



**Triple MMM Holdings Pty Ltd (Administrators Appointed) ACN 629 584 238
in its personal capacity and its capacity as trustee for Triple MMM Unit Trust
ABN 13 537 443 405
(Triple MMM)**

30 November 2022

As you are aware, Matthew Caddy and I were appointed Voluntary Administrators (**Administrators**) of Triple MMM on 21 November 2022.

The purpose of this circular is to provide you with information in relation to the Administrators' application to the Federal Court of Australia (**Federal Court**) (proceeding no. VID698/2022) (**Proceeding**) seeking orders permitting the Administrators to enter into a funding deed for the conduct of the Triple MMM voluntary administration, as noted in the initial information provided to creditors on 24 November 2022.

The approved purpose of the funding pursuant to the funding deed is to ensure the ongoing operations of Triple MMM, which includes the continued construction of the development at 124-134 Russell Street, Melbourne, Victoria 3000, as well as to meet other costs of the voluntary administration.

In summary, the orders sought in the Proceeding, were (amongst others):

1. to limit the Administrators' personal liability in relation to the funding deed under s 443A of the *Corporations Act 2001* (Cth); and
2. to confirm that the Administrators were justified in entering into the funding deed.

The Administrators confirm the orders were granted by the Federal Court on 28 November 2022 and the funding deed has since been executed, which provides for funding until the earlier of 31 December 2022 or the end of the Voluntary Administration period. A copy of the court order is available at this link:

<https://www.mcgrathnicol.com/creditors/triple-mmm-holdings-pty-ltd-administrators-appointed-in-its-personal-capacity-and-its-capacity-as-trustee-for-triple-mmm-unit-trust/>.

Please email Tess Mitchell of my staff at tmitchell@mcgrathnicol.com if you have any queries.

Yours faithfully
Triple MMM Holdings Pty Ltd (Administrators Appointed)

Matthew Hutton
Administrator