

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

LIST E
S CI 2009 10514

IN THE MATTER of TIMBERCORP SECURITIES LIMITED (In Liq)
ACN 092 311 469

TIMBERCORP SECURITIES LIMITED (In Liquidation) (ACN 092
311 469) IN ITS CAPACITY AS RESPONSIBLE ENTITY OF EACH
OF THE MANAGED INVESTMENT SCHEMES LISTED IN
SCHEDULE 1 AND IN ITS CAPACITY AS MANAGER OF THE
UNREGISTERED MANAGED INVESTMENT SCHEME LISTED IN
SCHEDULE 2

First Plaintiff

MARK ANTHONY KORDA

Second Plaintiff

LEANNE KYLIE CHESSER

Third Plaintiff

GENERAL FORM OF ORDER

JUDGE:	The Honourable Justice Davies
DATE MADE:	17 December 2009
ORIGINATING PROCESS:	Originating Process filed 7 December 2009
HOW OBTAINED:	On hearing the originating process on 9 December 2009
ATTENDANCE:	Mr. L Zwier with Ms. B Toy-Cronin, Solicitors for the Plaintiffs Mr. G Bigmore of Her Majesty's Counsel with Mr. S Hopper of Counsel for the Timbercorp Growers Group and the Growers Reference Group
OTHER MATTERS:	None

THE COURT ORDERS THAT:

- 1 The Second and Third Plaintiffs (in their capacity as Liquidators of the First Plaintiff) are justified in procuring the First Plaintiff as responsible entity of the managed investment schemes listed in Schedule 1 and as manager of the unregistered



investment scheme listed in Schedule 2 (**Schemes**), to apportion the Net Sale Proceeds (as defined in paragraph 21 of the affidavit of Mark Anthony Korda sworn 4 December 2009 (**First Affidavit**)) between the members of Schemes, in accordance with the spreadsheet exhibited marked MAK-14 to the second affidavit of Mark Anthony Korda sworn 10 December 2009.

- 2 Exhibits MAK-2 and MAK-12 to the First Affidavit be kept confidential.
- 3 Costs reserved.

DATE AUTHENTICATED: 18 December 2009

Jennifer Davies
JUSTICE DAVIES



SCHEDULE 1

REGISTERED MANAGED INVESTMENT SCHEMES

1. 1997 Timbercorp Eucalypts Project (ARSN 112 309 234);
2. 1998 Timbercorp Eucalypts Project (ARSN 112 309 216);
3. 1999 Timbercorp Eucalypts Project (ARSN 085 827 872);
4. 2000 Timbercorp Eucalypts Project (ARSN 091 172 093);
5. 2001 Timbercorp Eucalypts Project (ARSN 094 382 000);
6. 2002 Timbercorp Eucalypts Project (ARSN 098 233 571);
7. 2003 Timbercorp Eucalypts Project (ARSN 103 183 446);
8. 2004 Timbercorp Eucalypts Project (ARSN 108 099 645);
9. 2004 Timbercorp (Single Payment) Timberlot Project (ARSN 108 336 830);
10. 2005 Timbercorp (Single Payment) Timberlot Project (ARSN 111 683 491); and
11. 2007/2008 Timbercorp (Single Payment) Timberlot Project (ARSN 122 510 981).



SCHEDULE 2

UNREGISTERED MANAGED INVESTMENT SCHEMES

1. 1999 Timbercorp Eucalypts Double Rotation Project (Private Offer)(Unregistered).

