

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

**LIST E**

**SCI 2009 10699**

**BETWEEN:**

**BOSI SECURITY SERVICES LIMITED (ACN 009 413 852) as trustee for  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED  
(ACN 005 357 522) and BOS INTERNATIONAL (AUSTRALIA) LIMITED  
(ACN 066 601 250) and WESTPAC BANKING CORPORATION  
(ACN 007 457 141)**

**Plaintiff**

**and**

**AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED  
(ACN 005 357 522) & ORS (according to the attached Schedule)**

**Defendants**

**CERTIFICATE IDENTIFYING EXHIBIT**


Date of document: 3 March 2010  
Filed on behalf of: the Second, Third and Fourth Defendants

Prepared by:  
**ARNOLD BLOCH LEIBLER**  
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(Leon Zwier [lwier@abl.com.au](mailto:lwier@abl.com.au) /  
Lucy Kirwan [lkirwan@abl.com.au](mailto:lkirwan@abl.com.au))

This is the exhibit marked 'MAK-60' now produced and shown to MARK ANTHONY KORDA at the time of swearing this affidavit on 3 March 2010.

Before me:   
**LUCY HANNAH KIRWAN**  
Arnold Bloch Leibler  
Level 21, 333 Collins Street  
Melbourne 3000

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

**Exhibit 'MAK-60'**

**Copy of e-mail from Paul Jones to the  
Chairman**

## Bridgette Toy-Cronin

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**From:** Antony Munro [amunro@kordamentha.com]  
**Sent:** Tuesday, 4 August 2009 4:07 PM  
**To:** Bridgette Toy-Cronin  
**Subject:** FW: Almond Scheme Meetings - Resolutions  
**Attachments:** 090803-AlmondResolutions-CRS-PKJ.pdf

**From:** Paul Jones  
**Sent:** Monday, 3 August 2009 6:30 PM  
**To:** matwal@bigpond.net.au  
**Cc:** Antony Munro; Luke Andrews; mwals@vic.gadens.com.au  
**Subject:** Almond Scheme Meetings - Resolutions

Dear Matt

As per our discussions on Friday, 31 July 2009, I confirm all votes from the Almond Scheme Meetings held on same ("the Meetings") have been collated, reviewed and entered by parties authorised to do so within KordaMentha, Level 24, 333 Collins Street, Melbourne.

Of the resolutions proposed at the Meetings, I note as follows:

- **Resolution 1**
  - o Passed for all Schemes
- **Resolution 2**
  - o Passed for all Schemes with the exception of the 2002 Almond Scheme, where Timbercorp Limited (In Liquidation) and Timbercorp Lot Investments Pty Ltd (In Liquidation) voted their almondlots against the resolution (433 of the 475 votes against), and in turn as this was a special resolution, the resolution failed.
- **Resolution 3**
  - o Passed for all Schemes
- **Resolution 4**
  - o Passed for all Schemes
- **Resolution 5**
  - o Passed for all Schemes
- **Resolution 6**
  - o Failed for all Schemes
- **Resolution 7**
  - o Failed for all Schemes
- **Resolution 8**
  - o Passed for all Schemes

A summary of the votes is attached to this email, and signed by me as Returning Officer as a true and accurate summary of the voting from the Meetings.

I note that once you have signed and returned the attached document we will upload it onto the KordaMentha and Timbercorp websites for viewing by the general public.

Should you have any questions or would like to discuss these results please contact me on the details below.

Kind regards

Paul Jones | Manager  
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6/08/2009