

**In the Supreme Court of New South
Wales**
Division: **Equity**
Registry: **Sydney**

No 2928 of 2005

In the matter of: **HERITAGE FINE WINES PTY LTD**

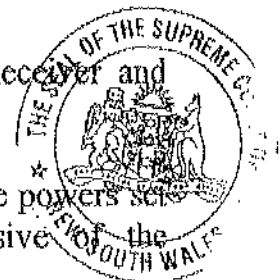
**NICHOLAS JAMES DAVID
CROUCH**
First Plaintiff

**HERITAGE FINE WINES PTY
LTD (in liquidation) (ACN 093 310
715)**
Second Plaintiff

Orders

THE COURT ORDERS THAT:

1. Until further Order the First Plaintiff be appointed as Receiver and Manager of all wine over which the Second Plaintiff is the bailee.
2. Until further Order the Receiver & Manager be granted the powers set out in s.420(1) & (2)(a),(d),(e),(j),(k),(m)-(q) inclusive of the Corporations Act 2001.
3. Until further Order the First Plaintiff be authorised to relocate such wine over which he is Receiver and Manager to alternate premises suitable for storage of such wine.
4. Until further Order the First Plaintiff be authorised to relocate such wine over which he is bailee to alternate premises suitable for storage of such wine.
5. The First Plaintiff be entitled to encumber the wine to a third party financier to cover the costs of the moving, storage, stock count, reconciliation and distribution of the wine and financing this process.
6. The First Plaintiff be indemnified by way of first ranking priority over the wine for his remuneration costs and expenses as Receiver and Manager.



7. The matter be listed for directions in the corporations list on 6 June 2005.
8. Liberty is granted to restore the matter to the list on 1 day's notice.

THE COURT DIRECTS THAT:

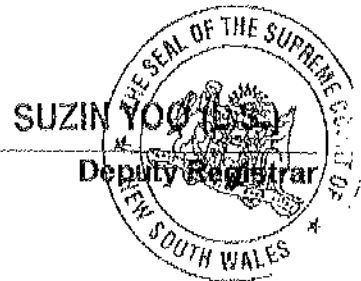
9. The receiver and manager of the first plaintiff undertake a stock count and reconciliation of all wine stock of which he is receiver and manager to count and reconcile the wine to investors and prepare that inventory and stocktake by 5 August 2005.

THE COURT NOTES THAT:

10. The undertaking that the first plaintiff will not sell, dispose of or part with possession of any of the wine under his control until further order of the Court.
11. The first plaintiff's undertaking to return to the Court for further directions as he deems it necessary or appropriate.
12. The receiver's remuneration and expenses are to be approved by the Court.

Ordered: 17 May 2005
Entered: 17 May 2005

BY THE COURT



**IN THE SUPREME COURT
OF NEW SOUTH WALES
SYDNEY REGISTRY
EQUITY DIVISION**

No 2056 of 2005

CONSENT ORDER

Filed for The Plaintiffs:
Steven Gavan Wakeham and the
persons named in the Schedule.

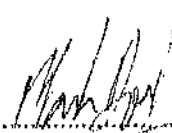
**Steven Gavan Wakeham and
the persons named in the
Schedule**

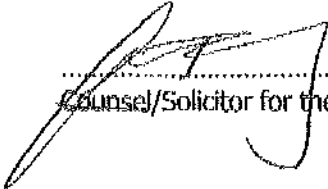
Nicholas James David Crouch
Defendant

BY CONSENT, the Court makes the following orders:

1. **AN ORDER** that the Defendant not sell, dispose of, part with possession of any of the wine under his control as liquidator of Heritage Fines Wines Pty Limited (In Liquidation) until further order of the Court.
2. The proceedings be listed for further directions on *6 June 2005*.
3. Liberty to the parties to restore the matter to the list on 24 hours' notice.

Dated: 16 May 2005


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Counsel for the Plaintiffs
Solicitor


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Counsel/Solicitor for the Defendant

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