA

We refer to previous reports concerning this Liquidation and provide a brief update for creditors in respect of upcoming applications to the Federal Court of Australia (**Federal Court**).

We have made significant progress since our last report, investigating the Company's affairs and filing an application for the Court's approval to use the trust funds for, and to, publicly examine various parties.

We confirm that we have been reporting regularly to the appointed Committee of Inspection (**COI**) as the Liquidation has progressed. That communication is confidential, as it deals with privileged and commercially sensitive information. The COI members have supported our work thus far and our intended actions moving forward, in particular, the Public Examination application.

PUBLIC EXAMINATIONS

As mentioned in our previous update, we have shifted our focus to pursuing possible recovery actions, where the initial step is to hold a Public Examination of key parties involved. *A Public Examination is a legal process used to gather evidence, whereby Liquidators can seek orders from the Court to compel parties to produce documents to the Court and to appear before the Court to give evidence under oath on matters pertaining to the Company's affairs.* The information obtained can then be utilised to pursue recoveries for the benefit of creditors, or possibly to prosecute parties for misconduct.

On 17 June 2022, we filed an application with the Federal Court for its approval to use the statutory trust funds for the public examinations and to hold a Public Examination. Relevantly, our application seeks orders that we can examine numerous parties located within Australia, and also requires production of documentation from various entities and persons. Our solicitors anticipate that the examinations will run over ten (10) days later this year, subject to the Court's availability and its further orders.

Novabrif Pty Ltd Trading as BRI Ferrier ABN 61 643 013 610
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BRI Ferrier... throughout Australia and New Zealand.

Ancillary applications for additional examinees (primarily parties located offshore) may also be filed in the near future depending on further legal advice. We also understand that a party representing a group of interested creditors has applied to the Australian Securities and Investments Commission (**ASIC**) for its approval to participate in the Public Examination process as an Eligible Applicant. That application is still pending before ASIC.

Given that this is a new set of investigations under the Corporations Act, we have filed an Interlocutory Process seeking directions from the Federal Court, approving our use of the trust funds held by the Company for the Public Examination process. This approval application has been scheduled to be heard by Justice Jagot on 25 July 2022 at ~~10.15am~~ 11.15am (AEST). Details of the place for the hearing are:

Federal Court of Australia
Queens Square
Law Courts Building
184 Phillip Street,
Sydney NSW 2000

A copy of the Interlocutory Process can be downloaded from:

<https://briferrier.com.au/about-us/current-matters/union-standard-international-group-pty-ltd>

Subject to Justice Jagot's determination on this approval application, we intend to request that Her Honour also make orders for the issuance of the Public Examination summonses and orders for production immediately. We note that the Justice Jagot presided over the Trust Application last year, and therefore Her Honour has knowledge of this complex Liquidation and the parties involved. We are unable to share with creditors the Affidavit material which supports the Interlocutory Process, as its contents are confidential and commercially sensitive. However, should any creditors have particular queries about this Interlocutory Process and/or the forthcoming hearing before Justice Jagot, please contact our office.

We intend to provide a more detailed report to all creditors once we have completed the Public Examination process and have a view on what recoveries may be available to pursue. In the interim, we will continue to provide regular reporting to the COI, as the creditors' appointed representatives.

If you have any queries or wish to be heard by the Court regarding the Interlocutory Process, the Public Examinations or the liquidation generally, please email our team at usg@brifnsw.com.au.

Yours faithfully

UNION STANDARD INTERNATIONAL GROUP PTY LTD (IN LIQUIDATION)



PETER KREJCI

Joint and Several Liquidator

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 17/06/2022 7:01:45 PM AEST and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Interlocutory process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 3
File Number:	NSD754/2020
File Title:	PETER PAUL KREJCI AND ANDREW JOHN CUMMINS AS VOLUNTARY ADMINISTRATORS OF UNION STANDARD INTERNATIONAL GROUP
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



Sia Lagos

Dated: 24/06/2022 9:19:02 AM AEST

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Form 3 Interlocutory process
(Rules 2.2, 15A.4, 15A.8 and 15A.9)

Federal Court of Australia

No. NSD754 of 2020

District Registry: New South Wales

Division: General

IN THE MATTER OF UNION STANDARD INTERNATIONAL GROUP PTY LTD (IN LIQUIDATION)

ACN: 117 658 349

Peter Paul Krejci and Andrew John Cummins in their capacity as joint and several liquidators of Union Standard International Group Pty Ltd (in liquidation) (ACN 117 658 349)

Applicants

A Details of application

This application is made under section 90-15(1) of the *Insolvency Practice Schedule (Corporations)* (IPSC) and section 63 of the *Trustee Act 1925* (NSW) (Trustee Act).

This application relates to orders and directions that the Applicants, in their capacity as joint and several liquidators (**Liquidators**) of Union Standard International Group Pty Ltd (in liquidation) (ACN 117 658 349) (**Company**), are justified in using trust money for the purpose of conducting public examinations in respect of the examinable affairs of the Company.

On the facts stated in the supporting affidavit(s), the Liquidators apply for the following relief:

- 1 Pursuant to section 90-15(1) of the IPSC, the Liquidators' remuneration (subject to approval by creditors, the Committee of Inspection or the Court), costs and expenses (including legal costs and disbursements) in connection with this application and the proposed public examinations described in the confidential affidavit of Peter Paul Krejci sworn on 17 June 2022 be paid out of the funds held by the Company on statutory trust pursuant to section 981H of the Corporations Act.
- 2 Pursuant to section 90-15(1) of the IPSC, an order, and pursuant to section 63 of the Trustee Act, a direction, that the Liquidators are justified in paying the remuneration referred to in order 1 above upon the making of a resolution by the Committee of Inspection of the Company approving that remuneration or alternatively upon approval by the Court of that remuneration.
- 3 Such further or other orders as may be just or necessary.

Filed on behalf of	The Applicants
Prepared by	Mark Petrucco
Law firm	Hall & Wilcox
Tel	+61 2 8267 3800
Email	mark.petrucco@hallandwilcox.com.au
Address for service	Level 18, 347 Kent Street, Sydney NSW 2000

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Date: 23 June 2022

A handwritten signature in blue ink, appearing to be "H. Wilcox", written over a horizontal line.

Lawyer for the Applicants

This application will be heard by _____ at the Law Courts Building, Queens Square, 184 Phillip Street, Sydney NSW 2000 at _____ am/pm on _____.

B Notice to respondent(s)

Not applicable.

C Filing

This interlocutory process is filed by Hall & Wilcox for the Applicants.

D Service

The Applicants' address for service is C/- Hall & Wilcox, Level 18, 347 Kent Street, Sydney NSW 2000.