

## Peter Fary

### Selected Cases

1. *Jess v McNiven, in the matter of Cameron Robert McNiven and Heather Anne McNiven (No 2)* [\[2022\] FCA 446](#) (29 April 2022) (bankruptcy, estoppel against a trustee, unjust enrichment)
2. *Hrycenko (by His Legal Representative Hycenko) v Hrycenko* [\[2022\] FedCFamC2G 2](#) (14 January 2022) (bankruptcy, slip rule, extension of life of creditors petition)
3. *Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (Formerly Brookfield Multiplex Constructions Pty Ltd) (No 2)* [\[2021\] FCA 1344](#) (3 October 2021) (deed of company arrangement, bank guarantee, leave to proceed)
4. *Aboughattas v Oak Capital Mortgage Fund Pty Ltd* [\[2021\] VSC 577](#) (23 September 2021) (receivership)
5. *Tred Nominees Pty Ltd (recs & mgrs apptd) v Albarran* [\[2021\] VSC 494](#) (16 Aug 2021) (receivership, security, joinder of director)
6. *KIS Realty v Yeo & Anor* [2021] WASC 139 (4 May 2021) (winding up, review of liquidator's conduct, summary dismissal)
7. *EAD Concepts Pty Ltd (admin apptd)* [\[2021\] VSC 227](#) (28 April 2021) (winding up, s 440A, adjournment pending meeting of creditors)
8. *Re Bluechain Pty Ltd* [\[2021\] VSC 187](#) (17 April 2021) (provisional liquidators, leave to appoint provisional liquidators as administrators)
9. *Re Grocon Pty Ltd (admins apptd) (No 4)* [\[2021\] VSC 129](#) (19 March 2021) (voluntary administration, directions)
10. *Re Grocon Pty Ltd (admins apptd) (No 3)* (2021) 151 ACSR 1; [\[2021\] VSC 36](#) (8 February 2021) (voluntary administration, direction regarding single committee of inspection)
11. *Jess v McNiven, in the matter of McNiven* (2021) 387 ALR 260; [\[2021\] FCA 53](#) (3 February 2021) (bankruptcy, evidence, exception to without prejudice privilege)
12. *Re Grocon Pty Ltd (admins apptd) (No 2)* [\[2020\] VSC 859](#) (20 December 2020) (voluntary administration, extension of convening period)

13. *Re Grocon Pty Ltd (admins apptd) (No 1)* [\[2020\] VSC 833](#) (17 December 2020) (voluntary administration, direction regarding use of single account)
14. *Canaan Holdings Pty Ltd & Anor v Merricks Capital Investments Pty Ltd* [2020] VSC (19 November 2020) (injunction, *Inglis* principle, restraint on power of sale)
15. *Vortex Communications Australia v UCI32 LLC Ltd* [\[2020\] VSC 796](#) (6 November 2020) (application to set aside statutory demand).
16. *Decola & Decola* [\[2020\] FamCA 884](#) (22 October 2020) (family law and bankruptcy, injunction to restrain solicitor from acting)
17. *133 Walsh Street Pty Ltd v BMF Pty Ltd* [\[2020\] VSC 650](#) (5 October 2020) (application to set aside statutory demand, security of payments)
18. *Re IPO Wealth Holdings No 2 Pty Ltd* [\[2020\] VSC 549](#) (9 September 2020) (winding up, appointment of provisional liquidator)
19. *Turco v Mortgage Ezy Australia Pty Ltd* [\[2020\] FCA 1811](#) (17 August 2020) (bankruptcy, appeal against sequestration order, forbearance by fraud)
20. *Yeo & Rambaldi as the Trustees in the Bankrupt Estate of Ellen Francis (No 2)* [\[2020\] FCCA 3646](#) (6 August 2020) (bankruptcy, trustee's release)
21. *Yeo, in the matter of Ready Kit Cabinets Pty Ltd (in liq) v Deputy Commissioner of Taxation* *Yeo, in the matter of Ready Kit Cabinets Pty Ltd (in liq) v Deputy Commissioner of Taxation (No 2)* [\[2020\] FCA 920](#) (2 July 2020)(costs)
22. *Panwar & Panwar and Anor* [\[2020\] FamCA 480](#) (18 June 2020) (bankruptcy and family law, leave to bring application for property adjustment out of time)
23. *Yeo, in the matter of Ready Kit Cabinets Pty Ltd (in liq) v Deputy Commissioner of Taxation* [\[2020\] FCA 632](#) (15 May 2020) (winding up, voidable transaction, s 588FE(2B)(d)(i)) (upheld on appeal in *Commissioner of Taxation v Yeo as Liquidator of Ready Kit Cabinets Pty Ltd (in liq)* [\[2020\] FCAFC 199](#))
24. *Winn v Yeo as former trustee of the estate of Goodwin (a bankrupt)* (29 April 2020) [\[2020\] FCA 552](#) (bankruptcy, appeal, dismissal for want of prosecution)
25. *Yeo & Rambaldi As Trustees of the Bankrupt Estate of Sandles v Sandles* [\[2020\] FCCA 988](#) (29 April 2020) (bankruptcy, directions, annulment)

