

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COURT OF APPEAL

SACPI 2011 0103

BETWEEN:

GRAHAM GOLDENBERG & ORS (according to the Schedule)

Appellants

- and -

BOSI SECURITY SERVICES LIMITED (ACN 009 413 852) & ORS (according
the schedule attached)

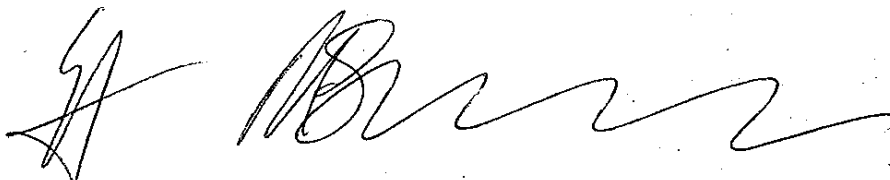
Respondents

SECOND AFFIDAVIT OF ELI GOLDFINGER

Date of document:	27 September 2012
Filed on behalf of:	MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
MGA Lawyers	Solicitors Code: 104101
Level 9,	Tel: 8631 5555
179 Queen Street	Fax: 8631 5599
MELBOURNE VIC 3000	Ref: MG5400/08

I, **ELI GOLDFINGER**, accountant, of Level 18, 499 St Kilda Road, Melbourne, Victoria, **MAKE OATH AND SAY** as follows:

1. I refer to my affidavit sworn 19 September 2012 (my earlier affidavit). In this affidavit I use the same defined terms as in my earlier affidavit.
2. At paragraph 29 of my earlier affidavit I stated that I had attached, as confidential exhibit 9, "most" of the accounts that had been paid by the funders. Now produced and shown to me and marked "**Confidential Exhibit EG-14**" are full copies of all of the accounts rendered by Clarendons Lawyers together with copies of the accounts rendered by Counsel. The account dated 28 October 2011 refers to an earlier account dated 29 June 2011 and that account is also exhibited as, under the



agreement between the Appellants and the Funders, the Funders also paid part of this account.

3. Further, at paragraph 29 of my earlier affidavit I stated that the total of such accounts was \$199,926.27. In fact, on review, the total was \$186,796.95. The error arose as a result of the confusion with the accounts and as a result of double counting.
4. In addition to the accounts rendered by Clarendons, the Funders have paid an account for \$25,000 for the costs incurred by some of the Respondents in respect of the aborted pre-emptive costs application. Now produced and shown to me and marked "EG-15" is the copy of the account from Ashurst relating to this matter.
5. In the circumstances, the total amount of the legal costs paid by the funders to date is \$211,796.95.

SWORN by Eli Goldfinger
At Melbourne
In the State of Victoria
On the 27th day of September 2012

)
)
)
)
)



Before me:



MARK GEREMIA
Level 9 179 Queen Street, Melbourne VIC 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Act 2004

SCHEDULE OF PARTIES

BETWEEN:

GRAHAM GOLDENBERG (in his capacity as representative of the Growers in the 2002 Almond Project)

First Appellant

CHRISTOPHER MARK LITTLE (in his capacity as representative of the Participant Growers in the 2005 Almond Project)

Second Appellant

CONSTANTINE MOSHOPOULOS (in HER capacity as representative of the Participant Growers in the 2006 Almond Project)

Third Appellant

DAVID BETTERFIELD (in his capacity as representative of the Participant Growers in the 2007 Almond Project and as representative of the Growers in the 2002 Private Offer Scheme)

Fourth Appellant

-and-

BOSI SECURITY SERVICES LIMITED ACN 009 413 852 as trustee for
AUSTRALIA AND NEW ZEALAND BANK GROUP LIMITED ACN 005 357 522
BOS INTERNATIONAL (AUSTRALIA) LIMITED ACN 066 601 250
WESTPAC BANKING CORPORATION ACN 007 457 141

First Respondent

AUSTRALIA AND NEW ZEALAND BANK GROUP LIMITED ACN 005 357 522

Second Respondent

ALMOND LAND PTY LTD (IN LIQ) ACN 091 460 392

Third Respondent

MARK ANTHONY KORDA

(in his capacity of liquidator of Almond Land Pty Ltd (in liq))

