

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

r8.05

LIST E

No 7114 of 2009

IN THE MATTER OF TIMBERCORP SECURITIES LIMITED
(UNDER ADMINISTRATION)
ACN 092 311 469

TIMBERCORP SECURITIES LIMITED
(UNDER ADMINISTRATION) ACN 092 311 469
IN ITS CAPACITY AS RESPONSIBLE ENTITY OF EACH OF THE
MANAGED INVESTMENT SCHEMES LISTED IN SCHEDULE 1
First Plaintiff

MARK ANTHONY KORDA and LEANNE KYLE CHESSER
Second and Third Plaintiffs

AFFIDAVIT OF MICHAEL CHARLES VICARY

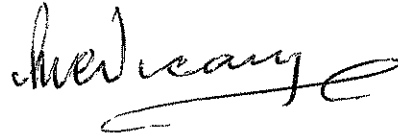
Date of document:
Filed on behalf of:
Prepared by:
Clarendon Lawyers
Level 17, Rialto North Tower
525 Collins Street
MELBOURNE VIC 3000

1 July 2009
Michael Charles Vicary
Tel: 03 8681 4400
Fax: 03 8681 4499
Solicitors Code: 101294
Ref: MAB:0900205

I, Michael Charles Vicary make oath and say that:

1. I am a member of the 2006 Timbercorp Olive Project ARSN 119 182 179 (Scheme).
2. Now shown to me is a copy of an invoice relating to the Scheme which is annexed to this affidavit and marked **MCV- A**.
3. I make this affidavit on my own behalf and except where I otherwise indicate, the matters deposed to in this affidavit are deposed to from my own personal knowledge of the facts.
4. Where I depose to matters from information and belief, I believe such matters to be true.
5. I have instructed Clarendon Lawyers to act on my behalf in opposing the application to wind up the Scheme.

SWORN by the said Michael Charles Vicary
at Melbourne in the State of Victoria
this 1st day of July 2009



Before me:.....

K. Jernham
(Solicitor)

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First Plaintiff

MARK ANTHONY KORDA and LEANNE KYLE CHESSER
Second and Third Plaintiffs

CERTIFICATE IDENTIFYING EXHIBIT

Date of document:
Filed on behalf of:
Prepared by:
Clarendon Lawyers
Level 17, Rialto North Tower
525 Collins Street
MELBOURNE VIC 3000

1 July 2009
Michael Charles Vicary
Tel: 03 8681 4400
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Solicitors Code: 101294
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This is the exhibit marked "MCV-A" now produced and shown to Michael Charles Vicary at the time of affirming his affidavit on

Before me:.....

K Wernham
(Solicitor)



TIMBERCORP
AGRIBUSINESS
INVESTMENT MANAGERS

Timbercorp Securities Limited
ABN 12 092 311 469
AFSL 235653

Head Office
Level 8, 461 Bourke Street
Melbourne, Victoria 3000
Tel (03) 8615 1200
Fax (03) 9670 4271
Email melb@timbercorp.com.au
Website www.timbercorp.com.au

All correspondence to
PO Box 186
Collins Street West
Melbourne, Victoria 8007



036/100664

Mr M C Vicary, Mrs E T Vicary
Unit 197 Keperra Sanctuary
998 Samford Road
KEPERRA QLD 4054

Investment Name: Michael Charles Vicary, Elizabeth Therese Vicary

Tax Invoice

Retain for your Tax Return

Tax Invoice Reference

002409134

Issue Date

1 Oct 2008

Project	No. Lots	Amount	GST	Total
2006 Timbercorp Almond Project - Early	1	\$2,539.00	\$253.90	\$2,792.90
2006 Timbercorp Olive Project - Early	2	\$3,710.90	\$371.10	\$4,082.00

Amount Due **\$6,874.90**

Pay By **31 Oct 2008**

For further information refer to Tax Invoice Details overleaf

Payment Slip

Detach and return this Slip
with your payment

Investment Name: Michael Charles Vicary, Elizabeth Therese Vicary

Payment Methods:

1. Bpay

Use Internet or phone banking to make this payment from your cheque, savings, Visa, MasterCard or Bankcard account.



Biller Code: 58958
Ref: 002409134

2. Cheque

Please make cheque payable to "Timbercorp Securities Limited".

Timbercorp Securities Limited
PO Box 186
Collins Street West
MELBOURNE VIC 8007

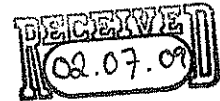


TIMBERCORP
AGRIBUSINESS
INVESTMENT MANAGERS

Tax Invoice Ref 002409134

Amount Due \$6,874.90

Pay By 31 Oct 2008



Investment Name: Michael Charles Vicary, Elizabeth Therese Vicary

Page 2 of 2

Tax Invoice Details

Tax Invoice Reference

Issue Date

Pay By

002409134

1 Oct 2008

31 Oct 2008

Category	No. Lots	Per Lot	Amount	GST	Total
2006 Timbercorp Almond Project - Early					
2006 Op Costs	1	\$1,762.00	\$1,762.00	\$176.20	\$1,938.20
2006 Op Costs - Temp Water *	1	\$77.00	\$77.00	\$7.70	\$84.70
2006 Op Costs - Temp Water Adjust	1	\$0.00	\$0.00		\$0.00
2006 Rent	1	\$700.00	\$700.00	\$70.00	\$770.00
					<u>\$2,792.90</u>

* This represents a part payment of the estimated temporary water costs for the period. The remaining portion, which will be determined by final allocations and prices, will be recovered from project distributions with any balance carried forward to your October 2009 project invoice. Please refer to the product insert for further details.

2006 Timbercorp Olive Project - Early					
2006 Op Costs #	2	\$1,310.00	\$2,620.00	\$262.00	\$2,882.00
2006 Op Costs - Temp Water *	2	\$0.00	\$0.00		\$0.00
2006 Rent	2	\$545.45	\$1,090.90	\$109.10	\$1,200.00
					<u>\$4,082.00</u>

This represents 82% of the total estimated operating costs for the period. The remaining 18% (\$279 per lot) will be recovered from project distributions with any adjustment reflected in the October 2009 project invoice. These amounts are not fixed and are subject to change. Please refer to the product insert for further details.

* Temporary water requirements for your investment will be recovered from project distributions. Final allocations and water prices will determine this amount. The balance will be carried forward to your October 2009 project invoice. Please refer to the product insert for further details.

Total Number of Lots: 3

Invoice Total: \$6,874.90

Change of Details

Address

Post Code

Postal Address

Post Code

Tel (H)

Tel (W)

Fax

Mobile

Email

Signature(s)