

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

SCI 2013 01477

THE TRUST COMPANY (NOMINEES) LIMITED (ACN 004 134 441)

Plaintiff

and

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

Defendant

CERTIFICATE IDENTIFYING EXHIBIT

Date of document: 25 March 2014  
Filed on behalf of: The Second and Third Defendants  
Macpherson + Kelley  
Lawyers  
Level 22, 114 William Street  
MELBOURNE VIC 3000

Solicitor's Code: 041547  
DX 174 Melbourne  
Tel: 03 8615 9900  
Fax : 03 8615 9999  
Ref: MJF:229731  
Email: michael.fernon@mk.com.au

This is the confidential exhibit marked **YCH-6** now produced and shown to **YU-CHIAO HSUEH** at the  
time of affirming his affidavit on 25 March 2014.

Before me: .....

BEFORE ME.....  
Anne Louise McCartney  
An Australian Legal Practitioner  
(within the meaning of the Legal Profession Act 2004)  
Level 22, 114 William St, Melbourne Vic 3000

**YCH-6**

**Emails between M+K Lawyers and  
ABL dated 24 March 2014**

## Hsueh, Yu-chiao

---

**From:** Jing Chang <JChang@abl.com.au>  
**Sent:** Monday, 24 March 2014 3:51 PM  
**To:** Hsueh, Yu-chiao  
**Cc:** Jane Sheridan; Fernon, Michael  
**Subject:** RE: Timbercorp Kangara/Bella Vista proceedings - Grower communication report

Hi Yu-chiao

I have passed on your query and asked my client for further details. I will let you know their response.

Kind regards  
Jing

**Jing Chang** | Lawyer

**Arnold Bloch Leibler** | Level 21, 333 Collins Street, Melbourne Victoria 3000  
T: +61 3 9229 9724 | F: +61 3 9916 9533  
[jchang@abl.com.au](mailto:jchang@abl.com.au) | [www.abl.com.au](http://www.abl.com.au)

Arnold Bloch Leibler acknowledges the traditional owners of country throughout Australia.

---

**From:** Hsueh, Yu-chiao [<mailto:Yu-chiao.Hsueh@mk.com.au>]  
**Sent:** Monday, 24 March 2014 1:57 PM  
**To:** Jing Chang  
**Cc:** Jane Sheridan; Fernon, Michael  
**Subject:** Timbercorp Kangara/Bella Vista proceedings - Grower communication report

Hi Jing,

I **attach** the report provided to us by your client with respect to Grower communications.

I note that there are a number of growers with corresponding entries marked "RTS". Are you able to find out from your client if any steps have been taken to provide the communications to such growers?

Kind regards,

Yu-chiao

**Yu-chiao Hsueh**  
Senior Associate

**M+K Lawyers**  
Level 22 114 William Street Melbourne VIC 3000 | DX 174 Melbourne  
Phone: (03) 8615 9939 | Fax: (03) 9794 2590  
[yu-chiao.hsueh@mk.com.au](mailto:yu-chiao.hsueh@mk.com.au) | [www.mk.com.au](http://www.mk.com.au)

VICTORIA | NEW SOUTH WALES | TASMANIA | QUEENSLAND

-----  
This message together with any attachment is intended for the use of the person to whom it is addressed and contains information that is privileged and confidential. If you are not the intended recipient, or the employee or agent responsible for its delivery to the intended recipient, you are hereby notified that any dissemination, distribution or copying of it is strictly prohibited.

Please notify us if you have received it in error, and otherwise take all necessary steps to delete it from any transient or permanent storage device or medium and notify us by return e-mail or by telephone on +61 3 97942600. Any views expressed in this e-mail and any files transmitted with it are those of the individual sender, except where the sender specifically states them to be the views of m+k lawyers

m+k lawyers does not represent or warrant that the attached files are free from computer viruses or other defects. The user assumes all responsibility for any