



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD818/2020

**IN THE MATTER OF VAH NEWCO NO. 2 PTY LTD (IN LIQUIDATION) ACN 160 881 354 AND VB INVESTCO PTY LTD (IN LIQUIDATION) ACN 101 961 095**

**RICHARD HUGHES IN HIS CAPACITY AS LIQUIDATOR OF EACH OF VAH NEWCO NO. 2 PTY LTD (IN LIQUIDATION) AND VB INVESTCO PTY LTD (IN LIQUIDATION)** and others named in the schedule  
Plaintiff

### **ORDER**

**JUDGE:** JUSTICE MIDDLETON

**DATE OF ORDER:** 02 October 2020

**WHERE MADE:** Sydney

#### **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 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 2.15pm on 2 October 2020, other than by the following arrangements:
  - a. 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 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: 2 October 2020

*Sia Lagos*  
Registrar



**Schedule**

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Second Plaintiff                   VAH NEWCO NO.2 PTY LTD (IN LIQUIDATION) ACN 160  
881 354

Third Plaintiff                    VB INVESTCO PTY LTD (IN LIQUIDATION) ACN 101 961  
095

Fourth Plaintiff                  SALVATORE ALGERI, VAUGHAN NEIL STRAWBRIDGE  
AND JOHN LETHBRIDGE GREIG