



23 February 2024

To the creditor as addressed

Dear Sir/Madam

**Melbourne Rebels Rugby Union Pty Ltd
(Administrators Appointed) (the Company)
ACN 140 597 066**

We refer to the circular to creditors dated 21 February 2024 concerning the Administrators' application to the Federal Court of Australia (**the Court**) seeking orders to extend the period within which the Administrators must convene the second meeting of the Company's creditors (**Application**) for a period of up to 60 days.

The Court granted the Orders sought in the Application on 22 February 2024 (**Orders**). A copy of the authenticated Orders are attached for your reference.

As previously outlined, the directors of the Company (**Directors**) desire to put forward a deed of company arrangement (**DOCA**) proposal (**Potential DOCA Proposal**) that, in their view, would allow for a better return to all creditors of the Company than a liquidation scenario would, and the extension to the convening period will allow sufficient time for such a Potential DOCA Proposal to be formulated and negotiated.

On 21 February 2024, the Administrators and Directors agreed to the following conditions with respect to the extension to the convening period:

- a) that funding to meet the reasonable costs of the administration for the period of the extension must be provided to the Administrators within 72 hours of a cost estimate (or updated cost estimate) being provided to the Directors;
- b) details of the proposed DOCA must be submitted by close of business on 22 March 2024, including confirmation that the key stakeholders required to participate in or agree to the DOCA are supportive of the DOCA proposal, or a later day where the Administrators consent;
- c) if the above details are forthcoming to the satisfaction of the Administrators, the Directors will then be afforded a further 21 days to negotiate and finalise the draft DOCA proposal for inclusion in the Administrators' report to creditors ahead of the second meeting;
- d) if the Administrators form the view at any point in time that the proposed DOCA is no longer a viable option, they will convene the second meeting of creditors after providing 72 hours' notice to the Directors; and
- e) the Administrators will act reasonably and work with the Directors to formulate a suitable DOCA for the benefit of all creditors.

The Court was informed of the above conditions prior to the Orders being made.

As a result of the Application being successful and the Orders being granted, the convening period ends at midnight on **Friday, 26 April 2024** and the second meeting of creditors is now required to be held by no later than five business days after 26 April 2024. Notwithstanding, the Administrators sought and obtained an order that enables them to convene the second meeting of creditors earlier than 60 days, should they consider it necessary (refer to condition (d) above).

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Second Meeting of Creditors

The purpose of the second meeting of creditors in a voluntary administration is to enable creditors to make a decision as to the future of the Company. The Administrators are required to conduct investigations into the Company's affairs and, prior to the meeting, report to creditors providing a recommendation as to the Company's future.

The options available to creditors are:

1. the Company to execute a DOCA;
2. the Administration to end; and
3. the Company to be wound up and placed into liquidation.

Prior to the second meeting, you will receive further correspondence regarding the timing of the second meeting of creditors along with the Administrators' report on the Company's business, property, affairs and financial circumstances, setting out (among other things) the Administrators' recommendation as to the Company's future.

Should you have any queries, please contact Ms Hope Hourigan of this office on the details provided below.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Ford & S Longley'.

Martin Ford & Stephen Longley
Joint and Several Administrators

Date of appointment:	29 January 2024
Contact name:	Hope Hourigan
Telephone number:	+61 499 168 988
Email:	hope.hourigan@au.pwc.com



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID145/2024

**IN THE MATTER OF MELBOURNE REBELS RUGBY UNION PTY LTD
(ADMINISTRATORS APPOINTED) (ACN 140 597 066)**

**MARTIN FRANCIS FORD AND STEPHEN GRAHAM LONGLEY IN THEIR
CAPACITY AS JOINT AND SEVERAL ADMINISTRATORS OF THE SECOND
PLAINTIFF** and another named in the Schedule
Plaintiffs

ORDER

JUDGE: JUSTICE BUTTON

DATE OF ORDER: 22 February 2024

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Pursuant to s 439A(6) and s 447A(1) of the *Corporations Act 2001* (Cth) (the **Act**), the period within which the First Plaintiffs must convene the second meeting of creditors of the Second Plaintiff under s 439A of the Act (**Second Meeting**) be extended to **12:00am AEST on 26 April 2024**.
2. Pursuant to s 447A(1) of the Act, Pt 5.3A of the Act is to operate in relation to the Second Plaintiff so that, notwithstanding s 439A(2) of the Act, the Second Meeting may be convened and held at any time during the period up to, or within 5 business days after the end of, the convening period as extended by paragraph 1 above, provided that the First Plaintiffs give notice of the Second Meeting in accordance with r 75-225(1) and r 75-15 of the *Insolvency Practice Rules (Corporations) 2016* (Cth) (**IPR**).
3. Within two business days of these Orders being made, the First Plaintiffs are to give notice of the Orders to the creditors of the Second Plaintiff (including persons claiming to be creditors) by means of a circular:
 - a. to be published on the website maintained by the First Plaintiffs in respect of the administration of the Second Plaintiff; and



- b. to be sent by email or by post to all known creditors.
4. Pursuant to s 447A(1) of the Act and s 90-15 of the *Insolvency Practice Schedule (Corporations)* (being Sch 2 to the Act) (**IPSC**), Pt 5.3A of the Act is to operate in relation to the Second Plaintiff such that if, pursuant to any provision in any of Pt 5.3A of the Act, the IPSC or the IPR, the First Plaintiffs are required to provide any other notification to creditors during the administration of the Second Plaintiff, such notice will be validly given to creditors of the Second Plaintiff by:
- a. giving such notice electronically by email sent to the email address of any creditor (including persons claiming to be creditors) of the Second Plaintiff for whom or which the First Plaintiffs hold an email address;
 - b. if the First Plaintiffs receive a notification that any email referred to in paragraph 44 is not successfully delivered to a creditor, then by sending it via post to that creditor (where a postal address is available to the First Plaintiffs);
 - c. making such notice publicly available by publishing it on the website maintained by the First Plaintiffs in respect of the administration of the Second Plaintiff;
 - d. sending such notice to the postal address or facsimile number, or otherwise as provided for by the Act or the IPR, to any creditors not being a creditor referred to in sub-paragraph 4(a) above; and
 - e. to the extent that the matter relates to a meeting that is the subject of r 75-40 of the IPR, causing such notice to be published on the Insolvency Notices website located at: <https://insolvencynotice.asic.gov.au>.
5. Pursuant to s 37AF of the *Federal Court of Australia 1976* (Cth), until further order, Confidential Annexure SGL-2 to the affidavit of Stephen Graham Longley sworn on 21 February 2024 is not to be disclosed or made available for inspection by any person (other than any Judge of the Court, any member of any Judge's staff or any officer of the Court) on the ground that it contains confidential information the disclosure of which may prejudice the proper administration of justice.



6. Liberty be granted to any person who can demonstrate sufficient interest to discharge or modify these orders on the giving of three business days' written notice to the Plaintiffs and the Court.
7. The First Plaintiffs' costs of or incidental to this application be costs in the administration of the Second Plaintiff, such costs to be met from, and limited to, the amount of \$100,000 provided for that purpose by the directors of the Second Plaintiff (which funding is referred to at paragraph 31 of the affidavit of Stephen Graham Longley sworn on 21 February 2024).

Date that entry is stamped: 22 February 2024

Sia Lagos
Registrar



Schedule

No: VID145/2024

Federal Court of Australia

District Registry: Victoria

Division: General

Second Plaintiff

MELBOURNE REBELS RUGBY UNION PTY LTD
(ADMINISTRATORS APPOINTED) (ACN 140 597 066)