

DUPLICATE

IN THE SUPREME COURT OF SOUTH AUSTRALIA

No 1404 of 2009

BETWEEN

TIMBERCORP LIMITED (IN LIQUIDATION)
ACN 055 185 067

First Plaintiff

TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION)
ACN 092 311 469

Second Plaintiff

and

PLANTATION LAND LIMITED
ACN 090 443 333

Defendant

SUMMONS

Filed on behalf of the First and Second Plaintiffs, by Fisher Jeffries

Address: Fisher Jeffries
Level 1, 19 Gouger Street
ADELAIDE SA 5000
Telephone: 8233 0600
Facsimile: 8233 0699
Email: wjones@fisherjeffries.com.au
L Code: L87
P Code: P4692

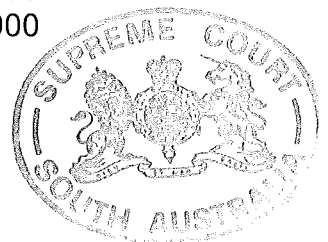
as agent for Arnold Bloch Leibler:

Address: Level 21
333 Collins Street
MELBOURNE 3000
Attention: Leon Zwier
Telephone: (03) 9229 9999
Facsimile: (03) 9229 9900

Settled by: Leon Zwier and Bridgette Toy-Cronin

Date and time of filing:

14 SEP 2009



SUMMONS

Summons issued on behalf of Timbercorp Limited (In Liquidation) ACN 055 185 067 and Timbercorp Securities Limited (In Liquidation) ACN 092 311 469 both of Level 8, 461 Bourke Street, Melbourne Vic 3000.

TO THE DEFENDANT, Plantation Land Limited ACN 090 443 333, of Fisher Corporate Advisory Pty Ltd Level 6 90 William Street Melbourne Vic 3000.

YOU ARE ADVISED that the plaintiffs make a claim against you or which may affect you. Details of the claim and orders sought are attached.

IF YOU WISH TO DEFEND the claim, you or your solicitor must file a Notice of Address for Service within 14 days after service of this Summons on you.

The Notice of Address for Service may be filed at a Registry of the Court. If you do not have a solicitor, you may attend personally at a Registry to do this. A list of the Registry addresses may be obtained through the Website of the Courts Administration Authority (www.courts.sa.gov.au) or by telephoning the Registry of the Court (8204 0476).

If a Notice of Address for Service is not filed within the time stated, orders may be made against you in your absence.

Summons issued pursuant to Rule 34, 38 and 81 of the *Supreme Court Civil Rules 2006*.

This Summons has the following statutory endorsements under section 38(3)(d) of the *Supreme Court Civil Rules 2006*:

- (a) The plaintiffs bring this action as representatives of a group of which each member has a common interest being:
 - (i) whether the notices the defendant served on the first and second plaintiffs to terminate the Leases were effective;
 - (ii) whether first and second plaintiffs and/or the Growers (the other Group Members) are entitled to relief from forfeiture; and



(iii) whether the first and/or second plaintiffs or the Growers are entitled to the declarations sought in paragraph 38 of the Statement of Claim;

and intends to apply for the necessary authorisation under Rule 81.

The First and Second Plaintiffs have not made an offer of settlement under Rule 33 because the matter is not a primary action based on a monetary claim and therefore Rule 33 is not applicable.

..... *more*

Wendy Jones, Fisher Jeffries

Agents for the solicitors for the First and Second Plaintiffs

