



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD13/2025

**IN THE MATTER OF VOYAGER RESORT LIMITED (IN LIQUIDATION) ACN 010 547 618**

**BRADLEY VINCENT HELLEN AND NIGEL MARKEY AS JOINT AND SEVERAL LIQUIDATORS OF VOYAGER RESORT LIMITED (IN LIQUIDATION) ACN 010 547 618**

Plaintiffs

### **ORDER**

**REGISTRAR:** Registrar Schmidt

**DATE OF ORDER:** 25 February 2025

**WHERE MADE:** Brisbane

#### **THE COURT ORDERS THAT:**

1. The plaintiffs have leave to file the amended originating process in the form of Exhibit 1 of the hearing on 25 February 2025.
2. The plaintiffs are to upload to the website "VRLTimeshare.com.au" and maintain on that website until final orders are made in this proceeding:
  - (a) the originating application;
  - (b) the supporting affidavit of Bradley Vincent Hellen;
  - (c) the orders made at the first case management hearing and any subsequent hearing;
  - (d) any further affidavits as may be filed by the plaintiffs; and
  - (e) the written submissions that are to be filed in accordance with paragraph 6.
3. The plaintiffs are to give notice of these proceedings in the form exhibited to the affidavit of Benjamin Leigh Sandford filed 13 January 2025 as follows:
  - (a) for those contributories for whom the plaintiffs have an email address – by email;



- (b) for those contributories for whom the plaintiffs do not have an email address, but do have a postal address – by ordinary prepaid post; and
  - (c) by taking out an advertisement in a newspaper of national circulation for one day in four consecutive weeks.
4. Any person who seeks to be heard on this application must file a notice of appearance by 11 April 2025.
  5. The proceeding be listed for case management on 15 April 2025 at 9:00am.
  6. The plaintiffs are to file written submissions by 8 May 2025.
  7. The proceeding is listed for hearing for one day on 19 May 2025 at 9.30am.
  8. The plaintiffs have liberty to apply on three business days' notice.
  9. Costs reserved.

Date orders authenticated: 26 February 2025

  
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

Subsection 35A (5) of the *Federal Court of Australia Act 1976* (the *Act*) provides that a party to proceedings in which a Registrar has exercised any of the powers of the Court under subsection 35A (1) of the Act may, within the time prescribed by the Rules of Court, or within any further time allowed in accordance with the Rules of Court, apply to the Court to review that exercise of power.

Rule 3.11 provides that a party may apply to the Court under subsection 35A (5) of the Act for review of the exercise of a power of the Court by a Registrar and that any application must be made within 21 days after the day on which the power was exercised. A party seeking a review can apply to the Court to dispense with any requirement of the Rules (Rule 1.34).