

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL AND EQUITY DIVISION
COMMERCIAL COURT

LIST E

S CI 2010 971

**IN THE MATTER OF THE MANAGED INVESTMENT
SCHEMES LISTED IN SCHEDULE 1**

**TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION)
ACN 092 311 469 IN ITS CAPACITY AS RESPONSIBLE ENTITY
OF THE MANAGED INVESTMENT SCHEMES LISTED IN SCHEDULE 2
AND ORS ACCORDING TO SCHEDULE 1**

Plaintiffs

and

**TGG ALMOND COMMITTEE INC (A0053489A)
AND ORS ACCORDING TO SCHEDULE 1**

Defendants

PROPOSED MINUTES OF CONSENT ORDERS

Judge: The Honourable Justice Davies

Date made:

Originating process: Originating Process filed 24 February 2010

How obtained: By consent

Other matters: Not applicable

THE COURT ORDERS AND DECLARES BY CONSENT THAT:

- 1 The notices convening the meetings, the purported meetings, and the resolutions purported to be passed at the meetings of the members of the following registered managed investment schemes held on each of 25 February 2010, 4 March 2010, 18 March 2010 and 25 March 2010 were invalid:
 - (a) 2001 Timbercorp Almond Project (ARSN 095649746);
 - (b) 2002 Timbercorp Almond Project (ARSN 099 611 935)

- (c) 2003 Timbercorp Almond Project (ARSN 103 197 299);
- (d) 2004 Timbercorp Almond Project (ARSN 108 336 670);
- (e) 2005 Timbercorp Almond Project (ARSN 112 935 092);
- (f) 2006 Timbercorp Almond Project (ARSN 118387974);
- (g) 2007 Timbercorp Almond Project (ARSN 122511 040);
- (h) 2004 Timbercorp Citrus Project (ARSN 108 887 538);
- (i) 2005 Timbercorp Citrus Project (ARSN 114 091 299);
- (j) 2001 Timbercorp Olive Project (ARSN 094 382 082);
- (k) 2002 Timbercorp Olive Project (ARSN 098 233 455);
- (l) 2003 Timbercorp Olive Project (ARSN 104 648 473);
- (m) 2004 Timbercorp Olive Project (ARSN 108744378);
- (n) 2006 Timbercorp Olive Project (ARSN 119 182 179);
- (o) 2007 Timbercorp Olive Project (ARSN 123 155 715); and
- (p) 2008 Timbercorp Olive Project (ARSN 129 307 722).

2 Paragraphs 1, 4, 5, 6 and 7 of the orders made on 26 March 2010 are vacated.

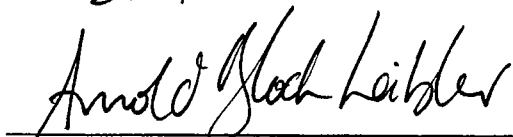
3 The directions hearing on 30 April 2010 is adjourned to a date to be fixed.

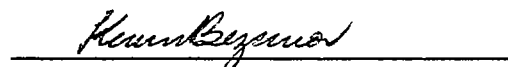
4 The hearing of the separate question set down for 3 May 2010 is vacated.

5 Liberty to apply.

6 The costs of, and incidental to, the proceeding are reserved.


Date: 21 April 2010



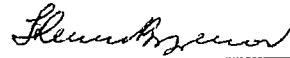


Arnold Bloch Leibler
Solicitors for the Plaintiffs

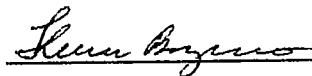
Kerree Ann Bezencon
First Defendant



Kerree Ann Bezencon
For the Second Defendant



Kerree Ann Bezencon
For the Third Defendant



Kerree Ann Bezencon
For the Fourth Defendant