Fourth Respondent

LEANNE KYLIE CHESSE

(in her capacity of liquidator of Almond Land Pty Ltd (in liq))

Fifth Respondent

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COURT OF APPEAL**

SACPI 2011 0103

BETWEEN:

GRAHAM GOLDENBERG & ORS (according to the Schedule)

Appellants

- and -

BOSI SECURITY SERVICES LIMITED (ACN 009 413 852) & ORS (according to the schedule attached)

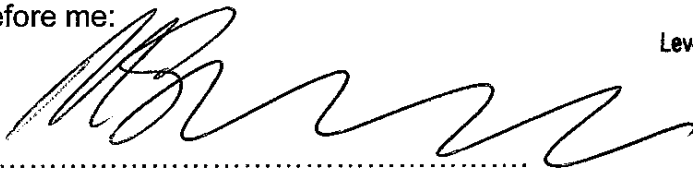
Respondents

EXHIBIT EG-14

Date of document:	27 September 2012
Filed on behalf of:	MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
MGA Lawyers	Solicitors Code: 104101
Level 9,	Tel: 8631 5555
179 Queen Street	Fax: 8631 5599
MELBOURNE VIC 3000	Ref: MG5400/08

This is the exhibit marked "EG-14" now produced and shown to Eli Goldberg at the time of swearing his affidavit on 27 September 2012.

Before me:



MARK GEREMIA
Level 9 179 Queen Street, Melbourne VIC 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Act 2004

MGA Lawyers, Level 9, 179 Queen St, Melbourne Vic
An Australian Legal Practitioner with the meaning of the Legal Practice Act
2001

"EG-14"
**Accounts of Clarendons Lawyers and
Counsel**

29 July 2011

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

our ref: MJF:CL:1100297
invoice no: B06721
your ref:

Chris Garnaut
Garnaut Private Wealth Pty Ltd
Level 10
499 St Kilda Road
MELBOURNE VIC 3004

Dear Chris

Almonds Apportionment Appeal - SAPCI 2011 103

We **enclose** a memorandum of our professional costs relating to disbursements only for the period to 27 July 2011, details of which are set out in the attached schedule.

If you have any queries, please contact us.

Yours faithfully

Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419
E-mail: michael.fernon@clarendonlawyers.com.au

Encl.

Garnaut Private Wealth Pty Ltd
Level 10
499 St Kilda Road
MELBOURNE VIC 3004

date: 29 July 2011
our ref: MJF:CL:1100297
invoice no: B06721
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
43 704 593 249

Almonds Apportionment Appeal - SAPCI 2011 103

DISBURSEMENTS

("*" indicates a disbursement paid as your agent)

	GST	
Lawpoint Pty Ltd - ASIC Company & Business Searches (Manual	\$4.82	\$48.20
Australian Securities & Investments Commission - Lodgement Fees -		\$351.00
Form 205		
Supreme Court of Victoria - Filing Fee - Notice of Appeal		\$3,077.10
Supreme Court of Victoria - Additional Filing Fee on Notice of Appeal		\$69.60
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 464936 -	\$556.82	\$5,568.18
070711		
Foley's List Pty Ltd - Barristers Fees - G Bigmore QC Fee Slip No	\$280.00	\$2,800.00
1010451 - 11/07/11		
Appeals Court filing fees - Lodgment of Summons - 270711		\$333.60
Subtotal		\$12,247.68
GST @ 10%		\$841.64
Invoice Total		\$13,089.32
Less trust monies	-\$13,089.32	\$0.00

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is
not paid in accordance with our terms

REMITTANCE ADVICE

Bill to: Garnaut Private Wealth Pty Ltd
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: MJF:1100297:B06721
Invoice Date: 29 July 2011
Invoice No: B06721
Amount Due: \$NIL
Payable By: 12 August 2011

Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to Clarendon Lawyers Pty Ltd for \$NIL to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number 1100297:B06721

2. ☐ BANK TRANSFER

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Transfer Amount: \$NIL

Swift Code (overseas transfer only): NATAAU3303M

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: 083170
Account: 856779023

Please quote reference 1100297:B06721 and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Card Type (Please tick):

Expiry Date: _____

☐ Visa

☐ MasterCard

Amount Due: \$NIL

Name on Card: _____

Signature: _____

Please quote reference 1100297:B06721 and fax this advice to us.

