



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD914/2020

**IN THE MATTER OF VIRGIN AUSTRALIA HOLDINGS LTD
(ADMINISTRATORS APPOINTED) ACN 100 686 226 & ORS**

TRANSPORT WORKERS' UNION OF AUSTRALIA and others named in the schedule
Plaintiff

**VAUGHAN STRAWBRIDGE, SALVATORE ALGERI, JOHN GREIG AND
RICHARD HUGHES, IN THEIR CAPACITY AS JOINT AND SEVERAL
VOLUNTARY ADMINISTRATORS OF THE SECOND TO THIRTY-NINTH
PLAINTIFFS** and others named in the schedule
Defendant

ORDER

JUDGE: JUSTICE MIDDLETON

DATE OF ORDER: 21 August 2020

WHERE MADE: MELBOURNE

THE COURT NOTES THAT:

1. Section 17(1) of the *Federal Court of Australia Act 1976* (Cth) (the **Act**) requires that the jurisdiction of the Court be exercised in open court, but s 17(4) of the Act allows for the public to be excluded if the Court is satisfied that their presence would be contrary to the interests of justice.
2. The Court must balance the importance of this matter being heard and determined and open justice.
3. Justice requires this hearing to be conducted as soon as reasonably possible, and that it not be delayed indefinitely pending the end of the current viral pandemic.
4. The best practical arrangements in the circumstances of the pandemic have been put in place to allow interested members of the public or the press to observe or listen to the hearing. These arrangements are identified in paragraph 1 of the orders below.
5. It would be contrary to the interests of justice for the public to have access to the hearing other than in accordance with the arrangements identified in paragraph 1 of the orders below because the result of that would be to have the hearing deferred indefinitely.

THE COURT ORDERS THAT:



1. Pursuant to s 17(4) of the Act, the public be excluded from this hearing listed at 10.15am on 21 August 2020, other than by the following arrangements:
 - a. any member of the public is able to join the hearing via the Microsoft Teams platform by providing an email address to the Associate to Justice Middleton (associate.middletonj@fedcourt.gov.au) as stipulated in the Court notice of proceedings; and
 - b. any member of the public is able to listen to the hearing via the Microsoft Teams platform by dialling the number and ID allocated to the hearing (published on the Court list).
2. Members of the public who attend the hearing via the methods in paragraph 1 of these orders, do so on the condition that they are:
 - a. permitted to observe or listen to the hearing but are in no circumstances permitted to participate in the hearing;
 - b. prohibited from making any recording or photographic record of the hearing, or any part thereof, by any means whatsoever, with the exception of media representatives; and
 - c. advised that any failure to observe the conditions in (a) and (b) may constitute a contempt of court and be punishable as such.

Date that entry is stamped: 21 August 2020

Sia Lagos
Registrar



Schedule

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Second Plaintiff	AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION (ASU)
Third Plaintiff	FLIGHT ATTENDANTS' ASSOCIATION OF AUSTRALIA - INTERNATIONAL DIVISION
Fourth Plaintiff	AUSTRALIAN LICENCED AIRCRAFT ENGINEERS ASSOCIATION
Fifth Plaintiff	VIPA
Sixth Plaintiff	COMMUNICATIONS, ELECTRICAL, ELECTRONIC, ENERGY, INFORMATION, POSTAL, PLUMBING AND ALLIED SERVICES UNION OF AUSTRALIA
Seventh Plaintiff	AUTOMOTIVE, FOOD, METALS, ENGINEERING, PRINTING AND KINDRED INDUSTRIES UNION
Second Defendant	VIRGIN AUSTRALIA HOLDINGS LTD (ADMINISTRATORS APPOINTED) ACN 100 686 226
Third Defendant	VIRGIN AUSTRALIA INTERNATIONAL OPERATIONS PTY LTD (ADMINISTRATORS APPOINTED) ACN 155 859 608
Fourth Defendant	VIRGIN AUSTRALIA INTERNATIONAL HOLDINGS PTY LTD (ADMINISTRATORS APPOINTED) ACN 155 860 021
Fifth Defendant	VIRGIN AUSTRALIA INTERNATIONAL AIRLINES PTY LTD (ADMINISTRATORS APPOINTED) ACN 125 580 823
Sixth Defendant	VIRGIN AUSTRALIA AIRLINES (SE ASIA) PTY LTD (ADMINISTRATORS APPOINTED) ACN 097 892 389
Seventh Defendant	VIRGIN AUSTRALIA AIRLINES HOLDINGS PTY LTD (ADMINISTRATORS APPOINTED) ACN 093 924 675
Eighth Defendant	VAH NEWCO NO.1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 160 881 345
Ninth Defendant	TIGER AIRWAYS AUSTRALIA PTY LIMITED



