

## NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 2/09/2020 7:40:14 PM AEST and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

### Details of Filing

Document Lodged:	Outline of Submissions
File Number:	NSD914/2020
File Title:	IN THE MATTER OF VIRGIN AUSTRALIA HOLDINGS LTD (ADMINISTRATORS APPOINTED) ACN 100 686 226 & ORS
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads 'Sia Lagos'.

Dated: 2/09/2020 7:40:35 PM 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 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.



In the matters of Virgin Australia Holdings Ltd (Administrators Appointed) & Ors

Federal Court of Australia Proceeding No. NSD 914 of 2020

**Transport Workers' Union of Australia**

First Plaintiff

**& Ors**

**Vaughan Strawbridge, Salvatore Algeri, John Greig and Richard Hughes, in their capacity  
as joint and several voluntary administrators of each of Virgin Australia Holdings Ltd**

**(Administrators Appointed) and the Third to Forty-Second Plaintiffs**

First Defendants

**& Ors**

### **DEFENDANTS' OUTLINE OF SUBMISSIONS**

1. These are the submissions of the Defendants, including the Second to Forty-Second Defendants (**the Virgin Companies**) and the First Defendants (**the Administrators**), with respect to the Interlocutory Process filed by the Plaintiffs (**the Unions**) on 2 September 2020.
2. The effect of the orders sought by the Unions on this application is that those employee creditors of the Virgin Companies who are members of one or more of the Unions and who are deemed to have appointed a representative of their respective Union as their attorney for the second meetings of creditors of the Virgin Companies (**Second Meetings**) in accordance with the orders made by the Court on 21 August 2020, will be anonymised in the list of attendees at the Second Meetings to be recorded in the minutes of the meetings prepared in accordance with section 75-145(4) of the *Insolvency Practice Rules (Corporations)*.
3. The Administrators consent to the orders sought by the Unions.
4. In particular, the need to preserve the privacy of those employees who are members of the various Unions is an important consideration, particularly in circumstances where the assets and business of the Virgin Companies are the subject of a restructuring which will involve a new owner acquiring control.

5. In the absence of the relief sought, those employees of the Virgin Companies who are members of the Unions will be readily identifiable. That is by reason of the operation of the orders made on 21 August 2010, whereby (other than where they opt-out) unionised employees are deemed to have appointed a representative of their respective Union as their attorney at the Second Meetings.
6. The orders sought are appropriate as they protect the confidentiality of the fact that an employee is a member of one or other of the Unions.

**2 September 2020**

Daniel Krochmalik

Counsel for the Defendants