Federal Court of Australia

District Registry: New South Wales Registry

Division: General No: NSD757/2026

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 003 321 579) and others named in the schedule
Plaintiff

MOSAIC BRANDS LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 003 321 579) and others named in the schedule
Defendant

ORDER

JUDGE: Justice Markovic

DATE OF ORDER: 9 November 2026

WHERE MADE: Sydney

In these orders, the following definitions apply:

'**Interested Persons**' means any one or more of:

(a) David Oliver Wilshire;

(b) Jacqueline Frank;

(c) Quentin Michael Fynes Gracanin;

(d) Richard Facioni; and

(e) Scott Graham Evans.

'**Mosaic Companies**' means the thirteen defendants to this proceeding.

THE COURT DIRECTS THAT:

1. Pursuant to s 90-15 of the *Insolvency Practice Schedule (Corporations)*, being Schedule 2 to the *Corporations Act 2001* (Cth), that the plaintiffs, being the special purpose liquidators of the Mosaic Companies, are permitted to and would otherwise be justified in, inspecting and utilising in unredacted form:
   (a) minutes of board meetings held or with respect to the Mosaic Companies;
   (b) board packs for each Board meeting;

(c) any advice given to the board the substance of which was contained in the minutes of Board meetings, held or with respect to, the Mosaic Companies;

(d) the communications referred to in paragraphs [234] and [245(3)] of *McCabe v Mosaic Brands Limited, in the matter of Mosaic Brands Limited (In Liquidation) (Receivers and Managers Appointed)* [2026] FCA 1569 (**Judgment**) including but not limited to, in respect to the latter, those referred to in [65] and [67] of the Judgment.

THE COURT ORDERS THAT:

2. The Interested Persons, other than Mr Facioni, are to produce to the plaintiffs within 14 days, in unredacted form, the documents the subject of Order 1(d) above.
3. The Interested Persons, other than Mr Facioni, are to produce to the plaintiffs within 20 days, in unredacted form, the documents the subject of Order 1(a), 1(b) and 1(c) above.
4. The proceeding be listed for further hearing on 10 December 2026 at 10.15 am in relation to the question of whether, by reason of the findings made to date, there has been issue waiver.
5. The plaintiffs are to file and serve any further evidence and their submissions on the question of issue waiver, not exceeding ten pages in length, by 30 November 2026.
6. The Interested Persons are to file and serve any further evidence and their submissions on the question of issue waiver, not exceeding ten pages in length, by 7 December 2026.
7. The plaintiffs are to file and serve a Court Book and Joint List of Authorities prepared in accordance with Format 1 of the eBOOKS Practice Note (GPN eBOOKS) by midday on 8 December 2026.
8. Liberty to apply on two days' notice.

Date orders authenticated: 9 November 2026

Registrar

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

Schedule

No: NSD757/2026

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Division: General

Interested Person	SUE MARGUERITE MORPHET
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	SCOTT GRAHAM EVANS
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	DAVID OLIVER WILSHIRE
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)
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)
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)

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)
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	SCOTT GRAHAM EVANS
Interested Person	RICHARD FACIONI

Interested Person	JACQUELINE AZIZA FRANK
Interested Person	QUENTIN MICHAEL FYNES GRACANIN
Second Defendant	NONI B HOLDINGS PTY LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 614 340 537)
Third Defendant	PRETTY GIRL FASHION GROUP HOLDINGS PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 089 304 941)
Fourth Defendant	PRETTY GIRL FASHION GROUP PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 051 283 900)
Fifth Defendant	MILLERS RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 309)
Sixth Defendant	NONI B HOLDINGS 2 PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 335 760)
Seventh Defendant	RIVERS RETAIL HOLDINGS PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 934)
Eighth Defendant	KATIES RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 158)
Ninth Defendant	CROSSROADS RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 541)
Tenth Defendant	AUTOGRAPH RETAIL PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 626 380 390)
Eleventh Defendant	W.LANE PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 003 115 124)
Twelfth Defendant	NONI B HOLDCO PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 627 001 389)
Thirteenth Defendant	EZIBUY PTY LTD (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) (ACN 058 215 722)