

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

No. S ECI 2014 000419

BETWEEN

**TIMBERCORP FINANCE PTY LTD (IN LIQUIDATION) (ACN 054 581 190)**

Plaintiff

and

**PETER JOHN WHITE  
AND ANOTHER AS SET OUT IN THE SCHEDULE**

Defendants

BETWEEN

**TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION) (A.C.N. 093 311 469)**

Plaintiff by Counterclaim

and

**PETER JOHN WHITE  
AND ANOTHER AS SET OUT IN THE SCHEDULE**

Defendants to Counterclaim

**DEFENCE OF THE SECOND DEFENDANT TO COUNTERCLAIM  
TO THE COUNTERCLAIM OF THE PLAINTIFF BY COUNTERCLAIM DATED 31  
AUGUST 2016**

(Filed pursuant to r 36.06)

Date of document: 3 October 2016  
Filed on behalf of: The Plaintiff / Second  
Defendant to Counterclaim  
Prepared by:  
**Mills Oakley**  
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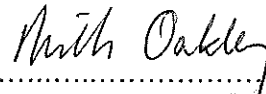
To the Plaintiff by Counterclaim's Counterclaim dated 31 August 2016, the Second Defendant to Counterclaim says that its claim against the Plaintiff by Counterclaim at paragraphs 18 to 31 of its Second Further Amended Statement of Claim dated 29 August 2016 is contingent upon one or more of the First Defendant's allegations in paragraph 5A of

the First Defendant's Defence dated 30 August 2016 being established, and otherwise does not plead to the allegations in the Counterclaim.

**DATED:** 3 October 2016

D. J. Batt

H. A. Tiplady

A handwritten signature in black ink, appearing to read "Mills Oakley", is written over a horizontal dotted line.

**Mills Oakley**

Solicitors for the Second Defendant to  
Counterclaim (Plaintiff)

**SCHEDULE OF PARTIES**

BETWEEN

**TIMBERCORP FINANCE PTY LTD (IN LIQUIDATION) (ACN 054 581 190)**

Plaintiff

and

**PETER JOHN WHITE**

First Defendant

and

**TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION) (A.C.N. 093 311 469)**

Second Defendant

AND BETWEEN

**TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION) (A.C.N. 093 311 469)**

Plaintiff by Counterclaim

and

**PETER JOHN WHITE**

First Defendant by Counterclaim

and

**TIMBERCORP FINANCE PTY LTD (IN LIQUIDATION) (ACN 054 581 190)**

Second Defendant by Counterclaim