26. *North HQ Pty Ltd (in liq) & Anor v Hu* (4 March 2020) (4 March 2020) (unreported, Gardiner AsJ, insolvent trading)
27. *Giles v Jeffrey & Ors* [\[2019\] VSC 562](#) (17 September 2019) (summary judgment, abuse of process, malicious prosecution, negligence)
28. *Zeninvest Pty Ltd v Altus Development Pty Ltd (No 2)* [\[2019\] VSC 450](#) (9 July 2019) (winding up, abuse of process, solvency)
29. *IMO Imexag Pty Ltd; Imexag Pty Ltd v Sun Asia Export Corporation Pty Ltd* [\[2019\] VSC 449](#) (8 July 2019) (statutory demand, genuine dispute, Graywinter principle)
30. *G.C.E. Global Consulting Engineers Pty Ltd v Moshav Custodian Pty Ltd* [\[2019\] VSC 402](#) (24 June 2019) (securities, injunction to restrain receiver)
31. *In the matter of Deakin Financial Services Pty Ltd* [\[2019\] VSC 405](#) (12 June 2019) (voluntary administration, replacement of administrator)
32. *Zeninvest Pty Ltd v Altus Development Pty Ltd* [\[2019\] VSC 363](#) (31 May 2019) (winding up, application for leave under s 459S)
33. *Bunting v Juratowitch* [\[2019\] VSC 343](#) (29 May 2019) (administration and probate, interpretation of will, failure of gift)
34. *Re Nissand Pty Ltd (in liq)* [\[2019\] VSC 280](#) (10 May 2019) (winding up, liquidator's remuneration)
35. *In the matter of Specialty Mens Apparel Pty Ltd (Administrators Appointed)* [\[2019\] VSC 40](#) (1 February 2019) (voluntary administration, application to extend convening period)
36. *De Nuntiis v B P Australia Pty Ltd* [2018] FCCA 3163 (22 December 2018) (bankruptcy, bankruptcy notices, *Carruthers* clause)
37. *Venn v SJD Marketing Pty Ltd* [2018] VCC 2129 (18 December 2018) (warrant, bankruptcy, discharge from bankruptcy, fraud)
38. *Szepesvary v Weston (Trustee), in the matter of Szepesvary (Bankrupt)* (2018) 363 ALR 379; [\[2018\] FCAFC 224](#) (16 February 2018) (appeal, bankruptcy, annulment, assignment of debt)

39. *Trustees of the Property of Batavia (Bankrupt) & Batavia and Ors* [\[2018\] FamCA 860](#) (26 October 2018) (bankruptcy, family law, setting aside binding financial agreement, constructive trust)
40. *B Pty Ltd and Anor & Batavia and Anor* [\[2018\] FamCA 858](#) (26 October 2018) (bankruptcy, family law, winding up, breach of directors' duties)
41. *Yeo v Francis* [\[2018\] FCCA 3112](#) (1 October 2018) (bankruptcy, directions)
42. *SJD Marketing Pty Ltd v Sutherland (Trustee), in the matter of Venn (Bankrupt)* [\[2018\] FCA 1406](#) (6 September 2018) (bankruptcy, leave to proceed)
43. *A G Coombs Pty Ltd v M & V Consultants Pty Ltd (in liq)* (22 August 2018) (2018) 55 VR 513; (2018) 129 ACSR 41; [\[2018\] VSC 468](#) (winding up, application to restrain winding up application, abuse of process)
44. *Jeffrey & Anor v Giles* [\[2018\] FCCA 2073](#) (3 August 2018) (bankruptcy, review, looking behind judgment)
45. *Megalos & Katsaros and Ors* [\[2018\] FamCA 388](#) (18 May 2018) (family law)
46. *Re Mossgreen Pty Ltd (in liquidation)* [\[2018\] VSC 230](#) (9 May 2018) (court appointed receiver, uncollected goods)
47. *Joresko & Kimpton and Anor* [\[2018\] FamCA 320](#) (2 May 2018) (family law, application to stay proceedings)
48. *In the matter of a liquidator* (8 March 2018) [unpublished, Report of Liquidator's Disciplinary Committee convened pursuant to s 40-40(1) – *Insolvency Practice Schedule (Corporations)* (Schedule 2)] (decision that liquidator should continue to be registered)
49. *Szepesvary v Weston (Trustee), in the matter of Szepesvary (Bankrupt) (No 2)* [\[2018\] FCA 8](#) (16 February 2018) (bankruptcy, annulment, assignment of debt)
50. *Re Convector Grain Pty Ltd (In Liquidation) (No 2)* [\[2018\] VSC 33](#) (8 February 2018) (appeal, winding up, preference action, discretion to extend time for service)
51. *Re Rambaldi (Trustee) v Commissioner of Taxation, Alex (Bankrupt)* (2017) 107 ATR 1; [\[2017\] FCAFC 217](#) [2017] FCAFC 217 (18 December 2017) (appeal, unfair preference)

52. *Winn v Yeo & Rambaldi as former trustees of the estate of Goodwin (a bankrupt)* [\[2017\] FCCA 2528](#) (19 October 2017) (bankruptcy, damages claim against trustees)
53. *Al Azhari v 27 Scott Street Pty Ltd & Ors* [\[2017\] VSC 600](#) (5 October 2017) (contract law, *Masters v Cameron* category 3)
54. *Megalos & Katsaros and Ors* [\[2017\] FamCA 734](#) (22 September 2017) (family law, costs)
55. *Re Convector Grain Pty Ltd (in liquidation)* [\[2017\] VSC 473](#) (16 August 2017) (winding up, unfair preference) (appeal allowed in *Re Convector Grain Pty Ltd (In Liquidation) (No 2)* [\[2018\] VSC 33](#))
56. *Comino v Juratowitch (in His Capacity As Trustee of the Bankrupt Estate of Comino)* [\[2017\] FCCA 1563](#) (11 July 2017)
57. *Re Demolition Tech Pty Ltd (in liquidation)* (unreported, SCV, Efthim AsJ) (10 July 2017) (winding up, summary judgment, self executing orders, uncommercial transaction)
58. *Shaw v Yarranova Pty Ltd (No 2)* [\[2017\] FCAFC 88](#) (30 May 2017) (bankruptcy, appeal, annulment, solvency)
59. *Rambaldi (Trustee) v Commissioner of Taxation, in the matter of Alex (Bankrupt)* [\[2017\] FCA 567](#) (25 May 2017) (bankruptcy, preference, quist close trust)
60. *Kaizen Global Investments Limited, in the matter of Australia New Agribusiness & Chemical Group Limited (in liq) v Australia New Agribusiness & Chemical Group Limited (in liq)* (2017) 120 ACSR 220; [\[2017\] FCA 431](#); BC201703032 (28 April 2017) (corporations, extension of time for registration of share mortgage on PPSR)
61. *Juratowitch as Trustee of the Bankrupt Estate of Mcdougall v Mcdougall & Anor* [\[2017\] FCCA 446](#) (9 March 2017) (bankruptcy, summary judgment, contract for sale of land)
62. *Australian Independent Rural Retailers Pty Ltd v Kennedy (No 2)* [\[2017\] FCCA 159](#) (2 February 2017) (bankruptcy, review of sequestration order)
63. *Re Wealth Within Holdings Pty Ltd* [\[2016\] VSC 792](#) (19 December 2016) (corporations, extend convening period)

