



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD381/2026

ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF MOSAIC BRANDS LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 003 321 597) and others named in the schedule
Plaintiff

ORDER

JUDGE: Justice Jackman

DATE OF ORDER: 9 October 2026

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Pursuant to rule 1.32 of the Federal Court Rules 2011, the public examination of Mr Richard Facioni listed in these proceedings for 10.15am (AEST) on 12 October 2026 be adjourned to a date to be fixed.
2. Pursuant to rule 1.32 of the Federal Court Rules 2011, compliance with the orders for production (as amended) made 16 September 2026 by Registrar Birchall and addressed to the Applicant and addressed to the proper officer of ACTA Capital Pty Ltd (together, the **Orders for Production**) be extended to a date to be fixed.
3. By 4.00pm on 16 October 2026 the applicant is to file and serve any further affidavit evidence and any expert report containing medical evidence relevant to the date of hearing of the Public Examination and the Orders for Production in support of the Interlocutory Application dated 7 October 2026.
4. The respondents file and serve any affidavit in response by 23 October 2026.
5. The Interlocutory Application dated 7 October 2026 be listed for hearing before the Duty Judge on a date to be fixed not before 30 October 2026 (**Return Date**).
6. Until 5.00pm on the Return Date, pursuant to s 37AI of the *Federal Court of Australia Act 1976* (Cth), the affidavit of Joseph Abberton affirmed on 7 October 2026 must not be published or disclosed to any person other than:
 - a. the Court;



- b. the Plaintiffs and their legal representatives;
- c. Richard Facioni and his legal representatives;
- d. any other person agreed in writing by Richard Facioni or his solicitors; and
- e. support staff of the persons listed in sub-paragraphs [6(a)-(c)] of these Orders.

Date orders authenticated: 9 October 2026

Sia Lagos
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



Schedule

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Interested Person	SCOTT GRAHAM EVANS
Second Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF NONI B HOLDINGS PTY LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 614 340 537)
Second Interested Person	DAVID OLIVER WILSHIRE
Third Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF PRETTY GIRL FASHION GROUP HOLDINGS PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 089 304 941)
Third Interested Person	ERICA BERCHTOLD
Fourth Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF PRETTY GIRL FASHION GROUP PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 051 283 900)
Fourth Interested Person	RICHARD FACIONI
Fifth Plaintiff	ANDREW, MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF MILLERS RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 309)
Fifth Interested Person	JACQUELINE AZIZA FRANK
Sixth Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND



SEVERAL SPECIAL PURPOSE LIQUIDATORS OF NONI B HOLDINGS 2 PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 335 760)

Sixth Interested Person	LUKE ANTHONY SOFTA
Seventh Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF RIVERS RETAIL HOLDINGS PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 934)
Seventh Interested Person	QUENTIN MICHAEL FYNES GRACANIN
Eighth Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF KATIES RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 158)
Ninth Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF CROSSROADS RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 541)
Tenth Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF AUTOGRAPH RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 390)
Eleventh Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF W.LANE PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 003 115 124)
Twelfth Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND SEVERAL SPECIAL PURPOSE LIQUIDATORS OF NONI B HOLDCO PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 627 001 389)
Thirteenth Plaintiff	ANDREW MCCABE, WENJIE (JESSIE) WANG AND JOSEPH HAYES IN THEIR CAPACITIES AS JOINT AND



SEVERAL SPECIAL PURPOSE LIQUIDATORS OF EZIBUY
PTY LTD (IN LIQUIDATION) (RECEIVERS AND
MANAGERS APPOINTED) (ACN 058 215 722)

Interested Person

DAVID ANTHONY CLARKE