	(ADMINISTRATORS APPOINTED) ACN 124 369 008
Tenth Defendant	VIRGIN AUSTRALIA AIRLINES PTY LTD (ADMINISTRATORS APPOINTED) ACN 090 670 965
Eleventh Defendant	VA BORROWER 2019 NO. 1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 633 241 059
Twelfth Defendant	VA BORROWER 2019 NO. 2 PTY LTD (ADMINISTRATORS APPOINTED) ACN 637 371 343
Thirteenth Defendant	VIRGIN TECH PTY LTD (ADMINISTRATORS APPOINTED) ACN 101 808 879
Fourteenth Defendant	SHORT HAUL 2018 NO. 1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 622 014 831
Fifteenth Defendant	SHORT HAUL 2017 NO. 1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 617 644 390
Sixteenth Defendant	SHORT HAUL 2017 NO. 2 PTY LTD (ADMINISTRATORS APPOINTED) ACN 617 644 443
Seventeenth Defendant	SHORT HAUL 2017 NO. 3 PTY LTD (ADMINISTRATORS APPOINTED) ACN 622 014 813
Eighteenth Defendant	VBNC5 PTY LTD (ADMINISTRATORS APPOINTED) ACN 119 691 502
Nineteenth Defendant	A.C.N. 098 904 262 PTY LTD (ADMINISTRATORS APPOINTED) ACN 098 904 262
Twentieth Defendant	VIRGIN AUSTRALIA REGIONAL AIRLINES PTY LTD (ADMINISTRATORS APPOINTED) ACN 008 997 662
Twenty First Defendant	VIRGIN AUSTRALIA HOLIDAYS PTY LTD (ADMINISTRATORS APPOINTED) ACN 118 552 159
Twenty Second Defendant	VB VENTURES PTY LTD (ADMINISTRATORS APPOINTED) ACN 125 139 004
Twenty Third Defendant	VIRGIN AUSTRALIA CARGO PTY LTD (ADMINISTRATORS APPOINTED) ACN 600 667 838
Twenty Fourth Defendant	VB LEASECO PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 268 741
Twenty Fifth Defendant	VA HOLD CO PTY LTD (ADMINISTRATORS APPOINTED) ACN 165 507 157



Twenty Sixth Defendant	VA LEASE CO PTY LTD (ADMINISTRATORS APPOINTED) ACN 165 507 291
Twenty Seventh Defendant	VIRGIN AUSTRALIA 2013-1 ISSUER CO PTY LTD (ADMINISTRATORS APPOINTED) ACN 165 507 326
Twenty Eighth Defendant	737 2012 NO.1 PTY. LTD (ADMINISTRATORS APPOINTED) ACN 154 201 859
Twenty Ninth Defendant	737 2012 NO. 2 PTY LTD (ADMINISTRATORS APPOINTED) ACN 154 225 064
Thirtieth Defendant	SHORT HAUL 2016 NO. 1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 612 766 328
Thirty First Defendant	SHORT HAUL 2016 NO. 2 PTY LTD (ADMINISTRATORS APPOINTED) ACN 612 796 077
Thirty Second Defendant	SHORT HAUL 2014 NO. 1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 600 809 612
Thirty Third Defendant	SHORT HAUL 2014 NO. 2 PTY LTD (ADMINISTRATORS APPOINTED) ACN 600 878 199
Thirty Fourth Defendant	VA REGIONAL LEASECO PTY LTD (ADMINISTRATORS APPOINTED) ACN 127 491 605
Thirty Fifth Defendant	VB 800 2009 PTY LTD (ADMINISTRATORS APPOINTED) ACN 135 488 934
Thirty Sixth Defendant	VB LEASECO NO 2 PTY LTD (ADMINISTRATORS APPOINTED) ACN 142 533 319
Thirty Seventh Defendant	VB LH 2008 NO. 1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 280 354
Thirty Eighth Defendant	VB LH 2008 NO. 2 PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 288 805
Thirty Ninth Defendant	VB PDP 2010-11 PTY LTD (ADMINISTRATORS APPOINTED) ACN 140 818 266
Fortieth Defendant	TIGER INTERNATIONAL NUMBER 1 PTY LTD (ADMINISTRATORS APPOINTED) ACN 606 131 944
Forty First Defendant	VAH NEWCO NO. 2 PTY LTD (IN LIQUIDATION) (ADMINISTRATORS APPOINTED) ACN 160 881 354
Forty Second	VB INVESTCO PTY LTD (IN LIQUIDATION)



Defendant

(ADMINISTRATORS APPOINTED) ACN 101 961 095