

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

r2.4

No ⁷¹¹⁴~~7444~~ LIST E
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 CHESSEY
Second and Third Plaintiffs

AFFIDAVIT OF PAMELA JAN DRY

Date of document:	6 July 2009
Filed on behalf of:	Pamela Jan Dry
Prepared by:	
Clarendon Lawyers	Tel: 03 8681 4400
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525 Collins Street	Solicitors Code: 101294
MELBOURNE VIC 3000	Ref: MAB:0900205

I, Pamela Jan Dry of 1 Timbertop Ridge, Warrandyte, Victoria 3113, make oath and say that:

1. I am a member of the 2007 Timbercorp Olive Project ARSN 123 155 715 (Scheme).
2. 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.
3. Where I depose to matters from information and belief, I believe such matters to be true.
4. I make this affidavit in support of the application for the appointment of a temporary responsible entity to the Scheme.
5. I believe that the appointment is necessary to protect the interests of members of the Scheme as a whole.
6. I hold this belief because:
 - a. I am aware of the application made by Mark Anthony Korda and Leanne Kyle Chessier as administrators for a direction to Timbercorp Securities Limited (Under Administration) ACN 092 311 469 in its capacity as responsible entity of the Scheme (TSL) to wind up the Scheme;

 Pamela J Dry

- b. it is my belief that if the Scheme is wound up, this will cause both the Head Lease and Sub Lease to terminate which, subject to any rights for relief against forfeiture, would result in the forfeiture of all members' interests in the Scheme; and
- c. I understand that Mark Korda is also an administrator of the other companies in the Timbercorp group of companies and believe that such companies may benefit from the wind-up of the schemes and accordingly Mark Korda has a conflict of interests that would prevent him from discharging his duty as an officer of TSL and would prevent him from causing TSL to discharge its obligations to act in the best interests of the members of the scheme.

SWORN by the said Pamela Jan Dry
at Melbourne in the State of Victoria
this 6th day of July 2009

Pamela J Dry

Before me:.....

FRANCESCA FOGARTY
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Level 17, Rialto North Tower
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meaning of the Legal Profession Act 2004