If You Dispute Your Legal Costs

If you have any concern about our legal costs, or our legal services, please do not hesitate to speak to Michael Fernon. If we cannot satisfactorily resolve your concern with you, you may:

- Seek a costs review by the Taxing Master under Division 7 of Part 3.4 of the Legal Profession Act 2004 ("the Act") within 60 days after the bill is given to you or the law practice requests payment of costs or you pay the costs (whichever is earlier or earliest). You may seek a costs review outside the 60 day time limit. In these circumstances the Taxing Master will not deal with the review if we can establish that to do so would, in all the circumstances, cause unfair prejudice to us;
- Apply to VCAT to set aside this agreement under section 3.4.32 of the Act; or
- Make a complaint to the Legal Services Commissioner under chapter 4 of the Act within 60 days after the legal costs were payable or, if an itemised bill was requested in respect of those costs, within 30 days after the request was complied with. You may be able to make a complaint to the Legal Services Commissioner up to 4 months after the end of the period referred to. This is provided that you can satisfy the Commissioner that there was a reasonable cause for the delay in making the complaint, and legal proceedings have not been commenced for the recovery or review of the legal costs that are subject of the complaint.

**Amount due for payment within 14 days
Please return with your payment**

GAR001_1100297_046

E-Mail: payments@greenslist.com.au

PROCESSED DATE:
07-07-2011 BY

ABN #: 43 873 876 570

8977500

TAX INVOICE

MICHAEL FERNON

NAME OF CAUSE OR MATTER:
IN THE MATTER OF TIMBERCORP ALMONDS

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$556.82

Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

SIGNED:

6977500

3783

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www.e-commerce.net.au info@e-commerce.net.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 5 July 2011

Tel: 9225 6857
Fax: 9225 8485

Subject In the matter of Timbercorp Almonds

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$350 per hour (including GST) and \$3,000 per day (including GST).

Date	Narration	Total
20 June 2011	Telephone conference with G Bigmore QC (¼ hour)	\$87.50
21 June 2011	Researching stay; telephone conference with G Bigmore QC; considering stay (2¼ hours)	\$787.50
22 June 2011	Considering orders and dispersal of fund; researching costs (6¾ hours)	\$2,362.50
23 June 2011	Conference re appeal (2¼ hours)	\$787.50
25 June 2011	Memo of advice (¾ hour)	\$262.50
27 June 2011	Appearing at mention (¾ hour)	\$262.50
4 July 2011	Reading and considering notice of appeal (1¾ hours)	\$612.50
5 July 2011	Notice of Appeal (2¾ hours)	\$962.50
	Total fees (inc GST):	\$6,125.00

Liability limited by a scheme under Professional Standards Legislation

464936

Fee Slip	1010451
TAX INVOICE	Date 11/07/2011
Fees Due to	10881
Mr Garry T Bigmore QC	ABN: 50 805 058 321

Solicitor	1085700
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Attention: Michael Fernon
Clarendon Lawyers
Level 17, Rialto North Tower
525 Collins Street
Melbourne 3000

RECEIVED
11 JUL 2011

Your Reference	
----------------	--

Michael Fernon

Approved by: *MJF*
Ledger/Matter: 1100297

Cause or Matter	
-----------------	--

Timbercorp Almonds Appeal

Signed: *[Signature]*
Date: 12/07/2011

Date	Description	Fees
8/07/2011	Settling Notice of Appeal (4 hours)	3,080.00
Total Payable		\$3,080.00

The amount of GST included in the above supply is \$280.00

In the absence of an arrangement to the contrary, these fees are payable within 30 days of this account.

