



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:** 10 June 2026

**WHERE MADE:** Sydney

#### THE COURT ORDERS THAT:

1. By 5 pm on 1 July 2026, any interested parties (**Directors**) claiming privilege with respect to:
  - (a) the Potentially Privileged Documents defined in the Orders made on 13 May 2026; or
  - (b) the Further Potentially Privileged Documents defined in the Orders made on 4 June 2026,are to file and serve a single joint document identifying, for each of the categories of documents identified by them in correspondence with the plaintiffs, up to 10 sample documents over which they claim exclusive privilege (not being a claim in respect of joint or common interest privilege with any one or more of the defendants) (**Privilege Claim Sample Documents**).
2. By 5 pm on 1 July 2026 the Directors are to file and serve affidavit evidence upon which they intend to rely in respect of their claims to exclusive privilege over the Privilege Claim Sample Documents.



3. By 5 pm on 8 July 2026, the plaintiffs are to file and serve affidavit evidence upon which they intend to rely as to the issue of waiver as the plaintiffs assert it applies to the Privilege Claim Sample Documents.
4. By 5 pm on 15 July 2026 the parties are to file and serve any evidence on which they intend to rely in reply to each others' evidence as referred to in Orders 2 and 3 above.
5. The Directors are to file and serve their submissions in chief by 5 pm on 22 July 2026, not exceeding 10 pages in length, and to be prepared in 12 point font with 1.5 line spacing.
6. The plaintiffs are to file and serve their submissions in reply by 5 pm on 29 July 2026, not exceeding five pages in length, and to be prepared in 12 point font with 1.5 line spacing.
7. As soon as is practicable, Hamilton Locke is to provide copies of the following in electronic form:
  - (a) the documents Packets S38 and S39 produced in proceeding NSD381/2026 (**Examination Proceeding**); and
  - (b) any further documents which are produced by Hamilton Locke in the Examination Proceeding before 17 June 2026,  
to Kathryn van Gelder of LawInOrder by email to [Kathryn.vangelder@lawinorder.com](mailto:Kathryn.vangelder@lawinorder.com).
8. By midday on 11 June 2026 the parties are to provide the Associate to Markovic J with their mutually convenient dates for hearing of the Directors' claims to exclusive privilege and any related claims, with an estimate of 1 to 2 days on or from 29 July 2026.
9. The proceeding be listed for case management hearing on 17 June 2026 at 9 am.
10. Liberty to restore on one day's notice.

Date orders authenticated: 10 June 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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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



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)