

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 17/07/2020 4:20:47 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: 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: Hearing
Time and date for hearing: 31/07/2020, 10:15 AM
Place: By Web Conference, Level 17, Law Courts Building 184 Phillip Street Queens Square, Sydney; Court Room Not Assigned, Owen Dixon Commonwealth Law Courts Building Level 7, 305 William Street, Melbourne



Sia Lagos

Dated: 20/07/2020 10:52:52 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
District Registry: New South Wales
Division: Commercial and Corporations List

No. NSD 714 of 2020

IN THE MATTER OF VB LEASECO PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 268 741 & ORS

VB LEASECO PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 268 741 AND OTHERS NAMED IN SCHEDULE 1

Applicants

WELLS FARGO TRUST COMPANY, NATIONAL ASSOCIATION (AS OWNER TRUSTEE) AND ANOTHER NAMED IN SCHEDULE 2

Respondents

A. DETAILS OF APPLICATION

This application is made under sections 443B(8) and 447A of the *Corporations Act 2001* (Cth) (**Corporations Act**) and sections 90-15 and 90-20 of the Insolvency Practice Schedule (Corporations), being Schedule 2 to the Corporations Act (**IPSC**).

On the facts stated in the supporting affidavit of Salvatore Algeri sworn on 17 July 2020 the Applicants seek the following orders:

1. An order pursuant to section 443B(8) or section 447A(1) of the Corporations Act that the Third Applicants be excused from liability in respect of the property identified in Schedule 2 to the Originating Process.
2. A declaration or an order pursuant to section 90-15(1) of the IPSC that the Third Applicants may exercise a lien over the property identified in Schedule 2 to the Originating Process for the Third Applicants' reasonable and proper remuneration, costs and expenses attributable to work done in identifying, caring for, preserving or facilitating the return of that property to the Respondents.
3. Costs.

Filed on behalf of (name & role of party)	The Applicants		
Prepared by (name of person/lawyer)	Timothy James Sackar		
Law firm (if applicable)	Clayton Utz		
Tel	+61 2 9353 4000	Fax	+61 2 8220 6700
Email	kaadams@claytonutz.com		
Address for service (include state and postcode)	Level 15, 1 Bligh Street, Sydney NSW 2000		



4. Such further or other orders or directions as the Court considers appropriate.

Date: 17 July 2020

A handwritten signature in blue ink, appearing to read 'Orfhlaith Maria McCoy', written over a light blue horizontal line.

Signed by Timothy James Sackar (by his partner
Orfhlaith Maria McCoy)
Solicitor for the Applicants

This application will be heard by the Federal Court of Australia at the Owen Dixon Commonwealth Law Courts Building, 305 William Street, Melbourne, Victoria at **10:15am on 31 July 2020**.

B. NOTICE TO RESPONDENT(S) (IF ANY)

C/ Mr Noel McCoy / Ms Safiyya Khan
Norton Rose Fulbright Australia
Level 5, 60 Martin Place
Sydney, NSW 2000
noel.mccoy@nortonrosefulbright.com /safiyya.khan@nortonrosefulbright.com

C. FILING

This interlocutory process is filed by Clayton Utz for the Applicants.

E. SERVICE

The Applicants' address for service is:

Attention: Timothy Sackar/Kassandra Adams
C/- Clayton Utz Lawyers
Level 15,
1 Bligh Street
SYDNEY NSW 2000

The Applicants intend to serve a copy of this Interlocutory Process on the Respondents and ASIC.

**SCHEDULE 1**

Federal Court of Australia
District Registry: New South Wales
Division: Commercial and Corporations List

No. NSD 714 of 2020

IN THE MATTER OF VB LEASECO PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 268 741 & ORS**Applicants**

First Applicant:	VB Leaseco Pty Ltd (Administrators Appointed) ACN 134 268 741
Second Applicant:	Virgin Australia Airlines Pty Ltd (Administrators Appointed) ACN 090 670 965
Third Applicant	Vaughan Strawbridge, Salvatore Algeri, John Greig and Richard Hughes, in their capacity as joint and several voluntary administrators of the First and Second Applicants

**SCHEDULE 2**

Federal Court of Australia
District Registry: New South Wales
Division: Commercial and Corporations List

No. NSD 714 of 2020

**IN THE MATTER OF VB LEASECO PTY LTD (ADMINISTRATORS APPOINTED) ACN 134 268 741 &
ORS**

Respondents

First Respondent: Wells Fargo Trust Company, National Association (as owner trustee)

Second Respondent: Willis Lease Finance Corporation