

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

LIST A

No 9299 of 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 INVESTMENTS SCHEMES LISTED IN SCHEDULE 1
AND IN ITS CAPACITY AS MANAGER OF THE UNREGISTERED
MANAGED INVESTMENTS SCHEME LISTED IN
SCHEDULE 2 OF THE ORIGINATING PROCESS
First Plaintiff**

**MARK ANTHONY KORDA
Second Plaintiff**

**LEANNE KYLIE CHESSER
Third Plaintiff**

SECOND AFFIDAVIT OF MARK ANTHONY KORDA

Date of document: 30 September 2009
Filed on behalf of: the Plaintiffs

Prepared by:
ARNOLD BLOCH LEIBLER
Lawyers and Advisers
Level 21
333 Collins Street
MELBOURNE 3000

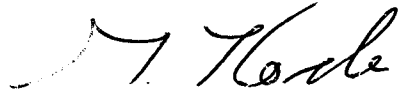
Solicitor's Code: 54
DX 38455 Melbourne
Tel: 9229 9999
Fax: 9229 9900
Ref: 01-1499489
(Leon Zwier lwier@abl.com.au)

-
- 1 I am the liquidator of the First Plaintiff, Timbercorp Securities Limited (**TSL**), and of the Second Plaintiff, Timbercorp Limited (**TL**), with Leanne Kylie Chesser.
 - 2 Except where I otherwise indicate, I make this affidavit from my own knowledge. Where I depose to matters from information or belief, I believe those matters to be true. I am authorised by Ms Chesser to make this affidavit on her behalf. References in this affidavit to "we", "us", "our" or "ourselves" are references to Ms Chesser and me.

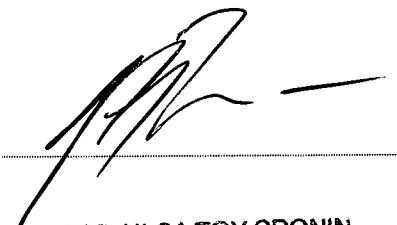


- 3 I make this affidavit to supplement my affidavit sworn on 29 September 2009. In that affidavit I defined a number of terms and I adopt those definitions here.
- 4 Since I swore my affidavit yesterday, the parties to the SPD have reached agreement about the terms and conditions. Now produced and shown to me marked **confidential exhibit MAK-14** is a copy of the SPD. I consider that the SPD should remain confidential as if bidders or the market are able to see the bids other parties have made, and the agreement with the Buyer does not reach completion, it will prejudice the stakeholders' interests as new bids will be altered based on this information.

SWORN at)
in the State of Victoria by **MARK ANTHONY**)
KORDA this 30 day of September 2009)

)
)
) 
)

Before me:


BRIDGETTE AILSA TOY-CRONIN
Arnold Bloch Leibler
Level 21, 333 Collins Street
Melbourne 3000
An Australian Legal Practitioner within the
meaning of the Legal Profession Act 2004

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
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SCHEDULE 2 OF THE ORIGINATING PROCESS
First Plaintiff**

MARK ANTHONY KORDA
Second Plaintiff

LEANNE KYLIE CHESSER
Third Plaintiff

CERTIFICATE IDENTIFYING CONFIDENTIAL EXHIBIT

Date of document: 30 September 2009
Filed on behalf of: the Plaintiffs

Prepared by:
ARNOLD BLOCH LEIBLER
Lawyers and Advisers
Level 21
333 Collins Street
MELBOURNE 3000

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DX 38455 Melbourne
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(Leon Zwier lwier@abl.com.au)

This is the exhibit marked "**MAK-14**" now produced and shown to **MARK ANTHONY KORDA** at the time of swearing his affidavit on 30 September 2009.

Before me: _____



Confidential Exhibit "MAK-14"

Sale and Purchase Deed

BRIDGETTE AILSA TOY-CRONIN
Arnold Bloch Leibler
Level 21, 333 Collins Street
Melbourne 3000
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