

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

LIST E

SCI 2009

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

TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION)
(ACN 092 311 469) IN ITS CAPACITY AS RESPONSIBLE ENTITY
OF EACH OF THE MANAGED INVESTMENT SCHEMES LISTED IN
SCHEDULE 1 OF THE ORIGINATING PROCESS AND IN ITS CAPACITY
AS MANAGER OF THE UNREGISTERED MANAGED INVESTMENT
SCHEME LISTED IN SCHEDULE 2 OF THE ORIGINATING PROCESS
First Plaintiff

MARK ANTHONY KORDA
Second Plaintiff

LEANNE KYLIE CHESSER
Third Plaintiff

CERTIFICATE IDENTIFYING EXHIBIT

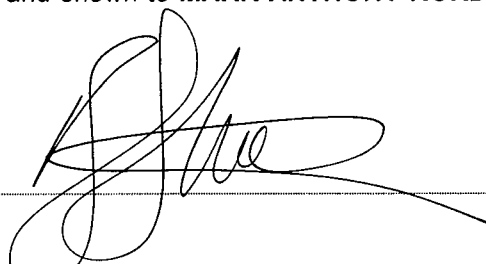
Date of document: 4 December 2009
Filed on behalf of: the Plaintiffs

Prepared by:
ARNOLD BLOCH LEIBLER
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(Leon Zwier - lzwier@abl.com.au /
Bridgette Toy-Cronin - btoycronin@abl.com.au)

This is the exhibit marked "**MAK-13**" now produced and shown to **MARK ANTHONY KORDA** at the
time of swearing his affidavit on 4 December 2009.

Before me:



BRIDGET ELLEN SLOCUM
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-13"
Orders of Judd J

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

LIST B

SCI 2009 10241

**IN THE MATTER OF TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION)
ACN 092 311 469**

**TIMBERCORP SECURITIES LIMITED
(IN LIQUIDATION) ACN 092 311 469
IN ITS CAPACITY AS RESPONSIBLE ENTITY OF THE MANAGED INVESTMENT
SCHEMES LISTED IN SCHEDULE 1 AND IN ITS OWN CAPACITY
AND ORS ACCORDING TO THE SCHEDULE
First Plaintiff**

ORDERS

Date of document: 24 November 2009

Filed on behalf of: the Plaintiffs

Prepared by:

ARNOLD BLOCH LEIBLER

Lawyers and Advisers

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333 Collins Street

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Solicitor's Code: 54

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Tel: 9229 9999

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Ref: 01-1499489

(Leon Zwier lzwier@abl.com.au)

JUDGE: Justice Judd

DATE MADE: 24 November 2009

ORIGINATING PROCESS: Originating Process of the Plaintiffs filed 20 November 2009

HOW OBTAINED: On hearing of the Originating Process on 24 November 2009

ATTENDANCE: Mr L Zwier for the Plaintiffs

Mr R Garratt QC of Senior Counsel for Plantation Land Limited

Mr S Hopper for SJ Ostwald Pty Ltd, the Timbercorp Growers' Group and Timbercorp Growers' Reference Group

OTHER MATTERS:

Each of the Plaintiffs, Plantation Land Limited, SJ Ostwald Pty Ltd, the Timbercorp Growers' Group and the Timbercorp Growers' Reference Group entered into a Settlement Deed on 17 November 2009 (**Settlement Deed**) which forms Confidential Exhibit MAK-13 to the affidavit of Mark Anthony Korda sworn 19 November 2009 (**Affidavit**).

THE COURT DIRECTS THAT:

- 1 The Third and Fourth Plaintiffs in their capacity as Liquidators of the First and the Second Plaintiffs are justified in procuring the First Plaintiff as responsible entity of the managed investment schemes listed in Schedule 1 and in its own capacity, and the Second Plaintiff, to give effect to the Settlement Deed.
- 2 The Third and Fourth Plaintiffs in their capacity as Liquidators of the First Plaintiff are justified in procuring the First Plaintiff as responsible entity of the managed investment schemes listed in Schedule 1 to make the payment described in clause 4.4(a) of the Settlement Deed.

AND THE COURT ORDERS AND DECLARES THAT:

- 3 Paragraphs 34 - 45 of the Affidavit and Exhibit MAK-13 to the Affidavit be kept confidential.

Date Authenticated:

Registrar/Judge

SCHEDULE OF PARTIES

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

TIMBERCORP LIMITED
(IN LIQUIDATION) ACN 055 185 067
Second Plaintiff

MARK ANTHONY KORDA
Third Plaintiff

LEANNE KYLIE CHESSER
Fourth Plaintiff

SCHEDULE 1

- 1 1999 Timbercorp Eucalypts Project (ARSN 085 827 872)
- 2 2000 Timbercorp Eucalypts Project (ARSN 091 172 093)
- 3 2001 Timbercorp Eucalypts Project (ARSN 094 392 000)
- 4 2002 Timbercorp Eucalypts Project (ARSN 098 233 571)