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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

Date of document: 27 March 2014
Filed on behalf of: Timbercorp Securities Ltd (in liquidation) (ACN 092 311 469)

Prepared by:
ARNOLD BLOCH LEIBLER
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Ref: 01-1601361
(Jane Sheridan - jsheridan@abl.com.au)

This is the exhibit marked "LKC-1" now produced and shown to **LEANNE KYLIE CHESSER**
at the time of swearing her affidavit on 27 March 2014.

Before me:



XIU JING CHANG
Arnold Bloch Leibler
Level 21, 333 Collins Street
Melbourne 3000

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

Exhibit "LKC-1" **Direction to Pay Form and Bank Account** **Nomination Form**

CITRUS DIRECTION TO PAY

TO: Timbercorp Securities Limited (In Liquidation) (ACN 092 311 469) (TSL)

I/We, _____, am/are investor/s in the **2004 Timbercorp Citrus Project ARSN 108 887 538** and/or the **2005 Timbercorp Citrus Project ARSN 114 091 299 (Citrus Project/s)**.

This Direction to Pay is in respect of any of my/our entitlements under the Deed of Compromise dated 14 January 2014 between the parties to the Kangara Rights Proceeding (Supreme Court Proceeding No. SCI 2013 01478) (**Grower Payment**).

In giving this Direction to Pay, I/we do not admit liability to Timbercorp Finance Pty Ltd (In Liquidation) (ACN 054 581 190) (**Timbercorp Finance**) or TSL and my/our Direction to Pay is without prejudice to any rights I/we may have against Timbercorp Finance or TSL in respect of any amounts Timbercorp Finance or TSL claims are owing to it.

I/We hereby irrevocably authorise and direct TSL to (tick all applicable boxes):

☐ use all / \$ _____ (delete as applicable) of my/our Grower Payment to pay in whole or in part to the extent possible the amounts which Timbercorp Finance claims I/we owe in respect of my/our investment in the Citrus Project/s;

NOTE: If you tick this box and do not specify an amount, this Direction to Pay will apply to all of your Grower Payment.

☐ use all / \$ _____ (delete as applicable) of my/our Grower Payment to pay in whole or in part to the extent possible the amounts which TSL claims I/we owe in respect of my/our investment in the Citrus Project/s;

NOTE: If you tick this box and do not specify an amount, this Direction to Pay will apply to all of your Grower Payment.

NOTE: This Direction to Pay TSL will not be effective if you owe any amounts to Timbercorp Finance and you have not directed that Timbercorp Finance be repaid first.

☐ use all / \$ _____ (delete as applicable) of my/our Grower Payment to pay in whole or in part to the extent possible the amounts which Timbercorp Finance claims I/we owe in respect of any other Timbercorp projects of which I/we am/are Grower/s.

NOTE: If you tick this box and do not specify an amount, this Direction to Pay will apply to all of your Grower Payment.

DATE:

SIGNATURE/S:

Please send completed form to:

Timbercorp Securities Limited
PO Box 186
Collins Street West
Melbourne Vic 8007

Or fax to: 03 9670 4271
Or email to:
investorqueries@timbercorp.com.au

TIMBERCORP

AGRIBUSINESS
INVESTMENT MANAGERS

Bank Account Nomination Form

I/We hereby authorise Timbercorp Securities Ltd (In Liquidation) to pay any amounts due to me/us under the compromises of the Kangara Rights Proceeding and Bella Vista Rights Proceeding or any other distributions into my/our bank account as follows:

Name of financial institution:

Address of branch:

Account Name:

BSB (Branch no):

Account no:

Signature:

Investment Name (please print):

Date:

Contact no:

Please send completed form to:

Timbercorp Securities Limited
PO Box 186
Collins Street West
Melbourne Vic 8007

Or fax to: 03 9670 4271

Or email to:

investorqueries@timbercorp.com.au