



Issued: 5 July 2017 11:27 AM

JUDGMENT/ORDER

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Corporations List
Registry	Supreme Court Sydney
Case number	2017/00203115

TITLE OF PROCEEDINGS

First Plaintiff	Katherine Elizabeth Barnet and Hugh Armenis in their capacity as joint and several administrators of Kimberley Diamonds Limited (Administrators Appointed)
Second Plaintiff	Kimberley Diamonds Limited (Administrators Appointed)
Corporation subject of the proceeding	Kimberley Diamonds Limited (Administrators Appointed)

DATE OF JUDGMENT/ORDER

Date made or given	5 July 2017
Date entered	5 July 2017

TERMS OF JUDGMENT/ORDER

BY ORDER OF THE COURT:

Upon the undertaking of Michael Edward France to pay the appropriate filing fees, grant leave to Katherine Elizabeth Barnet and Hugh Armenis to file an originating process in the form initialled by Brereton J, dated today's date and placed with the papers.

Direct that the originating process be returnable instanter.

THE COURT ORDERS THAT:

1. Pursuant to Corporations Act s439A(6) the convening period for the meeting of creditors of Kimberley Diamonds Limited (Administrators Appointed) ("the Company") required to be held pursuant to s439A of the Act be extended to midnight on 30 November 2017.
2. Pursuant to s447A of the Act, Part 5.3A operate in relation to the Company as if the second meeting of creditors required by s439A may be convened and held at any time during the period as extended under order 1 hereof and the period of five business days thereafter notwithstanding the provisions of s 439A(2).
3. Liberty is reserved to any person including any creditor who can demonstrate sufficient interest in respect of the Company to make such application as he, she or it may be advised, to vary or discharge these orders upon 48 hours written notice being given to the plaintiffs.
4. Liberty is reserved to the administrators to apply before 30 November 2017 for a further extension of the convening period.
5. Within two business days of the making of these orders in accordance with this originating process, the first plaintiffs cause notice of these orders:
 - (i) to be provided to all known creditors of the Company by email, where an email address for the creditors is known by the first plaintiffs, or otherwise by way of post sent to their last known address; and
 - (ii) to be placed on the website maintained by the first plaintiffs at <http://www.bentleys.com.au/>.

6. The costs and expenses of this application be costs and expenses in the administration.
These Orders be entered Forthwith.

SEAL AND SIGNATURE



Signature T.Kennedy (L.S)
Capacity Chief Clerk
Date 5 July 2017

If this document was issued by means of the Electronic Case Management System (ECM), pursuant to Part 3 of the Uniform Civil Procedure Rules (UCPR), this document is taken to have been signed if the person's name is printed where his or her signature would otherwise appear.