NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 6/08/2015 2:25:08 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**:**	Originating process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 2
File Number:	NSD931/2015
File Title:	In the matter of Bamboo Direct Pty Ltd (in Liquidation) ACN 095 151 321
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	Case Management Hearing
Time and date for hearing:	19/08/2015, 9:30 AM
Place:	Court Room Not Assigned, Level 17 Law Courts Building Queen's Square, Sydney

Dated**:** 7/08/2015 1:13:26 PM 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.

IN THE FEDERAL COURT OF AUSTRALIA

DISTRICT REGISTRY: SYDNEY

DIVISION: CORPORATIONS

No. 2015/

IN THE MATTER OF BAMBOO DIRECT PTY LIMITED (IN LIQUIDATION) ACN 095 151 321

BAMBOO DIRECT
PTY LIMITED
(IN LIQUIDATION)
ACN 095 151 321
First Plaintiff

DAVID MICHAEL MORGAN
IN HIS CAPACITY AS LIQUIDATOR OF BAMBOO DIRECT
PTY LIMITED (IN LIQUIDATION) ACN 095 151 321
Second Plaintiff

Form 2 Originating process

(rules 2.2 and 15A.3)

A. DETAILS OF APPLICATION

This application is made under section 511 and, to the extent necessary and appropriate, section 479(3) of the *Corporations Act 2001* (Cth).

This is an application by the second plaintiff in his capacity as liquidator of the first plaintiff.

On the facts stated in the supporting affidavit, the plaintiffs seek the following orders:

Interim Orders

1. For the purpose of giving notice of this Originating Process to the persons named in the schedule to this Originating Process, that the plaintiffs would be justified in:

   a. causing to be published a copy of the notice at tab 28 in "**Exhibit DMM-1**" to the affidavit of David Michael Morgan (**Notice**) in the The Daily Telegraph newspaper;

   b. causing a copy of the Notice to be sent by email to each of the persons named in the schedule to this Originating Process for whom the second plaintiff holds an email address;

   c. causing a copy of the Notice to be sent by post to each of the persons named in the schedule to these orders for whom the second plaintiff holds a postal address;

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d. displaying a copy of the Notice, together with a copy of this Originating Process and supporting affidavit of David Michael Morgan on the website of Clout & Associates at www.cloutassociates.com.au.

2. That the plaintiffs file an affidavit setting out compliance with the requirements of order 1 five business days prior to the hearing of the balance of the Originating Process.

Final Orders

3. A declaration that the first plaintiff holds the proceeds from the sale of the Small-Scale Technology Certificates (**STCs**) referred to as *"Category 1 STCs"* in the affidavit of David Michael Morgan filed with this Originating Process (**the Proceeds**) in its own right and that the Proceeds comprise part of the *"property of the company"* within the meaning of section 501 of the *Corporations Act 2001* (Cth).

4. A direction that the second plaintiff, in his capacity as liquidator of the first plaintiff, would be justified in distributing the Proceeds as *"property of the company"* within the meaning of section 501 of the *Corporations Act 2001* (Cth) in the winding up of the first plaintiff.

5. In the alternative to order 3, a declaration that the first plaintiff holds the Proceeds on trust for the persons named in the schedule to this Originating Process.

6. In the alternative to order 4, a direction that the second plaintiff, in his capacity as liquidator of the first plaintiff, would be justified in distributing the Proceeds to those persons named in the schedule to this Originating Process.

7. An order that the second plaintiff is entitled to recover his costs and expenses in making this application in the winding up of the first plaintiff.

8. Such further or other orders as the Court deems appropriate.

Date: 5 August 2015

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Michael James Forrest
Solicitor for the plaintiffs

This Originating Process will be heard by the Federal Court of Australia at Law Courts Building, Queens Square, Sydney, at

B. NOTICE TO DEFENDANTS

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

(a) the application may be heard and final relief given,

(b) directions may be given for the future conduct of the proceeding,

(c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

Note.

Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. FILING

Date of filing:

This originating process is filed by William James, solicitors for the plaintiffs.

E. SERVICE

The plaintiffs' address for service is c/- William James, Upper Ground, 230 Clarence Street Sydney NSW 2000.

It is intended to serve a copy of this originating process on the Australian and New Zealand Banking Corporation and those persons set out in the Schedule to this Originating Process.

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