

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 16/03/2021 8:46:47 PM AWST 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:	Interlocutory process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 3
File Number:	WAD59/2021
File Title:	ADAM NICHOLAS IAN FLETCHER & ORS v CHRISTOPHER MICHAEL BROWN & ANOR
Registry:	WESTERN AUSTRALIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	Interlocutory Hearing
Time and date for hearing:	18/03/2021, 3:30 PM
Place:	Please check Daily Court List for details



Sia Lagos

Dated: 17/03/2021 3:57:49 PM AWST

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.



Form 3 Interlocutory process

(rules 2.2, 15A.4, 15A.8 and 15A.9)

Federal Court of Australia

No. of 2021

District Registry: Western Australia

Division: Commercial and Corporations

Adam Nicholas Ian Fletcher & others

Plaintiffs

AND

Christopher Michael Brown & others

Defendants

A. DETAILS OF APPLICATION

This application is made under section 23 of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**).

The interim relief sought includes orders for asset preservation orders against the defendants.

On the facts stated in the supporting affidavits of Nader El Sayed, Jaysen Taylor, Stuart Campbell and Adam Fletcher, the plaintiffs seek the following orders:

Service and *ex parte*

1. The service requirements of this interlocutory process and supporting affidavits of Nader El Sayed, Jaysen Taylor, Stuart Campbell and Adam Fletcher be dispensed with.
2. This interlocutory process be returnable immediately before the Judge on an *ex parte* basis, at a date and time to be set.

Interim asset preservation

Filed on behalf of (name & role of party)	The Plaintiffs		
Prepared by (name of person/lawyer)	Nirupa Manoharan		
Law firm (if applicable)	Mills Oakley		
Tel	+61 8 6167 9800	Fax	+61 8 6167 9898
Email	perthereception@millsoakley.com.au		
Address for service (include state and postcode)	Level 24, 240 St Georges Tce, Perth WA 6000		



3. Pursuant to section 23 of the FCA Act, an interim asset preservation order either in the terms of the minute of proposed orders filed herewith or in such other order as the Court considers appropriate.

General

4. Costs be reserved.
5. There be liberty to any party to apply to the Court on 48 hours' notice.
6. Such further and other orders as the Court thinks fit.

Date: 17 March 2021

Mills Oakley

Mills Oakley
Lawyers for the Plaintiffs

This application will be heard by at
Peter Durack Commonwealth Law Courts Building, 1 Victoria Avenue, Perth WA 6000
at *am/*pm on

B. NOTICE TO DEFENDANT(S) (IF ANY)

TO: Christopher Michael Brown

AT: [REDACTED] and c/- HopgoodGanim Lawyers, Level 28,
Allendale Square, 77 St Georges Terrace, Perth, WA 6000.

AND TO: CMB Investments 1993 Pty Ltd (ACN 618 397 925)

AT: [REDACTED] and c/- HopgoodGanim Lawyers,
Level 28, Allendale Square, 77 St Georges Terrace, Perth, WA 6000

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 plaintiffs.

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: March 2021

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Registrar

This interlocutory process is filed by Mills Oakley for the plaintiffs.

E. SERVICE

The plaintiffs' address for service is c/-Mills Oakley, Level 24, 240 St Georges Terrace, Perth WA 6000.

It is **not** intended to serve a copy of this interlocutory process on the defendants until after an initial hearing of the application without notice to the defendants.



Schedule

Federal Court of Australia

No. of 2021

District Registry: Western Australia

Division: Commercial and Corporations

Adam Nicholas Ian Fletcher

First Plaintiff

and

Stuart Campbell

Second Plaintiff

and

Jaysen Taylor

Third Plaintiff

and

365 Plant Hire Pty Ltd (ACN 621 477 978)

Fourth Plaintiff

and

Jaytona Pty Ltd (ACN 137 723 418)

Fifth Plaintiff

and

Nameo Pty Ltd (ACN 155 839 197)

Sixth Plaintiff

AND

Christopher Michael Brown

First Defendant

and

CMB Investments 1993 Pty Ltd (ACN 618 397 925)

Second Defendant