

17 January 2024

**Via ASX Online
(2 pages including cover)**

The Manager
Company Announcements Office
Australian Securities Exchange

Dear Sir / Madam

**Epsilon Healthcare Limited
ACN 614 508 039 (ASX: EPN)
(Administrators Appointed) (“the Company”)**

Extension of the convening period for the second meeting of creditors of the Company

Please see **attached** notice advising the Company’s shareholders of the orders made by the Federal Court of Australia on 17 January 2024 in Proceedings No. NSD 38 / 2024.

Should you wish to discuss this matter, please contact me on (02) 8986 8986 or by email at ian.purchas@svp.com.au.

Yours sincerely,

Ian Purchas
Joint and Several Voluntary Administrator
Epsilon Healthcare Limited ACN 614 508 039 (Administrators Appointed) (ASX: EPN)

ASX Release

17 January 2024

Epsilon Healthcare Limited
ACN 614 508 039 (ASX: EPN)
(Administrators Appointed) (“the Company”)

Extension of the convening period for the second meeting of creditors of the Company

On 17 December 2023, pursuant to section 436A of the *Corporations Act 2001* (Cth) (**the Corporations Act**) Ian Purchas and Hugh Armenis of SV Partners were appointed as joint and several voluntary administrators of the Company (**the Voluntary Administrators**).

The Voluntary Administrators have assumed control of the Company's business, property, and affairs.

Application to the Federal Court of Australia

Pursuant to section 439A(5) of the *Corporations Act*, the end of the convening period in relation to the Company was 24 January 2024.

On 17 January 2024, the Voluntary Administrators applied to the Federal Court of Australia seeking orders, pursuant to section 439A(6) of the *Corporations Act*, to extend the convening period to 20 March 2024 (**the Extension Application**).

A copy of the orders made by the Federal Court of Australia on 17 January 2024 in relation to the Extension Application is **attached**.

For further details of the Extension Application, please contact the Voluntary Administrators' office on (02) 8986 8986 or by email at epsilon@svp.com.au.



Federal Court of Australia
District Registry: New South Wales
Division: General

No: NSD38/2024

IAN JAMES PURCHAS and others named in the schedule
Plaintiff

ORDER

JUDGE: JUSTICE STEWART

DATE OF ORDER: 17 January 2024

WHERE MADE: Sydney

THE COURT ORDERS THAT:

Confidentiality and suppression orders

1. Subject to order 2 below, pursuant to ss 37AF(1)(b), 37AG(1)(a) and 37AJ of the *Federal Court of Australia Act 1976* (Cth), on the ground that the order is necessary to prevent prejudice to the proper administration of justice, the document (**Document**) identified as “Confidential Exhibit IP-2” referred to in the affidavit of Ian James Purchas sworn 16 January 2024 be marked “Confidential” on the electronic court file and not be published, disclosed or accessed by any person (excluding the staff of the Court for the purposes of their work for the Court), except pursuant to an order of the Court, until 31 October 2024 or further order.
2. Order 1 above does not prevent the plaintiffs, the plaintiffs’ legal representatives or the plaintiffs’ servants, agents or employees, from disclosing, publishing or accessing the Document and the information contained therein.

Extension of convening period

3. Pursuant to s 439A(6) of the *Corporations Act 2001* (Cth) (**the Corporations Act**), the period within which the first plaintiffs must convene the second meeting of the creditors of each of the following companies (**the Companies**) is extended up to midnight on 20 March 2024:
 - (a) Epsilon Healthcare Ltd (Administrators Appointed) ACN 614 508 039 (ASX: EPN);



- (b) Epsilon Clinics Pty Ltd (Administrators Appointed) ACN 626 830 546; and
 - (c) Epsilon Pharma Pty Ltd (Administrators Appointed) ACN 625 491 009.
4. Pursuant to s 447A(1) of the Corporations Act, Pt 5.3A of the Corporations Act is to have effect in relation to each of the Companies such that the second meetings of the creditors of the Companies required by section 439A of the Corporations Act may be held at any time during, or within 5 business days after the end of, the convening period as extended by Order 3 above, notwithstanding the provisions of s 439A(2) of the Corporations Act.

Ancillary orders

5. Within two business days of these orders, the first plaintiffs are to cause the notice of these orders to be provided to **(the Notified Parties)**:
- (a) each of the known creditors of the Companies;
 - (b) the members of each of the Companies' committees of inspection; and
 - (c) each of the directors (or persons purporting to be a director) of the Companies, with such notice to be provided to the Notified Parties by taking the following steps:
 - (d) where the first plaintiffs:
 - (i) have an email address for the relevant Notified Party, by an email sent to that email address; and
 - (ii) do not have an email address for the relevant Notified Party, but have a postal address (or have received notice of non-delivery of a notice sent by email in accordance with 5(d)(i) above), by ordinary pre-paid post to that postal address; and
 - (e) releasing an announcement on the Australia Securities Exchange on behalf of Epsilon Healthcare Ltd (Administrators Appointed) ACN 614 508 039 (ASX: EPN).
6. Liberty to apply is granted to any person who can demonstrate sufficient interest to modify or discharge orders 3 and 4 above on reasonable notice.
7. Liberty to apply is granted to the first plaintiffs to apply to the Court in relation to any further extension of the convening period in relation to the Companies or any other matter arising under the administration of the Companies generally.



8. The first plaintiffs costs of and incidental to this application be costs and expenses in the administrations of the Companies and be paid out of the assets of the Companies.

Date that entry is stamped: **17 January 2024**

Sia Lagos
Registrar



Schedule

No: NSD38/2024

Federal Court of Australia
District Registry: New South Wales
Division: General

Plaintiff	HUGH ARMENIS
Second Plaintiff	EPSILON HEALTHCARE LIMITED (ADMINISTRATORS APPOINTED)
Third Plaintiff	EPSILON CLINICS PTY LTD (ADMINISTRATORS APPOINTED)
Fourth Plaintiff	EPSILON PHARMA PTY LTD (ADMINISTRATORS APPOINTED)