



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID126/2018

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION

Plaintiff

AGM MARKETS PTY LTD (ACN 158 706 766) and others named in the schedule

Defendants

ORDER

JUDGE: JUSTICE BEACH

DATE OF ORDER: 11 October 2019

WHERE MADE: Melbourne

OTHER MATTERS

Each of:

- (a) John Ross Lindholm and George Georges in their capacity as liquidators of AGM Markets Pty Ltd;
- (b) Matthew Gollant, in his capacity as the liquidator of OT Markets Pty Ltd; and
- (c) Richard Albarran, Brent Kijurina and Richard Lawrence in their capacity as liquidators of Ozifin Tech Pty Ltd,

have agreed to give an undertaking to the Court in the form annexed to these orders that they will apply to the Court for directions about how to resolve any claim which arises in the course of the liquidation of the Defendant of which they are liquidator, which arises against any other Defendant.

THE COURT ORDERS THAT:

AGM Markets Pty Ltd

1. Pursuant to s 461(1)(k) of the *Corporations Act 2001* (Cth), AGM Markets Pty Ltd be wound up.
2. Pursuant to s 472(1) of the *Corporations Act*, John Ross Lindholm and George Georges, official liquidators, be appointed as joint and several liquidators of



AGM Markets Pty Ltd.

OT Markets Pty Ltd

3. Pursuant to s 447A of the Corporations Act and s90-15 of the *Insolvency Practice Schedule (Corporations)*, the administration of OT Markets Pty Ltd (administrator appointed) end forthwith.
4. Pursuant to s461(1)(k) of the Corporations Act, OT Markets Pty Ltd be wound up.
5. Pursuant to s472(1) of the Corporations Act, Matthew Gollant, an official liquidator, be appointed liquidator of OT Markets Pty Ltd.

Ozifin Tech Pty Ltd

6. Pursuant to s90-15 of the *Insolvency Practice Schedule (Corporations)*, the voluntary liquidation of Ozifin Tech Pty Ltd (in liquidation) is terminated.
7. Pursuant to s461(1)(k) of the Corporations Act, Ozifin Tech Pty Ltd be wound up.
8. Pursuant to s472(1) of the Corporations Act, Richard Albarran, Brent Kijurina and Richard Lawrence, each an official liquidator, be appointed as joint and several liquidators of Ozifin Tech Pty Ltd.
9. ASIC be granted leave to proceed in proceeding VID126/2018 in accordance with section 471B of the Corporations Act.
10. Costs of ASIC of the interlocutory process dated 7 October 2019 be costs in each of the liquidations of the first defendant, the third defendant and the fifth defendant proportionately.
11. Costs of the interlocutory process dated 7 October 2019 of the third defendant be costs in its liquidation.
12. Costs of the interlocutory process dated 7 October 2019 of the fifth defendant be costs in its liquidation.



Date that entry is stamped: 15 October 2019

Warrick Soden
Registrar



Annexure
UNDERTAKING

In this undertaking:

Company means [*company name and ACN*]

Court means the Federal Court of Australia.

1. I, [*name*], of [*address*], undertake to the Court that if I identify a claim against another Defendant which is in liquidation by virtue of the orders made by Beach J on 11 October 2019, which cannot be agreed between me and that other liquidator, I will apply to this Court for directions about how to resolve that claim, before issuing any proceedings.
2. I acknowledge that my obligations under this undertaking are in addition to any other obligation, express or implied, that I may have to the Court.
3. The above undertakings are subject to any further order of the Court.

Dated:

Signed:



Schedule

No: VID126/2018

Federal Court of Australia
District Registry: Victoria
Division: General

Third Defendant	OT MARKETS PTY LTD (ACN 621 714 181)
Fifth Defendant	OZIFIN TECH PTY LTD (ACN 618 038 396)
Sixth Defendant	AUTHENTICATE PTY LTD (ACN 600 573 233)