Payment Options

- **Cheque** Payable to "Foley's List Pty Ltd"
- **Direct Deposit**
BSB: 013035 Account Number: 255038705
Account Name: **Foley's List Pty Ltd Trust Account**
Description/Message/Reference: **1010451**



Bill Code : 170613
Reference : 10104511

Telephone & Internet Banking - BPAY

Call your bank, credit union or building society to make this payment from your cheque, savings or credit card account.

* Note: Credit Card payments incur a 1.2% surcharge.
If paying by Credit Card, balance owing is: **\$3,116.96**

Statement for the purposes of s.3.4.21(3) of the Legal Profession Act 2004

Interest under s.3.4.21(1) or (2) of the Legal Profession Act 2004 may be charged on unpaid legal costs and is payable if the costs are not paid:

(i) under s.3.4.21(1) if the costs are unpaid 30 days after this Fee Slip is given and at the rate prescribed by regulation 3.4.3 of the Legal Profession Regulations 2005 (namely, the rate that is equal to the Cash Rate Target as defined in regulation 3.4.3(4) as at the date this Fee Slip is issued, increased by 2 percentage points); or

(ii) in accordance with a costs agreement at the rate specified in the costs agreement.

Notification of rights under Section 3.4.35 of the Legal Profession Act 2004:

YOUR RIGHTS IN RELATION TO LEGAL COSTS

The following avenues are available to you if you are not happy with this bill:

- requesting an itemised bill
- discussing your concerns with us
- having our costs assessed
- making a complaint to the Legal Services Commissioner
- applying to set aside our costs agreement

There may be other avenues available in your State or Territory (such as mediation).

Time limits apply to the avenues for resolving costs disputes.

For more information about your rights, please read the fact sheet titled "Your Right to Challenge Legal Costs." You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website).

From 1/07/2008 liability limited by a scheme approved under Professional Standards Legislation.

[Signature]
Approved Clerk *IMK*



THINK FOLEY'S FIRST

Foley's List Pty Ltd

A.B.N. 19 064 162 218

Please forward cheque to:

Foley's List Pty Ltd
Owen Dixon Chambers
205 William St
Melbourne, Vic 3000

AusDoc: DX-92 Melbourne

Tel: (03) 9225 7777

Fax: (03) 9225 8480

Email: foleys@foleys.com.au

28 October 2011

our ref: MJF:CL:1100297
invoice no: B07217
your ref:

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

Dear Sirs

Almonds Apportionment Appeal - SAPCI 2011 103

We **enclose** a memorandum of our professional costs for the period 29 June to 28 October 2011, details of which are set out in the attached schedule.

We also enclose our bill dated 29 July 2011 which has been paid from the original moneys held in trust. The total amount the funders should pay is: \$97,109.63.

If you have any queries, please contact us.

Yours faithfully

Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419
E-mail: michael.fernon@clarendonlawyers.com.au

Encl.

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 28 October 2011
our ref: MJF:CL:1100297
invoice no: B07217
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

PROFESSIONAL COSTS

To our professional costs as per the attached schedule:

	GST	
Professional Costs subject to GST	\$5,248.35	\$52,483.50

DISBURSEMENTS

(* indicates a disbursement paid as your agent)

	GST	
Foley's List Pty Ltd - Barristers fees - Fee slip 1010451 - 110711	\$280.00	\$2,800.00
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 465999 - 020811	\$460.23	\$4,602.27
Supreme Court Library Photocopying Charges - 18/08/11	\$0.95	\$9.55
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 467230 - 250811	\$613.64	\$6,136.36
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 468248 - 140911	\$417.61	\$4,176.14
Lawpoint / SAI Global - ASIC Company & Business Searches (Manual	\$1.51	\$15.10
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 468657 - 220911	\$363.64	\$3,636.36
Foley's List Pty Ltd - Barristers fees - G Bigmore QC - Fee slip 1016661 - 071011	\$70.00	\$700.00
List A Barristers - Barristers fees - T Woodward SC - Fee slip 285178 - 071011	\$120.00	\$1,200.00
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 469680 - 131011	\$340.91	\$3,409.09
SAI Global/Anstat Pty Ltd - ANSTAT searches	\$1.37	\$13.73

