

Form 2 Originating process

(rules 2.2 and 15A.3)

No. of 2026

Federal Court of Australia

District Registry: Queensland

Division: General Division

IN THE MATTER OF PIONEER LAKES PTY LTD ACN 108 681 563

MICHAEL JOE BOTICA and others

Plaintiffs

ADAM WATSON and others

Defendants

A. DETAILS OF APPLICATION

This application is made under r 1.39 and r 10.24 of the *Federal Court Rules 2011* (Cth), s 23 of the *Federal Court of Australia Act 1976* (Cth) and s 1322(4)(b) and s 1324(4) of the Corporations Act 2001 (Cth) (**Corporations Act**).

On the facts stated in the supporting affidavit, and upon the Plaintiffs giving an undertaking as to damages in a form agreed to by this Court, the Plaintiffs apply for the following relief:

Interim and Interlocutory relief

1. The relief in orders 2, 3 and 4:
 - a. be granted on an interim basis without notice to the defendants; or alternatively
 - b. the time for service of the application be abridged pursuant to rule 1.39 of the *Federal Court Rules 2011* and that relief be granted on an interlocutory basis.

Filed on behalf of (name & role of party)	Michael Joe Botica, Stephen Brian Coleman, John Leslie
Prepared by (name of person/lawyer)	O'Toole, Grassland Properties Pty Ltd ACN 106 656 802,
Law firm (if applicable)	Jomist Developments Pty Ltd ACN 104 650 526, Plaintiffs
Tel	Scott David Guthrie
Email	
	c/- Thomsons
	Level 28, One Eagle – Waterfront Brisbane
Address for service	1 Eagle Street
(include state and postcode)	BRISBANE QLD 4000

2. Service of sealed copies of this Form 2, affidavits in support of Michael Joe Botica and of Scott David Guthrie dated 5 August 2026, any order made by this Court and any further documents in this proceeding may be effected on the First to Third Defendants at the email addresses [REDACTED] and [REDACTED]
3. An order that the First to Third Defendants and each of them be restrained until further order of this Court or with the written consent of the Plaintiffs from, by themselves, their servants or agents:
 - a. removing, transferring, encumbering, disposing of or otherwise adversely dealing with any assets or money of any property of the Fourth Defendant, and from causing or permitting such assets or money or property to be so dealt with;
 - b. removing, disposing of, destroying or altering any of the books or records of the Fourth Defendant;
 - c. causing the Fourth Defendant to enter into any transaction, contract, memorandum of understanding or heads of agreement;
 - d. dealing with the shares in the Fourth Defendant or appointing any directors or secretary to the Fourth Defendant;
 - e. convening or holding any meeting of the Fourth Defendant, and from passing any resolutions of the Fourth Defendant;
 - f. causing the lodgement with the Australian Securities and Investments Commission (**ASIC**) of any notification of the cessation of a person in the office of director or secretary of the Fourth Defendant;
 - g. causing the lodgement with ASIC of any notification of the appointment of a person to the office of director or secretary of the Fourth Defendant.
 - h. causing the lodgement with ASIC of notification of any change in the shareholding of the Fourth Defendant;
 - i. causing the lodgement with ASIC of any notification of any change to the registered office address of the Fourth Defendant;
 - j. causing the lodgement with ASIC of any notification of any change to the principal place of business of the Fourth Defendant;
 - k. dealing in any way with the shares in, altering control of, or interfering in the management of the Fifth Defendant.
4. An order restraining the First Defendant from holding himself out to be a director, agent or employee of the Fourth Defendant.
5. By 4:00 pm on 7 August 2026, the First Defendant file an affidavit which deposes to:
 - a. the details of all persons to whom the First Defendant has represented that he has authority on behalf of the Fourth Defendant;
 - b. The details of any bank accounts that the First to Third defendants have opened on behalf of the Fourth Defendant;
 - c. all transaction and agreement, whether written or oral, that he or the Second and Third defendants have caused the Fourth Defendant to enter into;

- d. all dealings regarding shares in or control of the Fourth Defendant entered into by any of the First to Third Defendants on or after 3 July 2026;
- e. all dealings that he or the Second or Third Defendant have undertaken within or in respect of the Fourth Defendant's property and funds, including:
 - i. accounting for the current whereabouts of any such property;
 - ii. the details including back account details of all deposits of the Fourth Defendant's funds, or of the proceeds of dealings mentioned in subparagraphs 5(c) to (e);
 - iii. any material that he wishes to rely on at the final hearing of this application.
- 6. The proceeding be expedited.
- 7. The originating process be made returnable on notice to the Plaintiff on a date to be fixed for making of any or any further interlocutory or final relief.

