

## NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 20/10/2020 7:57:41 PM AEDT 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 Application - Form 35 - Rule 17.01(1)(a)  
File Number: NSD714/2020  
File Title: WELLS FARGO TRUST COMPANY, NATIONAL ASSOCIATION (AS OWNER TRUSTEE) & ANOR v VB LEASECO PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 268 741 & ORS  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA  
Reason for Listing: Mention  
Time and date for hearing: 27/10/2020, 9:15 AM  
Place: Please check Daily Court List for details



*Sia Lagos*

Dated: 21/10/2020 3:29:13 PM AEDT

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.



## Interlocutory application

No. 714 of 2020

Federal Court of Australia  
District Registry: NSW  
Division: General

### **Wells Fargo Trust Company, National Association (as owner trustee) and others named in schedule 1**

Applicants

### **VB Leaseco Pty Ltd (Administrators Appointed) ACN 134 268 741 and others named in schedule 1**

Respondents

To the Respondents

The Applicant applies for the interlocutory orders set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

**Time and date for hearing:**

**Place:** Law Courts Building, Queens Square, Sydney, NSW

The Court ordered that the time for serving this application be abridged to

Date:

Signed by an officer acting with the authority  
of the District Registrar

Filed on behalf of (name & role of party)	The Applicants		
Prepared by (name of person/lawyer)	Noel McCoy		
Law firm (if applicable)	Norton Rose Fulbright Australia		
Tel	+61 2 9330 8000	Fax	+61 2 9330 8111
Email	noel.mccoy@nortonrosefulbright.com	Ref	4015052
<b>Address for service</b> (include state and postcode)	Level 5, 60 Martin Place, Sydney NSW 2000 noel.mccoy@nortonrosefulbright.com		



### **Interlocutory orders sought**

1. An order granting leave to the Applicants to file a Further Amended Originating Application in the form of annexure A to the affidavit of Dean Poulakidas sworn 19 October 2020.
2. An order that until further order of the Court, the Respondents are to preserve the aircraft objects in Schedule 2 of the Amended Originating Application filed on 28 July 2020 (**AOA**) by:
  - (a) maintaining the Engines identified in Schedule 2 in accordance with paragraph 1 of Schedule 3 of the AOA; and
  - (b) maintaining insurance cover over the aircraft objects identified in Schedule 2 of the AOA to the same or greater extent as was maintained at the date of appointment of the Third Respondent as administrators to the first, second and fourth respondents.
3. An order that the Third Respondent cause the First Respondent, Second Respondent and Fourth Respondent to preserve each Engine, consistent with the applicable engine manufacturer's procedures for removal and the terms of the Engine Leases (see clause 18(h) of the GTA as that term is defined in paragraph 7 of Schedule 2 of the AOA) including the following:
  - (a) capping and plugging all openings of the Engine;
  - (b) preserving the Engine for long-term preservation and storage for a minimum of 365 days in accordance with the applicable manufacturer's procedures for the Engine; and
  - (c) completely sealing the Engine in a Moisture Vapour Proof (**MVP**) Bag provided by the Applicants or with heavy gauge vinyl plastic if the Applicants do not provide an MVP Bag.
4. An order otherwise staying, until further order, this proceeding, including any application by the Respondents for declaratory relief or any matter remitted to this proceeding in accordance with the order 3 of the orders made on 7 October 2020 in proceeding NSD994 of 2020.

### **Service on the Respondents**

It is intended to serve this application on all of the Respondents.



Date: 20 October 2020

A handwritten signature in black ink, appearing to be "NM", written over a horizontal dotted line.

Signed by Noel McCoy  
Lawyer for the Applicants

**Schedule 1**

No. NSD 714 of 2020

Federal Court of Australia  
District Registry: New South Wales  
Division: General

**Applicants**

Second Applicant: **Willis Lease Finance Corporation**

**Respondents**

Second Respondent: **Virgin Australia Airlines Pty Ltd (Administrators Appointed) ACN 090 670 965**

Third Respondent: **Vaughan Neil Strawbridge, John Lethbridge Greig, Salvatore Algeri & Richard John Hughes (in their capacity as voluntary administrators of the First and Second Respondents)**

Fourth Respondent: **Tiger Airways Australia Pty Limited (Administrators Appointed) ACN 124 369 008**