

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

List B

S CI 2013 01478

BETWEEN

THE TRUST COMPANY (NOMINEES) LIMITED (ACN 000 154 441)

Plaintiff

and

MICHAEL FUNG IN HIS CAPACITY AS RECEIVER AND MANAGER OF ALIGN FUNDS  
MANAGEMENT LIMITED (RECEIVER AND MANAGER APPOINTED) (ACN 105 684 231) IN  
ITS CAPACITY AS THE RESPONSIBLE ENTITY OF THE TIMBERCORP ORCHARD TRUST  
AND ORS (ACCORDING TO THE SCHEDULE ATTACHED)

Defendants

CERTIFICATE IDENTIFYING EXHIBIT

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Date of document: 21 March 2014

Filed on behalf of: The plaintiff

Prepared by:

**Allens**

Lawyers

101 Collins Street

Melbourne VIC 3000

Solicitor code: 21455

DX 30999 Melbourne

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Ref CCHM:120338387

(Clint.Hinchen@allens.com.au)

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This is the **Exhibit** marked '**CCH-18**' now produced and shown to **Clinton Charles Hinchen** at the time of swearing his affidavit on 21 March 2014.

Before me



**ELYSE KATE ADAMS**

of 101 Collins Street, Melbourne  
Victoria 3000

An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Act 2004

**'CCH-18': a true copy of the  
email from Maddocks to Allens  
dated 8 April 2013**

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## Bland, Tom

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**From:** Janet Clark <Janet.Clark@maddocks.com.au>  
**Sent:** Monday, 8 April 2013 2:42 PM  
**To:** Hinchin, Clint; Salvo, Alicia  
**Subject:** Align and Kangara/Bella Vista Rights Proceedings [MADDOCKS-M.FID1111066]  
**Attachments:** img-408144005-0001.pdf

See attachment

**Janet Clark** on behalf of Philip Jones

**Maddocks**

Direct 61 3 9288 0640 | Facsimile 61 3 9288 0666

Email [janet.clark@maddocks.com.au](mailto:janet.clark@maddocks.com.au)

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## Maddocks

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### Email Letter

**From**  
Philip Jones

**Direct**  
03 9288 0640

**Date**  
8/04/2013

**Email**  
philip.jones@maddocks.com.au

**To**  
Clint Hinchin

**And to**  
Alicia Salvo

**Organisation**  
Allens

Allens

**Email**  
Clint.Hinchin@allens.com.au

Alicia.Salvo@allens.com.au

Our Ref PGJ:5885053

Dear Mr Hinchin and Ms Salvo

**Align Funds Management Limited in its capacity as responsible entity of the Timbercorp Orchard Trust (Align)  
Kangara Rights Proceeding**

We act on behalf of Align.

We refer to your letter of 3 April 2013 addressed to Mr Andrew Ashbolt. We confirm that Align does not propose to take any role in the Kangara Rights Proceeding.

Yours faithfully  
Maddocks

Transmission authorised by:  
Philip Jones  
Partner