



Issued: 3 May 2022 2:55 PM

JUDGMENT/ORDER

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Corporations Registrar's List
Registry	Supreme Court Sydney
Case number	2021/00249633

TITLE OF PROCEEDINGS

First Plaintiff	STELLAR UK 1 LIMITED
First Defendant	S. Algeri, R. Hughes, J. Greig in their capacity as joint & several Trustees of the Project Volar Creditors' Trust established in the Administration of each of Virgin Australia Holdings Ltd & Ors

DATE OF JUDGMENT/ORDER

Date made or given	26 April 2022
Date entered	1 May 2022

TERMS OF JUDGMENT/ORDER

VERDICT, ORDER OR DIRECTION:

Black J makes orders (as amended) in accordance with the Short Minutes of Order initialled by him and placed in the file.

THE COURT NOTES THAT:

1A By an order made by consent on 18 March 2022, pursuant to rule 28.2 of the Uniform Civil Procedure Rules 2005 (NSW), the Court reserved for separate determination any dispute (to the extent that it remains) as to the repossession and airworthiness of aircraft objects, howsoever described (including any relocation costs), and as to the Defendants' decision to reject the quantum or a component (rather than the priority) of a claim made by a Plaintiff in whole or in part (Reserved Matters).

THE COURT ORDERS THAT:

1 The proceedings be listed for directions before Black J at 9.15am on 29 April 2022, for no more than 45 minutes, with respect to the Reserved Matters.

2 The proceedings otherwise be dismissed.

3 Each of the Plaintiffs in each proceeding, other than CIT Aerospace LLC, pay the Defendants' costs of that proceeding to the date of these orders, other than the Reserved Matters, as agreed or as assessed.

4 For the avoidance of doubt where the Reserved Matters are still to be determined, pursuant to rule 42.7(2) of the Uniform Civil Procedure Rules 2005 (NSW), the costs orders in paragraph 3 above be payable forthwith.

SEAL AND SIGNATURE



Signature Chris D'Aeth
Capacity Principal Registrar
Date 3 May 2022

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.

FURTHER DETAILS ABOUT Plaintiff(s)

First Plaintiff
Name STELLAR UK 1 LIMITED
Address K&L Gates Level 31
1 O'Connell Street
SYDNEY NSW 2000

Telephone
Fax
E-mail
Client reference

Legal representative

Name Jason Charles Opperman
Practicing certificate number 23210
Address K & L Gates Level 31
1 O'Connell Street
SYDNEY NSW 2000
DX address DX 170 Sydney NSW
Telephone (02) 9513 2435
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Email jason.opperman@klgates.com
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FURTHER DETAILS ABOUT Defendant(s)

First Defendant

Name S. Algeri, R. Hughes, J. Greig in their capacity as joint & several Trustees of the Project Volar Creditors' Trust established in the Administration of each of Virgin Australia Holdings Ltd & Ors
Address c/- Clayton Utz Level 15
1 Bligh Street
SYDNEY NSW 2000