

Duplicate

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane

NUMBER: S1736 of 2018

IN THE MATTER OF OSTWALD BROS. CIVIL PTY LTD (IN LIQUIDATION)

ACN 063 036 760

**First Applicants:** DERRICK CRAIG VICKERS AND SAM ANDREW MARSDEN AS LIQUIDATORS OF OSTWALD BROS. CIVIL PTY LTD (IN LIQUIDATION)

**Second Applicant:** OSTWALD BROS. CIVIL PTY LTD (IN LIQUIDATION) ACN 063 036 760

ORDER

Before: Justice Burns

Date: 14 March 2018

Initiating document: Originating application filed 16 February 2018

THE ORDER OF THE COURT IS THAT:

1. Pursuant to s.80-55(5)(b) of Schedule 2 to the *Corporations Act 2001* (Cth), leave nunc pro tunc for Shane Salmon (a member of the committee of inspection formed for the administration of the second applicant) to derive a profit or advantage from the transaction listed in the attached schedule.
2. By 16 March 2018, the first applicants are to:
  - (a) serve a copy of these orders on the Australian Securities and Investments Commission; and
  - (b) give notice of these orders to the second applicant's creditors by:
    - (i) uploading a copy of these orders onto the website "www.ostwaldbros.com.au" (**Website**) so as to be accessible to creditors of the second applicant; and
    - (ii) sending a circular letter to each of the second applicant's known creditors (by email in respect of those creditors who have informed the first applicants of their email addresses, and by post in respect of all other known creditors) informing them of the substance of these orders and providing a link to the Website.

Signed: OBuravano  
Deputy Registrar

ORDER  
Filed on behalf of the Applicants  
Form 59 R.661

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12376/15948/80192436

FINAL ORDER

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**SCHEDULE: TRANSACTION BETWEEN THE SECOND APPLICANT AND ENTITY  
CONNECTED WITH A MEMBER OF THE COMMITTEE OF INSPECTION (COI)**

<b>Counterparty to transaction with the second applicant</b>	<b>COI member and connection with counterparty</b>	<b>Description of transaction entered into between the second applicant and the counterparty</b>	<b>Date of transaction</b>
Salmon Earthmoving Services Pty Ltd	Shane Salmon (employee - Financial Controller)	Purchase of D10 Dozer by Salmon Earthmoving Services Pty Ltd from second applicant - \$198,000	03.10.2017
<b>TOTAL received from Salmon Earthmoving Services Pty Ltd</b>			<b>\$198,000.00</b>