

20 September 2021

## CIRCULAR TO CREDITORS

Dear Sir / Madam

### Virgin Australia Administration - Project Volar Creditors' Trust Update

#### The Willis Matter

On 12 April 2021, we updated creditors regarding the *Wells Fargo Trust Company operating as Willis Lease Finance Corporation* ("*Willis*") v *VB Leaseco Pty Ltd* appeal proceedings (the **Willis Appeal**). A copy of this circular can be found here: <https://www2.deloitte.com/content/dam/Deloitte/au/Documents/finance/insolvency/virgin/deloitte-au-fas-virgin-circular-to-creditors-willis-appeal-update-140421.pdf>.

The High Court of Australia has now advised that the Willis Appeal has been listed for hearing on Thursday, 4 November 2021.

The Trustees will provide creditors with a further update on the Willis Appeal after the hearing.

#### Timing and Quantum of Dividend

As stated in our previous Circular to Creditors dated 3 September 2021, a number of proceedings have been commenced by aircraft financiers and lessors, and two trade creditors, in the Supreme Court of New South Wales appealing the Trustees' adjudications of the Proofs of Debt lodged by those creditors. Until those proceedings and the Willis Appeal have been resolved, we are unable to provide an estimate of the timing or quantum of any dividend.

As a number of the aircraft financier and lessor proceedings advance claims for payments on an alleged priority basis, ranking ahead of unsecured claims, we will not be able to make an interim distribution to creditors until such time as these matters are resolved.

We are working as expeditiously as possible to resolve these matters and will continue to keep creditors informed of our progress. Whilst the legal proceedings affect the pool of creditor claims, the assets available for distribution have not materially changed from those amounts previously reported.

Thank you for your patience and cooperation in working with our team through this process.

#### Further queries

In the event you have any queries regarding the contents of this circular, or the administration in general, please contact us at [virginadmin@deloitte.com.au](mailto:virginadmin@deloitte.com.au).

Yours faithfully



**Richard Hughes**

Trustee

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