



McGrathNicol

7 July 2026

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Brite Advisors Pty Ltd (In Liquidation) (Receivers and Managers Appointed)
ACN 135 024 412
(Brite Advisors)

General update & practicalities in relation to the second interim distribution

This circular provides an update regarding (i) practical matters in relation to the second interim distribution, (ii) the outcome of the hearing held on Friday, 3 July 2026 in relation to the Second Interim Distribution Application (**IDA2**) and Moventum Application, and (iii) the filing of the Omnibus Application.

I refer to our previous circulars to Corporate Trustees and Beneficiaries and adopt the defined terms contained in those circulars.

1 Practical matters in relation to the second interim distribution

Practical matters which Corporate Trustees and Beneficiaries should be aware of in relation to the second interim distribution are set out below:

- Changing bank details - Should Corporate Trustees or Direct Beneficiaries wish to change the bank details that their second interim distribution is paid to, please notify the Receivers at briteadvisors@mcgrathnicol.com by 24 July 2026. Otherwise, the second interim distribution will be paid to the same account that the first interim distribution was paid to.
- Changing currency - Should Beneficiaries wish to change the currency they receive their second interim distribution in they should (i) notify their Corporate Trustee where they have one (and the Corporate Trustee should notify the Receivers at briteadvisors@mcgrathnicol.com by 24 July 2026), and/or (ii) notify the Receivers directly if they are a Direct Beneficiary at briteadvisors@mcgrathnicol.com by 24 July 2026.
- Re-directing funds to an alternative Corporate Trustee/yourself directly - Beneficiaries will be aware from the circular dated 24 April 2026, that there is a process in place for Beneficiaries to direct funds from their Corporate Trustee to a new Corporate Trustee, or to themselves. Should Beneficiaries wish to submit such a form, fully executed copies of the form must be provided to the Receivers at briteadvisors@mcgrathnicol.com by 24 July 2026.

There may be further verification steps which will be required to be undertaken after the initial notification is made by Corporate Trustees and/or Beneficiaries. If the Receivers do not receive such a notification by 24 July 2026, the Receivers may be unable to reflect the requested change for the second interim distribution.

2 Hearing of the Second Interim Distribution Application and Moventum Application

The Second Interim Distribution Application and Moventum Application were heard by his Honour Justice O'Sullivan of the Federal Court of Australia on 3 July 2026.

The hearing was livestreamed on the Court's YouTube channel. During the hearing, his Honour heard oral submissions by counsel for the Receivers. No other interested parties sought to be heard at the hearing.



IDA2 Orders

A sealed copy of the orders in relation to IDA2 made at the hearing have been published on the creditor webpage (**IDA2 Orders**). The IDA2 Orders establish the process by which the Receivers will liquidate assets, seek payment orders and make the second interim distribution. Subject to any further orders of the Court, the Receivers presently anticipate commencing the liquidation process in late July / early August 2026, with distribution payments to follow during August and September 2026.

The second interim distribution is proposed to comprise a minimum amount of USD \$38 million, plus any additional amount approved by the Court following further progress on a number of matters, including the outstanding ATO issues. The Receivers will file an affidavit with the Court on 24 July 2026, setting out the total proposed amount to be distributed in the second interim distribution. Approval of any additional amounts to increase the minimum amount will be determined at the Omnibus hearing on 29 July 2026 (discussed further below).

Moventum Orders

A sealed copy of the orders in relation to the Moventum Application were made shortly after the hearing and have been published on the creditor webpage (**Moventum Orders**). The Moventum Orders enable the Receivers to deduct fees incurred in relation to the Moventum Assets from the distribution and authorises the Receivers to pay those recovered amounts into the Deficient Mixed Fund (which has, to date, met those fees).

The Receivers continue to progress their request for payment of the Moventum Assets to the Receivers, which will allow the Receivers to distribute those assets to the relevant Corporate Trustee, IVCN, in due course.

3 Omnibus Application

The Omnibus Application addresses several outstanding issues affecting the Receivership, including tax matters, the adjudication of claims against the Client AuM and the finalisation of Beneficiary entitlements. Resolving these matters will assist the Receivers in progressing future distributions and ultimately bringing the receivership to an orderly conclusion.

In accordance with Order 18 of the 1 June 2026 Orders, the Receivers filed and served materials in relation to the Omnibus Application including:

- the Fifty-Fourth Affidavit of Linda Methven Smith affirmed 30 June 2026;
- a minute of proposed orders dated 30 June 2026; and
- an outline of submissions in support of Omnibus Application dated 30 June 2026.

A copy of the Fifty-Fourth Smith Affidavit and minute of proposed orders can be accessed at section 8 of the Receivers' website - <https://www.mcgrathnicol.com/creditors/brite-advisors-pty-ltd>. A detailed explanation of the matters contained in the Omnibus Application are set out in the Fifty-Fourth Smith Affidavit.

As set out at section 4 of the 5 June 2026 circular, the matters subject to the Omnibus Application include the following outstanding issues to make progress towards bringing the receivership to an end:

- US tax matters, including the proposed process for resolving historical US withholding tax liabilities, allocating those liabilities amongst Beneficiaries and allowing eligible Corporate Trustees and Direct Beneficiaries to seek the benefit of any reduced or nil withholding rates. These matters are the subject of the US Tax Report as filed by the Receivers on 3 June 2026 which is to be further supplemented by an additional report to be filed and provided to Corporate Trustees and Beneficiaries on or around 10 July 2026;
- Claims against the Client AuM including:



- Connaught West Limited (**CWL**) claims, including those details included in the CWL Report as filed by the Receivers on 3 June 2026; and
- the Funds Sweep, with further detail set out at paragraphs 52 to 61 of the Forty-Eighth Affidavit of Linda Smith affirmed on 3 June 2026.

Resolution of the CWL and Funds Sweep matters is intended to finalise a number of outstanding entitlement issues and provide greater certainty regarding entitlements and future distributions.

Omnibus Hearing Details

The hearing of the Omnibus Application is listed for **8.30am AWST, Wednesday 29 July 2026**. The Receivers have requested that the hearing be broadcast via the Federal Court of Australia's YouTube channel: www.youtube.com/@FederalCourtAus

4 Australian tax

The Receivers lodged the FY24 and FY25 Australian tax returns on 30 June 2026 and are awaiting the ATO's notices of assessment.

If by 24 July 2026 the ATO has issued assessments and those assessments reflect the ATO's PBR2 position, the Receivers may seek a direction that they would be acting properly and are justified in challenging those assessments.

5 What you need to do

The Receivers will continue to keep Corporate Trustees and Beneficiaries apprised of the conduct of the receivership and issue further updates when there are material developments. Correspondence issued to Trustees and Beneficiaries can be downloaded from our website at the following link - <https://www.mcgrathnicol.com/creditors/brite-advisors-pty-ltd>.

If you have any queries, please refer to the Frequently Asked Questions page on our website, which can be accessed here: <https://www.mcgrathnicol.com/creditors/brite-advisors-pty-ltd>. This page will be continually updated as new information that is relevant to Beneficiaries and Trustees becomes available.

If you have any queries which are not addressed in the Frequently Asked Questions, please contact the Receivers at briteadvisors@mcgrathnicol.com.

Yours faithfully

Brite Advisors Pty Ltd (In Liquidation) (Receivers and Managers Appointed)

Linda Smith
Receiver and Liquidator