Subtotal	\$76,382.10
GST @ 10%	\$7,638.21
Invoice Total	\$84,020.31
Plus invoice B06721 reimbursement	\$13,089.32
	\$97,109.63

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is not paid in accordance with our terms

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 28 October 2011
our ref: MJF:CL:1100297
invoice no: B07217
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
29/06/11	MJF	Telephone attendance on C Garnaut discussing funding; telephone attendance on O Lennie discussing appeal points; telephone attendance on S Hopper instructing to draw appeal; telephone attendance on C Garnaut re funding; drafting funding agreement; telephone attendance on C Garnaut discussing funding; telephone attendance on O Lennie re Korda's evidence; email to O Lennie re copies of valuer's evidence.	25.00	\$1,237.50
30/06/11	MJF	Finalising funding agreement and sending to Garnaut; telephone attendance on C Garnaut.	8.00	\$396.00
05/07/11	YCH	Locate orders for S Hopper; telephone attendance on Supreme Court registry regarding authenticated orders	2.00	\$65.00
06/07/11	MJF	Telephone attendance on O Lennie.	2.00	\$105.00
07/07/11	JLF	Discussion with M. Fernon and C.Curtain about upcoming appeal proceeding and incorporation of company to fund initial application; drafting ASIC forms to appoint C.Garnaut as director of company to fund initial application.	9.00	\$180.00
07/07/11	JLF	Considering Supreme Court Website and appeal court process.	2.00	\$40.00
07/07/11	JLF	Cross referencing and amending management and funding agreement for M.Fernon.	16.00	\$320.00
07/07/11	JLF	Drafting notification of resolution to change company name of Melbourne Investments; drafting resolutions of sole shareholder; drafting minutes of meeting of directors to issue shares.	26.00	\$520.00
07/07/11	SDD	Attendance on the Supreme Court of Victoria's prothonotary office to collect an authenticated order for matter number 10699/2009.	7.00	\$140.00
07/07/11	SDD	Administration Attendance at ASIC to lodge ASIC form 205.	14.00	\$0.00
07/07/11	CXC	Administration Taking Instructions from M Fernon; preparation for filing; researching the appeal process on VSC website;	20.00	\$650.00
07/07/11	MJF	Finalising costs agreement, including telephone attendances on counsel, senior and junior, C Garnaut, O Lennie.	45.00	\$2,362.50
07/07/11	YCH	Telephone attendance on S Hopper; locate project names for S Hopper; locate and send authenticated orders to S Hopper.	4.00	\$130.00
08/07/11	MJF	Telephone attendances on D Butterfield, C Little, S Hopper, C Moshopoulos; perusing appeal notice and making amendments.	13.00	\$682.50
11/07/11	SDD	Filing Notice of Appeal at the Supreme Court of Victoria.	23.00	\$460.00
11/07/11	CXC	Administration Reading emails from S Hopper re service and arranging filing and service of notice of appeal; email copies to T May (Herbert Geer) and A Tregear (ASIC); discussion with M Fernon re application for costs.	37.00	\$1,202.50
12/07/11	CXC	Administration Taking instructions from M Fernon re preparation of information for Litigation Lending Services; considering documents to be sent; preparing cover letter; preparing court documents header document.	25.00	\$0.00
12/07/11	MJF	Telephone attendance on L Brentnall re funding; meeting with K Bezencon, T May, M Pointor and R Booker; drafting affidavit.	37.00	\$1,942.50
12/07/11	MXN	* Administration Preparation of CD's containing documents to be forwarded to Litigation Lending Services and IMF regarding funding for the Appeal.	39.00	\$0.00
13/07/11	MJF	Two letters to expert witnesses advising of court order and notice that they may need to attend the hearing on 22 August 2011; amending costs agreement; drafting affidavit.	29.00	\$1,522.50
14/07/11	MJF	Reviewing material concerning citrus, olives and TPIF almonds; drafting summons.	69.00	\$3,622.50
15/07/11	MJF	Perusing counsels amendments to draft affidavit; collating exhibits.	12.00	\$630.00
15/07/11	MXN	Emailing documents to assist Counsel in finalising Index to Appeal Book to be filed with the Court on Monday 18 July 2011; drafting letter to parties serving Index to Appeal Book.	40.00	\$720.00

