



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID769/2021

WATSON & CO SUPERANNUATION PTY LTD

Applicant

DIXON ADVISORY AND SUPERANNUATION SERVICES LTD (ACN 103 071 665)

and others named in the schedule

Respondents

ORDER

JUDGE: JUSTICE THAWLEY

DATE OF ORDER: 15 June 2022

WHERE MADE: Sydney

THE COURT ORDERS THAT:

Stay of the Kosen-rufu Proceeding

1. Federal Court of Australia proceeding number VID 640 of 2021 (the **Kosen-rufu Proceeding**) be stayed until the resolution of this Proceeding, or further order of the Court.
2. The applicant shall provide 28 days' notice to the Kosen-rufu Proceeding applicants of:
 - a. any mediation between the parties; or
 - b. any application to approve any settlement of the Proceeding.

Costs

3. The costs of and incidental to the application in this Proceeding heard on 13 May 2022, and the costs of the Respondents in respect of the application in the Kosen-rufu Proceeding heard on 13 May 2022, be reserved in this Proceeding.
4. The costs of the Kosen-rufu Proceeding (other than the costs of the Kosen-rufu applicants of and incidental to the 13 May 2022 applications, which are to be borne by the Kosen-rufu applicants) be reserved for consideration at the resolution of the Proceeding (either by way of judgment or settlement).
5. The Kosen-rufu Proceeding applicants' litigation funder (Balance Legal Capital II UK Ltd, registered number: 13404724) be granted liberty to apply in the Proceeding in respect of the costs of the Kosen-rufu Proceeding reserved for consideration in the Proceeding.



Directions

6. The Proceeding be listed for a case management hearing at 9.30am on 7 July 2022.
7. By not later than:
 - a. fifteen (15) days prior to the directions hearing the applicant shall deliver to the respondents a proposed joint position paper outlining the issues to be addressed at the hearing, including any directions proposed by the applicant;
 - b. ten (10) days prior to the directions hearing the respondents shall deliver to the applicant their responses to the proposed joint paper and proposed directions; and
 - c. two (2) days prior to the directions hearing the applicant shall deliver to the Associate to his Honour Justice Thawley the joint position paper.

Date that entry is stamped: 15 June 2022

Sia Lagos
Registrar



Schedule

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Respondent	CHRISTOPHER MATTHEW BROWN
Second Respondent	E&P FINANCIAL GROUP LIMITED (ACN 609 913 457)
Third Respondent	ALAN COCHRANE DIXON
Fourth Respondent	CHRISTOPHER MATTHEW BROWN