



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: 03 September 2020

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. The time for service of the plaintiffs' interlocutory process is abridged and the originating process is made returnable at 2.15pm on 3 September 2020.
2. Pursuant to section 447A(1) of the *Corporations Act 2001* (Cth) (**Act**) and section 90-15 of the *Insolvency Practice Schedule (Corporations)* (Cth), the *Insolvency Practice Rules (Corporations) 2016* (Cth) (**IPR**) be modified to operate such that, as to those persons who are taken to have appointed an attorney in accordance with Order 2 of the orders made on 21 August 2020 (Orders):
 - (a) the requirement that a record be prepared pursuant to s 75-145(4) and (5) of the IPR in relation to the concurrent meetings of creditors of the second to forty-second defendants (**Virgin Companies**) convened pursuant to section 439A(2) of the Act (**Second Meetings**), as to persons present by attorney at the Second Meetings, is dispensed with; and
 - (b) for the purpose of s 75-145(4) and (5) of the IPR, the first defendants are to record each applicable representative of the plaintiffs as having attended and voted at the



Second Meetings on behalf of the specified number and value of those creditors by whom the applicable representative of the plaintiffs are deemed to have been appointed pursuant to Order 2 of the Orders.

3. The Plaintiffs' reasonable costs of and incidental to this application and the Defendants' costs of and incidental to this application, be costs in the administration of the Virgin Companies.
4. Each plaintiff take all reasonable steps to cause notice of these orders to be given, within two (2) business days of the making of these orders, to its members who are employees of any of the Virgin Companies, in the following manner:
 - (a) where the plaintiff has an email address for a member, by notifying such member, via email, of the making of the orders and providing a link to a website where the member may download the orders and the originating process;
 - (b) where the plaintiff does not have an email address for a member but does a postal address for that member (or has received notification of non-delivery of an email sent in accordance with paragraph 4(a) above), by notifying each such member, via post, of the making of the orders and the website link where the member may download the orders and the originating process; and
 - (c) by placing scanned, sealed copies of the originating process and the orders on the website maintained by the plaintiff.
5. Any person who can demonstrate a sufficient interest has liberty to apply to vary or discharge order 2 above, on 3 business days' written notice to the plaintiffs, the defendants and the Associate to Justice Middleton.

Date that entry is stamped: 3 September 2020

Sia Lagos
Registrar



Schedule

No: NSD914/2020

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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