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
18/07/11	SDD	Attendance at the Supreme Court of Victoria registry to file the proposed index to the appeal book for Y Hsueh.	14.00	\$280.00
18/07/11	MJF	Finalising affidavit and exhibits.	5.00	\$262.50
18/07/11	YCH	Finalise Proposed Index to Appeal Book; arrange for filing and service of the same.	5.00	\$162.50
18/07/11	DXM	Discussion with M Fernon regarding liquidators' sale process in Willmott.	2.00	\$79.00
19/07/11	MJF	Reviewing counsel's amendments and finalising exhibits; further amending affidavit.	22.00	\$1,155.00
20/07/11	CXC	Instructions from M Fernon re directions on Appeal Book; telephone attendance on Appeal Court Registrar.	4.00	\$130.00
20/07/11	MJF	Attending to cost consultant queries; telephone attendance on C Hinchin and R McClymont re costs; telephone attendance on O Lennie re costs claim.	10.00	\$525.00
20/07/11	YCH	Meet with M Fernon and C Curtin to discuss next steps.	1.00	\$32.50
21/07/11	MJF	Drafting letter to Korda.	5.00	\$262.50
25/07/11	CXC	Administration Reading email re funding; follow up phone attendances on prospective funding providers.	2.00	\$0.00
26/07/11	DXM	Administration Discussion with M Fernon regarding IMF and Timbercorp case.	2.00	\$0.00
26/07/11	CXC	Administration Follow up phone attendances on Litigation Lending Services; email to L Brentnall; email to G Bigmore.	8.00	\$0.00
27/07/11	CXC	Review and amend affidavit of M Fernon as instructed.	13.00	\$422.50
27/07/11	CXC	Administration Telephone attendance on L Brentnall of Litigation Lending Services; follow up discussions with M Fernon; telephone attendance on G Bigmore; preparation of emails to G Bigmore and S Hopper and to L Brentnall.	15.00	\$0.00
27/07/11	CXC	Filing summons and affidavit at Court of Appeal registry in accordance with instructions.	10.00	\$325.00
27/07/11	CXC	Preparing file note re Court of Appeal filing procedures.	3.00	\$97.50
27/07/11	MXN	Collation of Affidavit of M J Fernon, including hyperlinking, updating Court documents folder and Index.	18.00	\$324.00
29/07/11	CXC	Serving summons and affidavit on other parties.	21.00	\$682.50
01/08/11	SDD	Service by hand of documents to C Hinchin at Allens Arthur Robinson, R McClymont at Blake Dawson and L Zvier at Arnold Bloch Leibler.	12.00	\$240.00
02/08/11	CXC	Responding to email of S Hopper re summons and affidavit.	2.00	\$65.00
02/08/11	CXC	Locating folder of authorities for previous pre-emptive costs application; emails to S Hopper re submissions.	14.00	\$455.00
03/08/11	SDD	Collating authorities to send to S Hopper; attendance at Supreme Court library to collect an article; drafting index; delivering folder titled 'Pre-emptive Costs Authorities' to each of S Hopper and G Bigmore.	37.00	\$740.00
03/08/11	CXC	Telephone attendance on S Hopper re submissions for pre-emptive costs application; attending to fax from S Hopper re authorities for submission; collating authorities for submission.	20.00	\$650.00
03/08/11	YCH	Telephone attendance on B Rechler of AAR regarding proposed index of appeal book; email to M Fernon regarding the same; leave message for S Hopper to return call.	4.00	\$130.00
05/08/11	CXC	Arranging for submissions to be filed and served.	5.00	\$162.50
05/08/11	CXC	Administration tasks.	2.00	\$0.00
05/08/11	MXN	Attendance at the Supreme Court to file Appellants' Submissions in Support of a Pre-Emptive Costs Order.	5.00	\$90.00
05/08/11	YCH	Review Supreme Court practice notes relating to appeal book index; telephone attendance on Court of Appeal Registry regarding the same; email to S Hopper regarding the same.	4.00	\$130.00
08/08/11	CXC	Telephone attendance on J Josephs (AAR) and sending email.	2.00	\$65.00
08/08/11	YCH	Telephone attendance on G Bigmore regarding approach regarding appeal book index; telephone attendance on S Hopper about the same.	2.00	\$65.00
09/08/11	CXC	Administration Telephone attendance on B Walker - a grower.	4.00	\$0.00
09/08/11	YCH	Telephone attendance on B Rechler regarding steps regarding appeal book; internal update and update to Counsel.	2.00	\$65.00
10/08/11	CXC	Administration Discussion with M Fernon; organising litigation schedule and ensuring dates are all entered in FS Calendar; telephone attendance on S Hopper re Brief to Counsel folders and litigation funding proposal.	20.00	\$0.00
11/08/11	CXC	Administration Telephone attendance on S Hopper re letter to LFS; reading letter; forwarding letter re merit and quantum to LFS.	5.00	\$0.00
12/08/11	MXN	Attendance at Counsels chambers to deliver Brief.	5.00	\$90.00
12/08/11	MXN	Updating Brief to Counsel with Court documents filed in this proceeding and further documents served by Blake Dawson including preparation of Index.	18.00	\$324.00
12/08/11	MXN	Creating Brief to Counsel folder in M drive and copying court documents across.	4.00	\$72.00
12/08/11	CXC	Reading submissions of Blakes and AAR; attending to filing of same.	10.00	\$325.00

