



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/152/2019

EX PARTE:

**Neil Raymond CRIBB as liquidator of  
BULLION BOURSE PTY LTD (IN  
LIQUIDATION) (ACN 140 221 067**

First Plaintiff

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**ORDER OF MASTER SANDERSON  
MADE 12 December 2019**

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**UPON THE APPLICATION of the plaintiff made by letter filed 4 December 2019, AND FURTHER TO THE APPLICATION of the plaintiff filed on 29 July 2019, AND UPON HEARING Mr R Johnson of counsel for the plaintiff; AND UPON HEARING Mr C Bailey of counsel for Ms Jacinta Lam and Mr Jake Bassingthwaite; AND UPON HEARING Ms D Pavey of counsel for Mr Jay Jackler and Ms Marilyn Jackler; AND UPON HEARING Ms J Moore of counsel for Ms Michelle Roberts, Mr Peter Roberts and Pilbara Invest Pty Ltd as trustee for the Roberts Superannuation Fund; AND UPON HEARING Mr A Poncini of counsel for Mr Finlay Harrison; AND UPON HEARING Mr A Johanssen in person; AND UPON HEARING Mr B Welsh in person, IT IS ORDERED THAT:**

Confidential affidavit in support

1. The third affidavit of Neil Raymond Cribb sworn 4 December 2019 and filed in these proceedings be sealed on the court file and kept confidential.
2. The affidavit of Carmen Anne Leah Boothman sworn 11 December 2019 and filed in these proceedings be sealed on the court file and kept confidential.

Definitions

3. For the purposes of these orders, the following definitions apply:
  - (a) 'July Orders' means the orders made by Master Sanderson in these proceedings on 30 July 2019;
  - (b) 'Loose Goods' has the meaning ascribed in the Supporting Affidavit;
  - (c) 'Owner' has the meaning ascribed in July Orders; and
  - (d) 'Premises' means the premises occupied by the Company at 180 Wright Street, Cloverdale, Western Australia;

- (e) 'Supporting Affidavit' means the confidential affidavit of Neil Raymond Cribb sworn on 4 December 2019 and filed in these proceedings; and
- (f) 'Uncollected SDB Goods' has the meaning ascribed at paragraph 11(b) of the Supporting Affidavit.

#### Other Uncollected SDB Goods

- 4. The plaintiff is justified, and is otherwise acting reasonably, in treating the Uncollected SDB Goods (excluding the SDB-198 Contents) as:
  - (a) abandoned by Owner of those Uncollected SDB Goods and any interest that any such Owner has in those Uncollected SDB Goods as having been disclaimed; and
  - (b) property of the Company which the plaintiff may deal with in the ordinary course of the liquidation of the Company;

#### Uncollected Document Storage

- 5. The plaintiff is justified, and is otherwise acting reasonably, in destroying any documents stored by third parties with the Company for safe keeping which remain in his possession as at the date of these orders.

#### Uncollected allocated storage goods

- 6. The plaintiff is justified, and is otherwise acting reasonably, in treating the allocated storage goods referred to in paragraphs 178 and 179 of the Supporting Affidavit as:
  - (a) abandoned by Owner of those goods and any interest that any such Owner has in those Uncollected Allocated Storage Goods as having been disclaimed; and
  - (b) property of the Company which the plaintiff may deal with in the ordinary course of the liquidation of the Company.

#### Sales orders

- 7. The plaintiff is justified, and is otherwise acting reasonably, in treating the Uncollected Sales Order Goods referred to in paragraphs 180 and 181 of the Supporting Affidavit as:
  - (a) abandoned by the Owner of those Uncollected Sales Order Goods and any interest that any such Owner has in those Uncollected Sales Order Goods as having been disclaimed; and
  - (b) property of the Company which the plaintiff may deal with in the ordinary course of the liquidation of the Company.

#### General

- 8. The plaintiff's costs of this proceeding and of undertaking the processes authorised by these Orders that are not satisfied by receipt of the Collection Levy, be paid out of the assets of the Company as an expense of the winding up.
- 9. There be liberty to apply, including by any person affected by these Orders on 48 hours' notice.

BY THE COURT

MASTER C SANDERSON

