

**IN THE FEDERAL COURT OF AUSTRALIA
VICTORIA DISTRICT REGISTRY
DIVISION: GENERAL**

VID 95 of 2010

IN THE MATTER OF THE *CORPORATIONS ACT 2001*

and

IN THE MATTER OF MARK RONALD LETTEN AND OTHERS

**AUSTRALIAN SECURITIES AND INVESTMENTS
COMMISSION**

Applicant

**MARK RONALD LETTEN AND OTHERS
(as described in the schedule)**

Respondent

INTERLOCUTORY PROCESS

A DETAILS OF INTERLOCUTORY APPLICATION

This interlocutory application is made under section 601EE of the *Corporations Act 2001* and paragraph 29 of the Orders of this Honourable Court of 25 February 2010.

Damian John Templeton and Philip Hennessy, in their capacity as receivers and managers of The Glen Centre Joint Venture and Twinview Joint Venture appointed by the Court on 25 February 2010 (“**Receivers**”), apply for the following interlocutory relief:

- 1 The Receivers seek directions as to the following questions in the receivership of the Twinview Joint Venture and the Glen Centre Joint Venture:
 - (a) For the purposes of paragraph 2(d) of the Orders dated 11 November 2010 (“**Pooling Orders**”), are the Receivers justified in paying to the Liquidators of Twinview Nominees Pty Ltd the amount of any and if so which of the creditor claims contained in the proofs of debt lodged with the Liquidators of Twinview Nominees Pty Ltd exhibited to the Thirtieth Affidavit of Damian John Templeton sworn on 29 August 2011?

Filed on behalf of the Receivers by:
MALLESONS STEPHEN JAQUES
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Ref: NJK:MAT
Matter no: 03-5503-4607

(b) For the purposes of paragraph 2(d) of the Pooling Orders, are the Receivers justified in paying to the Liquidators of The Glen Centre Pty Ltd Pty Ltd the amount of any and if so which of the creditor claims contained in the proofs of debt lodged with the Liquidators of The Glen Centre Pty Ltd Pty Ltd exhibited to the Thirtieth Affidavit of Damian John Templeton sworn on 29 August 2011?

2 Such further or other orders or directions as the Court thinks appropriate.

3 Appropriate orders as to costs.

Date: 29 August 2011



Malleons Stephen Jaques
Solicitors for the Receivers

This application will be heard by the Federal Court of Australia at 305 William Street, Melbourne, Victoria, 3000 at 9:30am on 14 September 2011.

B NOTICE TO RESPONDENT(S)

N/A

C FILING AND SERVICE

This application is filed by Tony Troiani, solicitor for the Receivers, whose address for service (see Order 7, rule 6) is:

Malleons Stephen Jaques
Bourke Place
Level 50, 600 Bourke Street
Melbourne VIC 3000
(Ref: NJK:MAT:03-5503-4607)

It is intended to serve this interlocutory process on each person listed below:

- Westpac Banking Corporation: C/- Allens Arthur Robinson, Level 27, 530 Collins Street, Melbourne, VIC 3000
- Mr Mark Letten: C/- Baker & McKenzie, Level 29, Rialto, 525 Collins Street, Melbourne, VIC 3000
- ASIC: Level 24, 120 Collins Street, Melbourne, VIC 3000

- Australian Taxation Office: C/- Daniela Zaric (Australian Government Officer, ATO) 2-12 Macquarie Street, Parramatta NSW 2150
- Baker & McKenzie: Level 19, CBW, 181 William Street, Melbourne, VIC 3000
- Breese Pitt Dixon Pty Ltd: C/- David King, Accountant, 1/19 Cato Street, Hawthorn East, VIC 3123
- Bridgehead Properties Pty Ltd: 21 Grandview Grove, Prahran East, VIC 3181
- Gross Waddell Pty Ltd: Level 6, 172-192 Flinders Street, Melbourne, VIC 3000
- Ilario G Gortese Architects Pty Ltd: 9 Evans Place, Hawthorn East, VIC 3123
- Metropolitan Fire and Emergency Board: 456 Albert Street, East Melbourne, VIC 3002
- ABK Group Pty Ltd: 12 Commercial Road, Mentone, VIC 3194
- Louton Pty Ltd: C/- Evans Ellis Lawyers, Suite 1144, 1 Queens Road, Melbourne, VIC 3004
- Robuck Metals Pty Ltd: C/- Evans Ellis Lawyers, Suite 1144, 1 Queens Road, Melbourne, VIC 3004
- Resolve Air Conditioning and Mechanical Services Pty Ltd: 212 Springvale Road, Springvale, VIC 3171