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
17/08/11	SDD	Collating the authorities referred to in the respondent's outline of submissions for G Bigmore and S Hopper.	15.00	\$300.00
17/08/11	JLF	Obtaining softcopies and hardcopies of cases for brief to counsel.	10.00	\$200.00
18/08/11	SDD	Collating the authorities for counsel; delivering authorities to G Bigmore and S Hopper.	41.00	\$820.00
18/08/11	CXC	Administration Telephone attendance on P Bennett (grower in Timbercorp almonds 2004).	4.00	\$0.00
18/08/11	JLF	Obtaining authorities for G Bigmore and S Hopper - attending Supreme Court Library; scanning documents into system for softcopy brief.	16.00	\$320.00
19/08/11	CXC	Administration Preparing email to L Brentnall from M Fernon; telephone attendance on D Mackay re IMF; telephone message from IMF re funding; telephone attendance on S Douznlak of IMF; forwarding further advice from counsel re merits to IMF.	8.00	\$0.00
22/08/11	CXC	Administration Telephone attendance on L Brentnall of LFS re understanding of matters requiring proof in appeal.	3.00	\$0.00
23/08/11	MXN	Updating Brief to Counsel and Court documents folders with recent material including Appellant's Pre-Emptive Costs Authorities and Respondents Pre-Emptive Costs Authorities; updating Index; attending Counsels' chambers to update folders.	40.00	\$720.00
23/08/11	CXC	Administration Updating Litigation Schedule.	12.00	\$0.00
25/08/11	CXC	Administration Dealing with email from S Hopper re litigation funding; email response to L Brentnall; telephone attendances on M Fernon and LFS;	7.00	\$0.00
25/08/11	MXN	* Administration Attendance at Counsels chambers to update brief folders.	4.00	\$0.00
26/08/11	CXC	Telephone attendance on S Hopper re list of authorities; perusing court of appeal practice notes for relevant procedural matters; emails and discussion about letter to other side re litigation funding.	10.00	\$325.00
29/08/11	CXC	Preparing and emailing letter to other side re litigation funding.	8.00	\$260.00
29/08/11	CXC	Administration Filing.	7.00	\$0.00
30/08/11	CXC	Telephone attendance on Court of Appeal registry re adjournment of hearing on 02/09/2011; email correspondence with B Slocum re adjournment; telephone attendance on S Hopper re adjournment; preparation of email to Court of Appeal re adjournment; telephone attendance on J Joseph, C Fenwick, S Hopper and G Bigmore re date for adjournment.	16.00	\$520.00
31/08/11	CXC	Dealing with arrangements for adjournment: reading emails from Court of Appeal Registry, Allens, ABL and Blakes; telephone attendances on Court of Appeal Registry, G Bigmore and S Hopper; preparation of email to parties to confirm availability; preparation of consent orders; dealing with email from S Hopper re reply submissions; further telephone attendances on Blakes and Allens re consent to adjournment; further telephone attendances on G Bigmore and S Hopper; further telephone attendance on Court of Appeal Registry; preparation of email to other parties re their objections to consenting to adjournment.	30.00	\$975.00
01/09/11	CXC	Telephone attendances on Allens, G Bigmore re adjournment; review and amend minute of consent order; email to parties with consent order; follow up signed consent order with emails and telephone attendances.	14.00	\$455.00
01/09/11	JLF	Delivering brief to S Hopper in chambers.	7.00	\$140.00
02/09/11	CXC	Dealing with issues re updating Brief to Counsel in accordance with request from S Hopper; perusing emails from Blakes, Court of Appeal Registry, G Bigmore and S Hopper re consent orders and appearances at court; considering court of appeal practice notes in preparation for directions hearing; review and amend litigation schedule for directions hearing tasks.	32.00	\$1,040.00
02/09/11	MXN	Updating Brief to Counsel and Court documents folders with recent document, including updating Indexes and hyperlinking.	35.00	\$630.00
05/09/11	CXC	Discussion with M Fernon re progress of matter, adjournment of hearing and next steps.	1.00	\$32.50
05/09/11	CXC	Administration Considering email from L Brentnall re Board's consideration of application for appeal funding; email to G Bigmore.	2.00	\$0.00
05/09/11	MJF	Attendance reviewing documents list and considering additional documents; settling email to counsel.	5.00	\$262.50
06/09/11	KFD	Reviewing Robson transcripts regarding grower's equitable rights.	7.00	\$175.00
06/09/11	CXC	Dealing with email from L Brentnall re application for funding; emails from G Bigmore and M Fernon in response; research to find applicable HCA case re proprietary rights; telephone attendance on B Slocum of ABL re participating in appeal proceedings.	15.00	\$487.50
06/09/11	MJF	Preparing response to email including research.	25.00	\$1,312.50
07/09/11	CXC	Email to M Fernon dealing with telephone call from B Slocum (ABL).	1.00	\$32.50

