



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID848/2016

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION
Plaintiff

ONE TECH MEDIA LIMITED and others named in the schedule
Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 19 July 2018

WHERE MADE: Melbourne

THE COURT DECLARES THAT:

1. The fourth defendant (**Eustace Senese**) is guilty of contempt as alleged in charges A6, A15, A24, A33, A42, A51, A72, A78, A80, A82, A84, A86, A88, A90, A92, A94, A96, A98, A100, A102, A104, A106 and A108 as set out in the plaintiff's amended statement of charge dated 18 December 2017 (the **amended statement of charge**).
2. The sixth defendant (**Transcomm**) is guilty of contempt as alleged in charges F2, F5, F8, F11, and F14 as set out in the amended statement of charge.
3. The ninth defendant (**Cameron Senese**) is guilty of contempt as alleged in the following charges set out in the amended statement of charge:
 - a. charges A9, A18, A27, A36, A45 and A54;
 - b. charges B109 to B162, B509 to B600;
 - c. charges C11 to C15;
 - d. charges D251 to D375, D720 to D891; and
 - e. charge F1.

THE COURT ORDERS BY CONSENT THAT:

4. All other charges against Eustace Senese, Transcomm and Cameron Senese be dismissed.
5. The plaintiff's amended interlocutory application dated 18 December 2017 (the **contempt application**) as against the third defendant (**Allianz**) and all charges against Allianz be dismissed.




6. The contempt application as against the eighth defendant (**Bianco**) and all charges against Bianco be dismissed.
7. The costs as between the plaintiff and Allianz, Eustace Senese, Transcomm, Bianco and Cameron Senese be reserved.
8. The matter be listed for a hearing on penalties and costs on a date to be fixed.

THE COURT ORDERS THAT:

9. The contempt application as against Kalus Kenny Intalex and all charges against Kalus Kenny Intalex be dismissed.
10. Within seven days, the plaintiff and Kalus Kenny Intalex file any agreed order in relation to costs.
11. If the parties are unable to agree, within 14 days of these orders, each party file a written submission (of no more than three pages) on costs.

Date that entry is stamped: 19 July 2018


Registrar



Schedule

No: VID848/2016

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Second Defendant	ULTRA SOLUTIONS MG (UK) LIMITED
Third Defendant	ALLIANZ METRO PTY LTD (ACN 610 042 843)
Fourth Defendant	EUSTACE SENESE
Fifth Defendant	SANSEN PTY LTD (ACN 111 816 178)
Sixth Defendant	TRANSCOMM GLOBAL PTY LTD (ACN 169 503 762)
Seventh Defendant	SANDRA SENESE
Eighth Defendant	BIANCO PTY LTD (ACN 604 778 305)
Ninth Defendant	CAMERON DAVID SENESE
Tenth Defendant	IMC HOLDINGS PTY LTD (ACN 138 415 291)
Eleventh Defendant	YOAV IDA
Twelfth Defendant	WESTPAC BANKING CORPORATION (ABN 33 007 457 141)
Thirteenth Defendant	NATIONAL AUSTRALIA BANK LIMITED (ABN 12 004 044 937)
Fourteenth Defendant	BENDIGO AND ADELAIDE BANK LIMITED (ABN 11 068 049 178)
Fifteenth Defendant	COMMONWEALTH BANK OF AUSTRALIA (ABN 48 123 123 124)
Sixteenth Defendant	CITIGROUP PTY LIMITED (ABN 88 004 325 080)