SCHEDULE OF DEFENDANTS

Mark Ronald Letten
First Defendant

LGH Holdings Limited ACN 077 191 943
Second Defendant

211 Wellington Road Pty Ltd ACN 092 663 860
Third Defendant

Bluemist Holdings Pty Ltd ACN 097 306 922
Fourth Defendant

Dellwood Holdings Pty Ltd ACN 098 505 803
Fifth Defendant

Enmore Enterprises Pty Ltd ACN 082 158 487
Sixth Defendant

Firbark Arch Pty Ltd ACN 059 464 381
Seventh Defendant

Glenline Pty Ltd ACN 098 532 364
Eighth Defendant

Gerling Holdings Pty Ltd ACN 091 726 457
Ninth Defendant

LGH Administration Pty Ltd ACN 077 165 069
Tenth Defendant

LGH Finance Pty Ltd ACN 078 859 248
Eleventh Defendant

Low Head Village Pty Ltd ACN 091 731 958
Twelfth Defendant

Nicholson Street Pty Ltd ACN 069 104 089
Thirteenth Defendant

Holloway Crest Pty Ltd ACN 091 731 967
Fourteenth Defendant

Roseberry Enterprises Pty Ltd ACN 091 826 229
Fifteenth Defendant

Simms Investments Pty Ltd ACN 093 504 511
Sixteenth Defendant

SY21 Retail Pty ACN 107 874 564
Seventeenth Defendant

The Glen Centre Hawthorn Pty Ltd ACN 089 906 543
Eighteenth Defendant

Castello Holdings Pty Ltd ACN 088 204 175
Nineteenth Defendant

Twinview Nominees Pty Ltd ACN 097 307 278
Twentieth Defendant

Yarra Valley Golf Pty Ltd ACN 066 632 479
Twenty-First Defendant

Adina Rise Pty Ltd ACN 083 181 122
Twenty-Second Defendant

Albright Investments Pty Ltd ACN 088 204 166
Twenty-Third Defendant

Ashfield Rise Pty Ltd ACN 093 504 806
Twenty-Fourth Defendant

Bradfield Corporation Pty Ltd ACN 088 204 371
Twenty-Fifth Defendant

Copeland Enterprises Pty Ltd ACN 093 504 824
Twenty-Sixth Defendant

Devlin Way Pty Ltd ACN 088 264 813
Twenty-Seventh Defendant

First Hazelwood Pty Ltd ACN 093 505 303
Twenty-Eighth Defendant

Glenbelle Pty Ltd ACN 097 306 646
Twenty-Ninth Defendant

Glenvale Way Pty Ltd ACN 088 287 021
Thirtieth Defendant

Greenview Lane Pty Ltd ACN 093 505 312
Thirty-First Defendant

Hallmark Corporation Pty Ltd ACN 083 180 812
Thirty-Second Defendant

Moorleigh Holdings Pty Ltd ACN 088 287 058
Thirty-Third Defendant

Norton Ridge Pty Ltd ACN 078 821 066
Thirty-Fourth Defendant

Raleigh Glen Pty Ltd ACN 088 204 380
Thirty-Fifth Defendant

Redcrest Holdings Pty Ltd ACN 100 836 486
Thirty-Sixth Defendant

Suri Corporation Pty Ltd ACN 093 505 321
Thirty-Seventh Defendant

Sutton Rise Pty Ltd ACN 088 204 399
Thirty-Eighth Defendant

The Virtual Mlmer Pty Ltd ACN 065 374 665
Thirty-Ninth Defendant

Tivendale Pty Ltd ACN 093 505 349
Fortieth Defendant

Tulloch Downs Pty Ltd ACN 078 895 048
Forty-First Defendant

Maining Pty Ltd ACN 100 790 485
Forty-Second Defendant

Topglen Pty Ltd ACN 096 857 564
Forty-Third Defendant

Allblue Pty Ltd ACN 100 836 388
Forty-Fourth Defendant

Aranbay Pty Ltd ACN 098 532 319
Forty-Fifth Defendant

Melville Corporation Pty Ltd ACN 091 911 045
Forty-Sixth Defendant

Tilley Lane Pty Ltd ACN 086 136 361
Forty-Seventh Defendant

HPSC Pty Ltd ACN 059 930 139
Forty-Eighth Defendant

Jensdale Pty Ltd ACN 098 367 974
Forty-Ninth Defendant

Oakdale Rise Pty Ltd ACN 091 598 908
Fiftieth Defendant

Maywood Investments Pty Ltd ACN 091 599 218
Fifty-First Defendant

Acetrain Pty Ltd ACN 100 820 282
Fifty-Second Defendant

Sage Bay Pty Ltd ACN 097 306 628
Fifty-Third Defendant

Tobago Holdings Pty Ltd ACN 093 504 520
Fifty-Fourth Defendant