64. *Robinson v Dynamic Window Systems Pty Ltd* [2016] SCV (16 December 2016) (corporations, setting aside DOCA)
65. *D Pty Ltd (in liq) v Calas (Trustee), in the matter of D Pty Ltd (in liq)* [\[2016\] FCA 1409](#) (corporations, bankruptcy, family law, application to set aside transaction effected by orders of the Family Court, Part 5.7B)
66. *BSD House Management Pty Ltd v Asia Pac Holdings Pty Ltd* [2016] VSC (statutory demand, guarantee)
67. *Webster Investments Pty Ltd v Anderson and Webster Investments Pty Ltd v North Star Developments Pty Ltd* (2016) 52 VR 610; [\[2016\] VSC 620](#) [2016] VSC 620 (9 November 2016) (guarantee, parties not ad idem, sacrifice of security)
68. *Vasudevan v Tomker* [\[2016\] VSC 656](#) [2016] VSC 655 (2 November 2016) (winding up, insolvent trading, tax debt more than 4 years old)
69. *Rambaldi v Mullins (No 3)* [\[2016\] FCA 1145](#) (19 September 2016) (bankruptcy, stay of judgment, leave to file cross claim)
70. *Rambaldi v Mullins (No 2)* [\[2016\] FCA 977](#) (22 August 2016) (bankruptcy, vested property)
71. *Turner v Wallace* [\[2016\] FCA 963](#) (31 May 2016) (bankruptcy, voidable transfer of property)
72. *Australian Securities and Investments Commission v Bilkurra Investments Pty Ltd* [\[2016\] FCA 371](#) (15 April 2016) (winding up)
73. *McKinnon, in the matter of Specialised Concrete Pumping Victoria Pty Ltd (Administrators Appointed)* [\[2016\] FCA 325](#) (23 March 2016) (voluntary administration, directions, s 447A order).
74. *TPC (VIC) Pty Ltd v NWC Finance Pty Ltd* [2016] VSC 117 [\[2016\] VSC 117](#) (23 March 2016) (mortgage, subrogation, interpretation of contract)
75. *Shaw v Yarranova Pty Ltd* [\[2016\] FCA 88](#) (15 February 2016) (bankruptcy, annulment, solvency)
76. *Roads Corporation v Love* [\[2016\] FCA 38](#) (3 February 2016) (bankruptcy, creditor's petition)

77. *Megalos & Katsaros and Ors* [\[2015\] FamCA 1094](#) (9 December 2015) (family law, jurisdiction, equitable charge, leave to proceed against company in liquidation)
78. *Hong v Tsambikos* [\[2015\] VCC 1401](#) (14 October 2015) (real estate agent, misleading and deceptive conduct, negligence causing purely economic loss)
79. *Di Cioccio v Official Trustee in Bankruptcy* [2015] HCATrans 230 (11 September 2015) [\[2015\] HCATrans 230](#) (bankruptcy, special leave application, income contributions, vesting provisions)
80. *Yeo v Weeden* [\[2015\] VSC 156](#) (1 June 2105) (bankruptcy, summary judgment, income contributions, abuse of process)
81. *Vats v McGibbon* [\[2015\] FCA 549](#) (25 May 2015) (bankruptcy, appeal against trustee's decision, overseas travel)
82. *Native Bond Pty Ltd v Cant & Ors* [\[2015\] VSC 203](#) (13 May 2015) (receivers, validity of appointment, assignment of debt) (upheld on appeal in *Native Bond Pty Ltd (Controller Appointed) & Anor v Cant & Ors* [\[2016\] VSC 206](#))
83. *Bathini & Anor v Kumar & Anor* [\[2015\] FCCA 1190](#) (17 April 2015) (bankruptcy, review, set-off)
84. *Banaszak & Executors of the Estate of Mr S Mandia and Anor* (No 2) [\[2015\] FamCA 235](#) (9 April 2015) (de facto property settlement, summary judgment)
85. *Unal v Cetinkaya* [\[2015\] FCA 270](#) (27 March 2015) (bankruptcy, appeal, review of trustee's decision, application for directions, assignment of chose in action)
86. *Di Cioccio v Official Trustee in Bankruptcy* [\[2015\] FCAFC 30](#) (11 March 2015) (appeal, bankruptcy, vesting of after acquired property, income)
87. *Gianarelli & Ors v Ross & Anor* [2015] VSC (24 February 2015) (injunction, restraining receivers, equity of redemption)
88. *Tran v Pu* [\[2015\] FCA 97](#) (20 February 2015) (appeal, hearing de novo review)
89. *Krpina v Arrow Sun Australia Pty Ltd* [\[2015\] FCA 63](#) (13 February 2015) (appeal, bankruptcy, solvency)
90. *Admiralty Resources NL v Australis Mining Ltd* [\[2015\] VSC 33](#) (6 February 2015) (practice and procedure, security for costs against cross claimant)



