

Duplicate

SUPREME COURT OF QUEENSLAND

REGISTRY: BRISBANE
NUMBER: 8130 of 2012

Applicant: **THE PUBLIC TRUSTEE OF QUEENSLAND** (as
financial administrator for **CARL ROSS TAYLOR**)

AND

Respondents: **SULIMAN SABDIA, HASSEN SABDIA, RAFIK
SABDIA AND SHIRAZ SABDIA**

ORDER

Before: Martin J

Date: 12 September 2012

Initiating document: Application filed 6 September 2012

THE ORDER AND DIRECTIONS OF THE COURT ARE THAT:

1. Upon the personal undertakings given to the Court by each of the Respondents in the terms set out in Annexure 1 hereto, and pursuant to s.59 of the *Public Trustee Act* 1978, the Court sanctions the proposed compromise of these proceedings effected by a Deed of Agreement between the Public Trustee as financial administrator for Carl Ross Taylor with the Respondents dated 31 August 2012, being Exhibit to the affidavit of Ian McGregor Campbell filed by leave.
2. Counsel's opinion provided in support of the Application for Sanction by the Applicant be placed in a sealed envelope marked "*Not to be opened without an order of the Court*".
3. The affidavits of Ian McGregor Campbell filed in support of the Application for Sanction by the Applicant be placed in a sealed envelope marked "*Not to be opened without an order of the Court*".



FINAL ORDER

The Official Solicitor to the
Public Trustee of Queensland
444 Queen St, Brisbane Q 4000

4. The parties have liberty to apply in respect of these orders.
5. Pursuant to s.134 Public Trustee Act 1978 the Court advises and directs the Public Trustee that:
 - (a) it should not institute proceedings against Brian Laver, Will Marcus, Argo Navis Pty Ltd, Geoff Rigby or Challenger Bank in relation to their dealings with Carl Ross Taylor;
 - (b) the Public Trustee is not required to expend any further of his own corporate funds in carrying out any further investigations as the financial administrator for Carl Ross Taylor into causes of action as against Brian Laver, Will Marcus, Argo Navis Pty Ltd, Geoff Rigby or Challenger Bank.
6. There be no order as to the costs of and incidental to this application.

Signed:



DEPUTY REGISTRAR

Annexure 1

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ADDITIONAL PERSONAL UNDERTAKING

In addition to the undertaking referred to in the Deed of Agreement of 31 August 2012, we undertake that in the event that Mr Taylor for any reason vacates the property referred to in the Deed, we will pay to the Public Trustee of Queensland the amount of \$3,250.00 quarterly. The first such payment to be made 45 days after the date upon which Mr Taylor vacates the property. This undertaking will bind us for a period of five (5) years after the date of vacation or until Mr Taylor's death, which ever is the earlier.