Final relief

- 8. Pursuant to section 1322(4)(b) of the Corporations Act:
 - a. the Form 484 lodged with ASIC with document number 6EMDF9559 (**Form 484**) be withdrawn from the registers kept by ASIC and not appear on public view;
 - b. the First to Third Plaintiffs be recorded as the continuing directors of the Fourth Defendant as if the Form 484 had not been lodged;
 - c. the Third Plaintiff be recorded as the continuing secretary of the Fourth Defendant as if the Form 484 had not been lodged.
 - d. The registered office of the Fourth Defendant be recorded as being an address notified to ASIC in writing by the Plaintiffs or their solicitors within 7 days of this order.
 - e. The Fourth and Fifth Plaintiffs be recorded as the continuing shareholders of the Fourth Defendant as if the Form 484 had not been lodged;
 - f. The current corporate key issued in respect of the Fourth Defendant be cancelled;
 - g. A new corporate key for the Fourth Defendant be issued and notified to the Plaintiffs; and
 - h. Shelf Companies Australia be removed as ASIC Registered Agent from the registers kept by ASIC.
- 9. The First Defendant be restrained from holding himself out to be a director, agent or employee of the Fourth Defendant.
- 10. The First Defendant pay to the Fourth Defendant damages for conversion of the Fourth Defendant's property in such sum as the Court thinks fit.
- 11. The First to Third Defendants pay the Plaintiffs' costs of and incidental to this application on an indemnity basis or, alternatively, on a standard basis.
- 12. Such further or other orders as this Honourable Court thinks fit.

Date:

.....
*Signature of plaintiff or
plaintiff's legal practitioner*

This application will be heard by at [address
of Court] at *am/*pm on

B. NOTICE TO DEFENDANT(S) (IF ANY)

It is not intended to serve a copy of this originating process on the Fourth Defendant and the Fifth Defendant.

TO: The First Defendant of [REDACTED]
[REDACTED]

AND TO: The Second Defendant of [REDACTED]
[REDACTED]

AND TO: The Third Defendant of [REDACTED]
[REDACTED]

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given;
- (b) directions may be given for the future conduct of the proceeding;
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

<i>Note</i> Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY

D. FILING

Date of filing: *[date of filing to be entered by Registrar]*

.....

Registrar

This originating process is filed by *[name]* for the plaintiff.

E. SERVICE

The Plaintiffs' address for service is c/- Thomsons, Level 28, One Eagle – Waterfront Brisbane, 1 Eagle Street, Brisbane QLD 4000.

It is intended to serve a copy of this originating process on each of the First, Second and the Third Defendants.

Schedule

No. of 2026

Federal Court of Australia
District Registry: Queensland
Division: General Division

Plaintiffs

Second Plaintiff: **STEPHEN BRIAN COLEMAN**

Third Plaintiff: **JOHN LESLIE O'TOOLE**

Fourth Plaintiff: **GRASSLAND PROPERTIES PTY LTD ACN 106 656 802**

Fifth Plaintiff: **JOMIST DEVELOPMENTS PTY LTD ACN 104 650 526**

Defendants

Second Defendant: **GC RESOURCES CORPORATE PTY LTD ACN 680 386 547**

Third Defendant: **WATSON FAMILY CORPORATE PTY LTD ACN 680 384 347**

Fourth Defendant: **PIONEER LAKES PTY LTD ACN 108 681 563**

Fifth Defendant: **PIONEER VALLEY SERVICES PTY LTD ACN 142 288 659**

Date: 4 August 2026