91. *F Firm & Ruane and Ors* [\[2014\] FamCAFC 240](#) (16 December 2014) (family law, appeal, costs)
92. *Shaw v Yarranov Pty Ltd* [\[2014\] FCAFC 171](#) (12 December 2014) (appeal, bankruptcy, fraud, bias, leave to adduce fresh evidence, abuse of process)
93. *Filsee & Ors* [\[2014\] FCCA 2269](#) (27 October 2014) (bankruptcy, application for priority to funding creditor)
94. *Kapila, in the matter of Edelsten* (2014) 320 ALR 506; [\[2014\] FCA 1112](#) (10 October 2014) (cross border insolvency law, foreign main or non main proceeding)
95. *BC39 Pty Ltd v Rambaldi, in the matter of Wharington (Bankrupt)* [\[2014\] FCA 1076](#) (7 October 2014) (bankruptcy, injunction, trustees and conflict of interest)
96. *F Firm & Ruane and Ors* [\[2014\] FamCAFC 189](#) (2 October 2014) (family law, appeal, accrued or associated jurisdiction of Family Court, professional negligence)
97. *Ji v Nelson & Anor* (unreported, Ferguson JA, 29 September 2014) (29 September 2014) (caveat removal, constructive or resulting trust)
98. *Prodotti Crudo Pty Ltd v Alston Consulting Pty Ltd & Anor* (unreported, Eftim As J, 16 September 2014) (16 September 2014) (statutory demand, setting aside)
99. *Kumar & Anor v Bathini & Anor* [\[2014\] FCCA 1592](#) [2014] FCCA 1592 (25 July 2014) (bankruptcy, review, setting aside bankruptcy notice, set off etc.)
100. *Cetinkaya & Anor v Official Trustee in Bankruptcy & Anor and Unal v Official Trustee in Bankruptcy & Ors and Official Trustee in Bankruptcy v Cetinkaya and Ors* [\[2014\] FCCA 1389](#) (1 July 2014) (bankruptcy, review of trustee's decision, application for directions, assignment of chose in action)
101. *Sovereign MF Ltd (in liq) v Vartelis* [\[2014\] VSC 681](#) (17 June 2014) (voluntary administration, appeal against chairman's decision on resolution, removal of administrator)
102. *Yarranova Pty Ltd v Shaw (No 2)* [\[2014\] FCA 616](#) (11 June 2014) (bankruptcy, sequestration order, going behind judgment, bias, abuse of process)
103. *Shaw v Yarranova* [\[2014\] FCA 557](#) (27 May 2014) (bankruptcy, appeal, procedural fairness)



104. *Krpina v Arrow Sun Australia Pty Ltd & Ors* [\[2014\] FCCA 1007](#) (20 May 2014) (bankruptcy, review, solvency, sequestration order)
105. *Telecommunications Industry Ombudsman v Best Internet & Telecom Pty Ltd & Anor* [\[2014\] VCC 619](#) (19 May 2014) (contract, breach of contract, agency)
106. *Rosen v Georges* (2014) 100 ACSR 258; [\[2014\] VSC 193](#) (6 May 2014) (corporations, reinstatement, registration of shareholding, forgery, incomplete gift)
107. *Yarranova Pty Ltd v Shaw* [\[2014\] FCA 403](#) (24 April 2014) (bankruptcy, notice to produce)
108. *Rambaldi v Mullins* [\[2014\] FCA 361](#) (28 March 2014) (bankruptcy, vesting of property, injunction)
109. *Francis v Eggleston Mitchell Lawyers Pty Ltd* [\[2014\] FCAFC 18](#) (7 March 2014) (bankruptcy, appeal, annulment)
110. *Entwisle v Minken Pty Ltd (Receivers and Manager appointed) (In Liquidation) (No 2)* [\[2014\] VSC 14](#) (5 February 2014) (corporations, just and equitable winding up, costs)
111. *Talacko & Ors v Talacko & Ors* [2013] VSC 712 (17 December 2013)
112. *Yeo & Anor v Sharma & Anor* [\[2013\] FCCA 1946](#) (6 November 2013) (bankruptcy, public examination, variation to orders restricting use of transcript)
113. *Doherty v Inspector-General in Bankruptcy* [\[2013\] FCA 1122](#) (4 November 2013) (administrative law, Wednesbury unreasonableness)
114. *In the matter of XY* [\[2013\] NSWSC 1747](#) (28 October 2013) (corporations, ASIC investigation, asset preservation orders and disclosure orders and travel restriction orders, suppression order)
115. *Shaw v Yarranova Pty Ltd & Anor* [\[2013\] FCCA 1627](#) (25 October 2013) (bankruptcy notice, joint creditors)
116. *Re Mowbray College (in liq) (rec & mgr apptd)* [\[2013\] VSC 565](#) (23 October 2013) (winding up, liquidator's directions, creation of trust)
117. *Forge v ASIC* [\[2013\] FCCA 1170](#) (23 August 2013) (bankruptcy notice, set off etc.)
118. *D Endresz v ASIC* [\[2013\] FCCA 1169](#) (23 August 2013) (bankruptcy notice, set off etc.)

119. *A Endresz v ASIC* [\[2013\] FCCA 1167](#) (23 August 2013) (bankruptcy notice, set off etc.)
120. *J Endresz v ASIC* [\[2013\] FCCA 1168](#) (23 August 2013) (bankruptcy notice, set off etc.)
121. *Francis v Eggleston Mitchell Lawyers Pty Ltd* [\[2013\] FCA 564](#) (7 June 2013) (bankruptcy, annulment)
122. *Horne (Trustee), in the matter of Tebb (Bankrupt) v Tebb* [\[2013\] FCA 585](#) (5 June 2013) (bankruptcy, transfer to Family Court)
123. *Roberts and Ors & Pedrana and Ors (No. 2)* [2013] FamCA 370 (24 May 2013) (family law and bankruptcy, costs)
124. *Roberts and Ors & Pedrana and Ors* [2013] FamCA 224 (9 April 2013) (family law and bankruptcy, disposition to *defeat* orders under FLA)
125. *Nazdall Pty Ltd, in the matter of Yowdall Pty Ltd (as trustee for the Yowdall Unit Trust) v Herrmann* [\[2013\] FCA 94](#) (15 February 2013) (practice and procedure, strike out of pleading, allegation of fraud)
126. *Rambaldi (Trustee), in the matter of Atkinson (Bankrupt) v Woodward (No 1)* [\[2012\] FCA 1087](#) (13 December 2012)
127. *Asafuji (in his capacity as the Foreign Representative of the Sanko Steamship Co., Ltd) v The Sanko Steamship Co., Ltd (No 2)* [\[2012\] FCA 1314](#) (23 November 2013) (cross border *insolvency*, recognition of foreign main proceeding)
128. *Sevior v Morgan* [\[2012\] VSC 480](#) (22 October 2012) (winding up, termination)
129. *Lederberger & Anor v Mediterranean Olives Financial Pty Ltd & Ors* (2012) 38 VR 509 [\[2012\] VSCA 262](#) (17 October 2012)
130. *Asafuji (in his capacity as the Foreign Representative of the Sanko Steamship Co., Ltd) v The Sanko Steamship Co., Ltd* [\[2012\] FCA 1154](#) (15 October 2012) (cross border *insolvency*, recognition of foreign main proceeding)
131. *Nazdall Pty Ltd v Herrmann* [\[2012\] FCA 994](#) (31 August 2012)
132. *Doherty and Inspector-General in Bankruptcy* [\[2012\] AATA 635](#) (21 September 2012); [\[2012\] 13 ALD 140](#) (bankruptcy, registration of RDAA, merits review)
133. *Re Traditional Values Management Ltd* [\[2012\] VSC 308 \(19 July 2012\)](#)

