

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

LIST B
No 8870 of 2009

BETWEEN

TIMBERCORP LIMITED (IN LIQUIDATION)
ACN 055 185 067

First Plaintiff

and

TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION)
ACN 092 311 469

Second Plaintiff

PLANTATION LAND LIMITED
ACN 090 443 333

Defendant

MINUTES OF ORDERS

JUDGE:	The Honourable Justice Judd.
DATE MADE:	2 October 2009.
ORIGINATING PROCESS:	Writ filed 11 September 2009.
HOW OBTAINED:	Plaintiffs' summons for directions filed 11 September 2009.
ATTENDANCE:	M N Connock of Senior Counsel with Dr O Bigos of counsel for the plaintiffs. R Garratt of Queens Counsel with S Rubenstein of counsel for the defendant.
OTHER MATTERS:	N/A

THE COURT ORDERS THAT:

1. This proceeding no longer continue as a group proceeding under Part 4A of the Supreme Court Act but continue as a proceeding brought by the plaintiffs against the defendant.
2. On or before 5 October 2009 the plaintiffs file and serve an amended statement of claim.
3. On or before 7 October 2009 any party may file and serve any question which it proposes for a separate trial under rule 47.04.
4. On or before 8 October 2009 the defendant file and serve its defence.
5. The trial of the proceeding (or the separate trial of any questions, if fixed for trial) be fixed for hearing on Wednesday 14 October 2009 before Justice Judd on an estimated duration of 2 days.
6. Evidence in chief in the trial of the Questions be by way of affidavit.
7. On or before 8 October 2009 the plaintiffs file and serve any affidavits on which they intend to rely.
8. On or before 9 October 2009 the defendant file and serve any affidavits on which it intends to rely.
9. The parties file and exchange any affidavits in reply by 12 October 2009.
10. The parties file and exchange written outlines of submission by 1.00 pm on 13 October 2009.

11. The trial be heard jointly with the trials in (a) the proceeding cross-vested to this Court which was formerly Supreme Court of South Australia proceeding 1404 of 2009 and (b) proceeding 9365 of 2009, and evidence and submissions in one trial shall be deemed to be evidence and submissions (respectively) in the other trials.
12. Any court documents served in this proceeding are also to be served on the parties in (a) the proceeding cross-vested to this Court which was formerly Supreme Court of South Australia proceeding 1404 of 2009 and (b) proceeding 9365 of 2009.
13. The hearing be adjourned until 9am on 8 October 2009 before Judd J.
14. Costs reserved.
15. Liberty to apply.

Dated: 2 October 2009