

# **INSOLVENCY CASE NOTES**



**LAWSKOOL.COM.AU**

**LAWSKOOL PTY LTD**

## Contents

Lewis (as liq of Doran Constructions Pty Ltd (in liq)) and Another v Doran and Others  
(2005) 219 ALR 555.....

Metropolitan Fire Systems v Miller (1997) 23 ACSR 699 .....

Crimmins v Glenview Home Units [1999] FCA 515 .....

Sample

## **Lewis (as liq of Doran Constructions Pty Ltd (in liq)) and Another v Doran and Others (2005) 219 ALR 555**

### **- Court details**

Supreme Court of New South Wales – Court of Appeal

### **- Procedural history**

This was an Appeal from the Supreme Court of New South Wales decision of *Lewis v Doran* (2004) 208 ALR 385. Following this Appeal, special leave was applied for to bring a further Appeal in the High Court but this leave was denied.

### **- Facts**

Three companies, known as “the Doran group,” shared the same directors. On 1 November 1994, the directors passed resolutions which enabled debt to be restructured within the group. This included one company, Holdings, paying to another company, Constructions, the sum of \$4.1 million to partially repay a debt and Constructions subsequently lending \$4.1 million to the third company, DCA.

DCA went on to repay \$1,449,000 of the \$4.1 million to Constructions. However, Constructions went into liquidation in 1997. The balance of DCA’s debt to Constructions was “worthless.”



**Lawskool hopes that you have enjoyed this comprehensive case note.  
We welcome your feedback, please email [info@lawskool.com.au](mailto:info@lawskool.com.au) with your suggestions.**