134. *Traditional Values Management Limited (in liq) v Taylor & Ors* [\[2012\] VSC 299](#) (10 July 2012) (practice and procedure, consolidation of proceeding)
135. *Bank of Western Australia Ltd v Floreani & Ors* [\[2012\] VSC 261](#) (21 June 2012) (banking, guarantee, misleading and deceptive conduct)
136. *RDN Developments Pty Ltd v Shtrambrandt & RDN Developments Pty Ltd v Shtrambrandt and Ors* [\[2012\] FMCA 437](#) (25 May 2012) (bankruptcy, setting aside PIA)
137. *Ruane v Bachmann-Ruane (Accrued Jurisdiction)* (2012) 48 Fam LR 131; [2012] FamCA 369; BC201250422 [\[2012\] FamCA 369](#) (family law, accrued jurisdiction of Family Court)
138. *AGBC Pty Ltd & Anor v Dessa & Ors* [\[2012\] VSC 118](#) (30 March 2012) (winding up, claim under s 588FF, injunction)
139. *Georges (in his capacity as joint and several liquidator of Sonray Capital Markets Pty Ltd (ACN 104 482 993) (in liq)) and Others v Seaborn International (as trustee for the Seaborn Family Trust) and Others* (2012) 288 ALR 240; (2012) 87 ACSR 441; [\[2012\] FCA 75](#) (10 February 2012) (winding up, liquidator's directions, tracing)
140. *National Australia Bank Ltd v Norman* [\[2012\] VSC 14](#) (summary judgment, appeal)
141. *Lawrence v McKean Park (A Firm)* [\[2012\] FCA 324](#) (31 January 2012) (bankruptcy, application to extend time to appeal)
142. *Armada Retail Investments Pty Ltd & Ors v Owenlaw Mortgage Managers Ltd* [\[2012\] VSC 9](#) (25 January 2012)
143. *ANZ v Berman* [\[2011\] FMCA 987](#) (15 December 2011) (bankruptcy, act of bankruptcy)
144. *Bank of Western Australia Ltd (ACN 050 494 454) v Scotia Downs Pty Ltd* (2011) 87 ACSR 42; [\[2011\] FCA 1302](#) (16 November 2011) (winding up, solvency)
145. *McKean Park (A Firm), In the matter of Lawrence v Lawrence* [\(2011\) 199 FCR 514](#); [\[2011\] FCA 1291](#) (11 November 2011) (bankruptcy notice, validity)
146. *Napiat Pty Ltd v Salfinger; Re Salfinger (No 7)* (2011) 202 FCR 264; (2011) 284 ALR 581; [\[2011\] FCA 1322](#) (18 November 2011) (bankruptcy, service of bankruptcy notice)
147. *Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 6)* [\[2011\] FCA 1298](#) (8 November 2011)

148. *Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 5)* [\[2011\] FCA 1297](#) (8 November 2011)
149. *Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 4)* [\[2011\] FCA 1296](#) (8 November 2011)
150. *Napiat Pty Ltd v Salfinger; In the Matter of Salfinger (No 3)* [\[2011\] FCA 1279](#) (8 November 2011)
151. *Talacko v Talacko (No 3)* [\[2011\] FCA 1343](#) (7 November 2011) (bankruptcy, continuation of injunction)
152. *Re FDM (Vic) Pty Ltd (Admins app'td)* [\[2011\] VSC 522](#) (19 October 2011) (voluntary administration, extension of convening period)
153. *Duke v Rain Bow Pty Ltd (in liq) No 2* (unreported, Supreme Court of Victoria, Efthim As J) (costs, leave to proceed) (13 September 2011)
154. *Gippsreal Ltd v Gilbertson* [\[2011\] VSC 446](#) (25 August 2011)
155. *Duke & Ors v Rain Bow Pty Ltd & Anderson* [\[2011\] VSC 599](#) (16 August 2011) (winding up, leave to proceed)
156. *Autron Pty Ltd v Benk* (2011) 280 ALR 417; [\[2011\] FCAFC 93](#) (28 July 2011) (bankruptcy, statutory minimum debt)
157. *Pattison (Trustee), in the matter of Abdulrahman (Bankrupt)* [\[2011\] FCA 826](#) (30 June 2011) (bankruptcy, resignation of trustee)
158. *Mediterranean Olives Financial Pty Ltd & Ors v Lederberger & Ors* [\[2011\] VSC 301](#) (1 July 2011)
159. *Mediterranean Olives Financial Pty Ltd & Ors v Lederberger & Ors (No 2)* [\[2011\] VSC 333](#) (1 July 2011)
160. *Mircevski v Pattison* [\[2011\] FCA 740](#) (25 May 2011)
161. *Deputy Commissioner of Taxation v Scuttle Clothing Pty Ltd (includes Corrigendum dated 20 May 2011)* [\[2011\] FCA 496](#) (9 May 2011)
162. *Kermani v Gaylard & Ors (No 2)* [\[2011\] VSC 143](#)
163. *Mission Development Pty Ltd v Clover Dale Pty Ltd* [\[2011\] VSC 148](#) (14 April 2011) (winding up, solvency)

