

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 2/06/2016 5:09:01 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:	NSD857/2016
File Title:	In the matter of King Holding Company 1 Pty Limited (administrators appointed)(receivers and managers appointed)
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink, reading 'Warwick Soden'.

Dated: 3/06/2016 8:52:39 AM 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.

To be heard 10:15am 3/6/2016

Originating process

No. NSD



Federal Court of Australia
District Registry: New South Wales
Division: General

IN THE MATTER OF KING HOLDING COMPANY 1 PTY LIMITED (ADMINISTRATORS APPOINTED)(RECEIVERS AND MANAGERS APPOINTED) ACN 162 529 384 AND THE ENTITIES LISTED IN THE SCHEDULE

Barry Frederic Kogan, Jason Preston and Theodora Alice Eszenyi as joint and several voluntary administrators of King Holding Company 1 Pty Limited (Administrators Appointed)(Receivers and Managers Appointed) ACN 162 529 384 and the entities listed in the schedule

Plaintiffs

A. DETAILS OF APPLICATION

This application is made under sections 439A(6) and 447A of the *Corporations Act 2001* (Cth) (**Act**).

The application is for an order extending the convening period for the second meetings of creditors of King Holding Company 1 Pty Limited (Administrators Appointed)(Receivers and Managers Appointed) ACN 162 529 384 and each of the companies listed in the schedule (together, the **Companies**) under section 439A(6) of the Act.

On the facts stated in the supporting affidavit, the plaintiffs claim:

1. An order pursuant to section 439A(6) of the Act, that the period specified by section 439A of the Act for the convening of a meeting of the creditors of the Companies be extended up to midnight on 8 December 2016.
2. An order pursuant to section 447A(1) of the Act, that the meetings of creditors for each of the Companies required by section 439A of the Act be convened together or separately and held at any time during, or within five business days after the end of, the convening

Filed on behalf of (name & role of party)	Barry Kogan, Jason Preston and Theodora Eszenyi, plaintiffs
Prepared by (name of person/lawyer)	Anthony Sommer
Law firm (if applicable)	MinterEllison
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period, as extended by any order made in accordance with paragraph 1 of this application.

3. An order that with respect to:

- (a) those creditors (including persons claiming to be creditors) of the Companies (or any of them) for whom the plaintiffs have a current post, facsimile or email address (**Known Creditors**); and
- (b) the Australian Securities and Investments Commission (**ASIC**),

the plaintiffs are to inform the Known Creditors and ASIC of these orders by means of a circular forwarded by post, facsimile or email (as appropriate) within seven days after the filing of the application or the making of the orders by the Court.

4. An order that with respect to all creditors of the Companies (or any of them) for whom the plaintiffs do not have a current post, facsimile or email address, the plaintiffs are to inform those creditors of these orders by making copies of the documents filed in these proceedings (together with these orders) available on the 'Creditor Information' section of the website maintained by the plaintiffs' firm at <http://www.mcgrathnicol.com/assignments/oakville-produce-group/#> within seven days after the filing of the application or the making of the orders by the Court.

5. An order that the following persons have liberty to apply on giving all other interested parties not less than three business days notice:

- (a) any person, including any Known Creditors or ASIC, who can demonstrate a sufficient interest to modify or discharge any orders made pursuant to paragraphs 2, 3 and/or 4 of this application; and
- (b) the plaintiffs.

6. The plaintiffs' costs of the proceedings be paid pro rata as a cost in the administration of each of the Companies.

7. Such further or other order as the Court sees fit.

Date: 2 June 2016


 Signed by James Charles Beaton (BY HIS PARTNER)
 MinterEllison
 Lawyer for the plaintiffs

This application will be heard by the Federal Court of Australia at the Law Courts Building, Queens Square, Sydney, New South Wales at *am/*pm on

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

TO N/A

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) an 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. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY

N/A

D. FILING

Date of filing: 2 June 2016

Registrar

This originating process is filed by MinterEllison, lawyers for the plaintiffs.

E. SERVICE

The plaintiffs address for service is MinterEllison, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000.

It is not intended to serve a copy of this originating process on any person, except as may be directed by the Court.



Schedule

King Holding Company 2 Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 162 530 761

King Bid Company Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 162 530 930

Oakville Produce Group Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 119 179 216

Oakville Produce Asian Holdco Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 162 955 857

Oakville Produce Australian HoldCo Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 162 558 714

Oakville Produce Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 119 180 004

Oakville Produce Qld Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 071 791 369

OP Holdco SA Pty Limited
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 127 656 400

Oakville Potatoes Pty Ltd
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 080 208 671



Golden Sunrise Produce Pty Ltd
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 126 506 303

Lachlan Produce Pty Ltd
(Administrators Appointed)(Receivers and Managers Appointed)
ACN 113 179 883

Oakville Produce Export Pty Ltd
(Administrators Appointed)
ACN 169 302 416