



## Transcript of Proceedings

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State Reporting Bureau  
Date: 27 September, 2006

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

JONES J

Application No 382 of 2006

DIANE KENNEDY

Applicant

and

AUSTRALIAN SECURITIES & INVESTMENTS  
COMMISSION

Respondent

CAIRNS

..DATE 13/09/2006

JUDGMENT

**WARNING:** The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

HIS HONOUR: This is the matter of Kennedy v ASIC, number 382 of 2006. This is an application made by Diane Kennedy seeking the reinstatement of Freemont Blues Pty Ltd on the grounds that the re-registration of the company is just. It is necessary for this re-registration to allow her to pursue a claim for damages in respect of injuries which she sustained on the 16th of September 2006.

The company was placed in liquidation, Mr Ian David Jessup being appointed liquidator and as a consequence of the liquidation process having been finalised the company was deregistered. The only purpose for re-registration now is to permit the applicant to pursue her claim for damages. Mr Jessup has consented to continue to act as liquidator to permit this course of action to occur.

I would therefore order pursuant to section 601AH(2) that the Freemont Blues Pty Ltd liquidation be re-registered. It is necessary also for Ms Kennedy to seek leave to proceed against the company, given the circumstances that there is no objection to that course and such leave will therefore be granted.

I will make orders in terms of the draft initialled by me and placed with the papers.

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