164. *Talacko v Talacko* [\[2011\] FCA 385](#) (12 April 2011) (bankruptcy, no departure order)
165. *Mottaghi v Subway Shoe Diffusion Pty Ltd* [\[2011\] FMCA 246](#) (18 March 2011) (bankruptcy, review sequestration order)
166. *Talacko v Talacko* [\[2011\] FCA 326](#) (11 March 2011) (bankruptcy, no departure order)
167. *Re Blackburne Pty Ltd (in liq)* [\[2011\] VSC 92](#) (9 March 2011) (winding up, directions)
168. *Mediterranean Olives Financial Pty Ltd and Others v Loaders Traders Pty Ltd (ACN 069 549 042) (subject to deed of company arrangement) and Others (No 2)* (2011) 82 ACSR 300; [\[2011\] FCA 178](#) (4 March 2011)
169. *Kermani v Gaylard & Ors* [\[2011\] VSC 46 \(25 February 2011\)](#) [\[2010\] VSC 531 \(24 November 2010\)](#)
170. *Bevandale v Pereira* [\[2010\] VSC 531](#) (24 November 2010)
171. *Cave v Madgwicks (a firm)* (2010) 118 ALD 397; [2010] AATA 708; [\[2010\] FMCA 878](#) (12 November 2010) (bankruptcy, review of sequestration order)
172. *Rambaldi; in the matter of Philip Charles Weeden, a bankrupt v Weeden* [2008] FCA 1597 [\[2008\] FCA 1597](#) (27 October 2010) (bankruptcy, undervalued transaction)
173. *Hell Colour Australia Pty Ltd v Everbest Printing Company Limited* [\[2010\] VSC 643](#) (1 October 2010) (statutory demand, genuine dispute)
174. *Re D'Souza and Inspector-General in Bankruptcy* (2010) 118 ALD 397; [2010] AATA 708; (administrative appeal, objection to discharge from bankruptcy)
175. *Menzies v Paccar Financial Pty Ltd (ACN 005 592 049)* [\[2010\] FCA 692](#) (2 July 2010)
176. *Talacko and Others v Talacko* (2010) 183 FCR 311; (2010) 115 ALD 279 [\(2010\) 268 ALR 266](#) (27 May 2010) (bankruptcy, power of Federal Court to make no depart order)
177. *Talacko v Talacko* [\[2010\] FCA 239](#) (17 March 2010) (bankruptcy, no departure order)
178. *Phoenix Motor Borkers Pty Ltd (in liq) & Anor v Fares* [\(unreported, Magistrates Court of Victoria, 11 February 2010\)](#) (winding up, unfair preference)
179. *Juratowitch v Iannotti (No.2)* [\[2009\] FMCA 1274](#) (24 December 2009) (bankruptcy, trusts, directions)

180. *Gordon v Express Gas & Anor* (unreported, Supreme Court of Victoria, Eftim AsJ) (18 December 2009) (winding up, oppression, just and equitable ground, rectification of share register)
181. *Black v Rafa Pastoral Pty Ltd & Ors* [\[2009\] VSCA 295](#) (4 December 2009) (appeal, summary dismissal)
182. *Carson, In the matter of Trollope Property Holdings Pty Ltd (in liq)* (ACN 005 649 212) [\[2009\] FCA 118](#) (winding up, liquidator's directions, GST)
183. *Robertson v Bank of Western Australia* [2009] FMCA 424 (4 May 2009) (bankruptcy notice, extension of time)
184. *Ingress Consulting Pty Ltd v Pitcher Partners* (unreported, Supreme Court of Victoria, Gardiner AsJ) (19 March 2009) (statutory demand, genuine dispute)
185. *Emmanouilides & Anor v Calabro & Ors* [2009] FMCA 854 (4 March 2009) (bankruptcy, Part X)
186. *Impress NZ Limited v Lovitt's Pty Ltd* (unreported, Federal Court, Gordon J, 21 April 2009) (winding up, adjournment)
187. *Spiteri v Lamb & Ors (Civil Claims)* [\[2008\] VCAT 2266](#) (29 October 2008) (claim under Fair Trading Act)
188. *BNY Trust Company of Australia Ltd v Morrell* [\[2008\] FMCA 1406](#) (22 October 2008) (bankruptcy, review of sequestration order)
189. *Boglari & Anor v Coadys (A Firm)* [\[2008\] FMCA 1277](#) (1 September 2008) (bankruptcy notice)
190. *Westpac Banking Corp v Hughes* [\[2008\] FMCA 424](#) (bankruptcy, review of sequestration order, solvency)
191. *Malta v Malta* [\[2008\] FamCA 279](#) (23 April 2008) (bankruptcy and family law, extension of life of creditor's petition under slip rule)
192. *Re Locktronic Systems Pty Ltd (in liq) (rec'vrs app'd)* [\[2008\] VSC 626](#) (11 March 2008)
193. *Gardiner v Goss* [\[2007\] FMCA 1966](#) (12 December 2007) (bankruptcy, review of sequestration order)

194. *Sarandal Pty Ltd v Nameplan Pty Ltd & Ors* [\[2007\] VSC 568](#) (7 December 2007) (real property, removal of caveat)
195. *ACCC v Rana & Anor* [\[2007\] FMCA 2045](#) (3 December 2007) (bankruptcy, review of sequestration order)
196. *Ansett Australia Limited (subject to a deed of company arrangement) v Travel Software Solutions Pty Ltd (No 2)* [\[2007\] VSC 401](#) (16 October 2007)
197. *Irani v Hollyburton UK Limited* [\[2007\] FCA 1447](#) (14 September 2007) (bankruptcy, validity of bankruptcy notice)
198. *Ansett Australia Ltd (ACN 004 209 410) v Travel Software Solutions Pty Ltd (ACN 005 407 465)* (2007) 65 ACSR 47; [\[2007\] VSC 326](#) (19 September 2007)
199. *Moran v Lydiard Financial Services Pty Ltd* [2007] FCA 872 (bankruptcy, appeal, sequestration order)
200. *Gajic & Anor v Poyser* [\[2007\] VSCA 175](#) (30 August 2007) (appeal, summary judgment)
201. *Ox Operations Pty Ltd v Land Mark Property Developments (Vic) Pty Ltd (in liq)* [\[2007\] FCA 1221](#)
202. *Re York Street Mezzanine Pty Ltd (in liq) and Others; McEvoy and Others v Rozna and Another* (2007) 162 FCR 358; (2007) 240 ALR 567; (2007) 64 ACSR 1; [2007] FCA 922 (28 June 2007) (winding up, liquidator's directions)
203. *Rambaldi v Reeves* [\[2007\] FMCA 408](#) (19 April 2007) (bankruptcy, whether property held on trust)
204. *CMS Group Management Pty Ltd (in liq) & Anor v Schafer* (unreported, Supreme Court of Victoria, Efthim AsJ, 15 February 2007) (winding up, unfair preference)
205. *MCB Holdings Pty Ltd v Krasnici* [\[2007\] FMCA 37](#) (29 January 2007)
206. *Meinhardt (Hong Kong) Ltd v Meinhardt (Deceased) (No 3)* [\[2006\] FCA 1390](#) (bankruptcy, Part XI, costs)
207. *Meinhardt (Hong Kong) Ltd v William Lindsay Meinhardt (Deceased) and Ors (No 2)* [\[2006\] FCA 1323](#) (10 October 2006) (bankruptcy, administration under Part XI)



208. *Circuit Finance Pty Ltd v Goodwood Road Pty Ltd* [\[2006\] VSC 399](#) (25 October 2006) (property, breach of lease, delivery up of racehorses)
209. *In the matter of Motor ACN 005 188 054 Pty Ltd (in liq); The Elastomers Pty Ltd v Motor ACN 005 188 054 Pty Ltd (in liq)* [\[2006\] FCA 1497](#) (26 September 2006) (winding up, leave to proceed)
210. *Meinhardt v Meinhardt & Ors (No.2)* [\[2006\] FMCA 1028](#) (19 July 2006) (bankruptcy, deceased estate, administration under Part XI)
211. *Meinhardt (Hong Kong) Ltd v William Edward Meinhardt (Deceased) and Ors* [\[2006\] FCA 1106](#) (22 August 2006) (bankruptcy, Part XI)
212. *Lamb v Ariss & Anor (No 2)* [\[2006\] FMCA 765](#) (25 May 2006) (practice and procedure, transfer to Federal Court)
213. *Thorncrest Pty Ltd & Anor v Barros* [\[2006\] FMCA 702](#) (12 May 2006) (bankruptcy, review of sequestration order)
214. *Moran v Lydiard Financial Services Pty Ltd* [\[2006\] FCA 631](#) (bankruptcy, bankruptcy notice, appeal)
215. *DCT v Trigo-Contillo* [\[2005\] FMCA 1856](#) (16 December 2005) (debt agreement, setting aside)
216. *Moran v Lydiard Financial Services Pty Ltd* [\[2005\] FMCA 1821](#) (31 October 2005) (appeal from sequestration order)
217. *Commonwealth v Leahy Petroleum – Retail Pty Ltd (subject to deed of company arrangement) and Others* (2005) 55 ACSR 353; [\[2005\] FCA 1422](#) (7 October 2005)
218. *Commonwealth of Australia v Rocklea Spinning Mills Pty Ltd (Receivers and Managers Appointed) (Subject To A Deed of Company Arrangement)* (2005) 145 FCR 220; (2005) 23 ACLC 1328; [\[2005\] FCA 902](#); BC200504584 (voluntary administration, setting aside deed of company arrangement)
219. *Diners Club v Vitler* [\[2005\] FMCA 1374](#); BC200507217 (12 September 2005) (setting aside sequestration order)
220. *La Donna Pty Ltd v Wolford AG* [\[2005\] VSC 359](#) (31 August 2005)
221. *Bates & Anor v Sage & Anor* [\[2005\] FMCA 1133](#) (12 August 2005)

222. *Re Internet Finance Pty Ltd (ABN 95 087 364 805) (in liq) (admins apptd); Marchesi v Internet Finance Pty Ltd (ABN 95 087 364 805) (in liq) (admins apptd)* (2005) 53 ACSR 713 (31 May 2005)
223. *BMW Australia Finance Ltd v Collett* [2005] FMCA 801; BC200504391 (17 June 2005) (bankruptcy notice, validity)
224. *Morton v Trkulja* [2005] FMCA 704 (26 May 2005) (bankruptcy, constructive or resulting trust)
225. *Liberty Funding Pty Ltd v De Zoysa & Anor* [\[2005\] FMCA 778](#) (18 May 2005) (bankruptcy, review of sequestration order)
226. *La Donna Pty Ltd v Wolford Aktiengesellschaft* [\[2005\] VSC 174](#) (13 May 2005)
227. *MSKE Pty Ltd v Krasulak* [\[2005\] FMCA 300](#) (15 March 2005) (bankruptcy, validity of bankruptcy notice)
228. *Cervantes Pty Ltd v Moutidis (No.2)* [\[2005\] FMCA 214](#) (17 February 2005) (bankruptcy, adjournment of creditor's petition pending Part X meeting)
229. *BMW Australia Finance Ltd v Geraerts* [\[2004\] FMCA 1028](#) (13 December 2004) (bankruptcy, setting aside debt agreement)
230. *Media World Communications Ltd (Administrator Appointed) v Clark* [2004] FCA 1609 (3 December 2004) (winding up, asset preservation order)
231. *ETL v Settle* [\(2004\) 212 ALR 623](#); [\[2004\] FMCA 718](#) (5 November 2004) (bankruptcy notice, secured creditor)
232. *Florgale Uniforms Pty Ltd (Receiver and Manager Appointed) (In liq) and Others v Orders and Another* (2004) 11 VR 54; (2004) 51 ACSR 699; [\[2004\] VSC 65](#) (27 October 2004) (receiver, breach of duties)
233. *Duncan v McVeigh & Anor (No.2)* [\[2004\] FMCA 838](#) (18 October 2004) (bankruptcy, setting aside Part X, costs)
234. *Duncan v McVeigh & Anor* [2004] FMCA 759; BC200407997 (18 October 2004) (bankruptcy, setting aside Part X)
235. *White v Dortenzio* [\[2004\] VSC 381](#) (4 October 2004)

236. *Elliott v Water Wheel Holdings Ltd (subject to deed of company arrangement)* (2004) 209 ALR 682; (2004) 50 ACSR 368; [\[2004\] FCAFC 253](#) (10 September 2004) (appeal, bankruptcy notice, extension of time)
237. *Webb v Insurance Manufacturers of Australia Pty Ltd* [2004] FMCA 613; BC200408027 (6 September 2004) (bankruptcy, annulment)
238. *Elliott v Water Wheel Holdings Ltd* (2004) 178 FLR 459; [2004] FMCA 37 (bankruptcy notice, extension of time)
239. *Saint-Gobain RF Pty Ltd v Maax Spa Corporation Pty Ltd* [\[2004\] VSC 335](#) (6 September 2004) (practice and procedure, security for costs)
240. *Dominion Lifestyle Tower Apartment Pty Ltd v Global Capital Corporation Pty Ltd* [\[2004\] VSC 307](#) (5 August 2004)
241. *Kyriackou v Shield Mercantile Pty Ltd and Another* (2004) 207 ALR 393; [\[2004\] FCA 490](#) (26 April 2004)
242. *Luna v Pattison* (2004) 206 ALR 587; [\[2004\] FMCA 237](#) (19 April 2004)
243. *Brien (a bankrupt) (formerly trustee of the estate of Grapsas) v Grapsas and Others* (2004) 207 ALR 275; [\[2004\] FMCA 212](#) (8 April 2004) (bankruptcy, trustee's directions)
244. *Deputy Commissioner of Taxation v Chairmakers Pty Ltd (No 2)* [\[2004\] VSC 112](#) (7 April 2004)
245. *Deputy Commissioner of Taxation v Chairmakers Pty Ltd* [\[2004\] VSC 109](#) (7 April 2004) (voluntary administration, validity of deed of company arrangement)
246. *McKinnon v Commonwealth Bank of Australia* [2004] FCA 325 (bankruptcy, review of registrar's orders)
247. *Promnitz v Australian Securities and Investments Commission* [2004] FCA 22 (29 January 2004) (winding up, reinstatement of company)
248. *Sutcliffe v Commonwealth Securities (No.2)* [\[2003\] FMCA 565](#) (23 December 2003) (bankruptcy, review of sequestration order)
249. *Dumitrasky v Official Trustee in Bankruptcy* [\[2003\] FMCA 477](#) (30 October 2003) (bankruptcy, abridgment of time to file statement of affairs)

250. *Jatkar v Rambaldi* [\[2003\] FMCA 355](#) (22 August 2003) (bankruptcy, permission to travel overseas)
251. *Sutcliffe v Commonwealth Securities (No 1)* [\[2003\] FMCA 567](#) (21 August 2003) (bankruptcy, review of sequestration order)
252. *Deputy Commissioner of Taxation v Colling* [\[2002\] FMCA 224](#) (3 October 2002) (bankruptcy, adjournment of creditor's petition)
253. *Sellers; In the matter of Beckley Forge Pty Ltd (Administrators Appointed)* [2003] FCA 523 (voluntary administration, share allotment)
254. *World Pacific Timbers Pty Ltd v Konstandellos* [2003] FMCA 84; BC200301023 (bankruptcy, substitution of petitioning creditor)
255. *Peake, in the matter of Australian Housewares Pty Ltd (in liq)* [2003] FCA 170 (7 March 2003) (winding up, priority to funding creditor)
256. *Fidgeon v William Abbott & Associates (a firm)* [\[2003\] VSCA 5](#) (18 February 2003) (appeal, error of law)
257. *Jones v Southall and Burke Pty Ltd* [\[2003\] FMCA 27](#) (13 February 2003) (bankruptcy, voidable transfers of property)
258. *Swersky & Velos v Alexopoulos & Anor* [\[2002\] FMCA 328](#) (25 November 2002) (bankruptcy, review of sequestration order)
259. *Biritz v National Australia Bank* [\[2002\] FMCA 214](#) (26 August 2002) (bankruptcy, review of sequestration order)
260. *Re Avonwood Homes Pty Ltd (in liq)* [\[2002\] VSC 147](#) (17 May 2002)
261. *Van Halen & Anor v Dawildon Properties Pty Ltd* [\[2002\] FMCA 32](#) (8 May 2002)
262. *Israel & Anor v Vince* [\[2001\] FMCA 54](#) (8 October 2001)
263. *Ugly Tribe Co Pty Ltd v Sikola* [\[2001\] VSC 189](#) (14 June 2001) (indemnity costs)
264. *In the matter of Moustafa El Moustafa; Cobbs Hill (Tas) Meat Supplies Pty Ltd & Ors v Moustafa El Moustafa & Ors* [\[1998\] FCA 838](#) (29 May 1998) (Part X, settling aside)
265. *V R Dye & Co (a firm) v Peninsula Hotels Pty Ltd (in liq) and Another* (1998) 28 ACSR 167; BC9801096 (23 March 1998) (winding up, unfair preference, running account)

266. *Cheesman and Others v Waters and Another* (1997) 148 ALR 21; [1997] FCA 752 (8 August 1997) (bankruptcy, appeal, delegation of power to Registrars, constitutional law)
267. *McDougall, Re; Ex parte Policy Nominees Pty Ltd & Thomas* BC9701060 (27 March 1997) (bankruptcy, setting aside Part X)
268. *Pattison v Dupla* BC900462 (12 March 1996) (appeal, common intention trust)
269. *Kralfly Pty Ltd v McVeigh* BC9502899 (8 September 1995) (real property, caveatable interest)