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
12/09/11	CXC	Administration Email reply to B Stocum re Liquidator involvement; responding to email from L Brentnall re further advice with further emails to counsel.	2.00	\$0.00
13/09/11	SDD	Compiling a copy of the pre-emptive costs authorities previously sent to G Bigmore and S Hopper.	4.00	\$80.00
13/09/11	CXC	Administration Considering correspondence from Allens; considering emails from LSS and reply to S Hopper re preparation of further advice for LSS; telephone attendances on L Brentnall and on S Hopper re preparation of detailed advice for LSS; email to L Brentnall re estimate from counsel re preparation of detailed advice; email to S Hopper re instructions to proceed with advice.	15.00	\$0.00
13/09/11	MJF	Perusing letter from AAR and drafting letter in response; telephone attendance on L Brentnall.	4.00	\$210.00
14/09/11	CXC	Telephone attendance on S Hopper; organising printing of submissions and contentions and preparation of folder for S Hopper.	8.00	\$260.00
14/09/11	JLF	* Administration Creating court document folder for S.Hopper of counsel.	9.00	\$0.00
15/09/11	JLF	* Administration Creating court documents folder for S.Hopper; scanning missing documents from original proceeding into back end.	4.00	\$0.00
15/09/11	SDD	Delivered Orders, Pleadings and Contentions sub section of brief to S Hopper.	6.00	\$120.00
15/09/11	CXC	Organising for folder of contentions to go to S Hopper and covering email.	2.00	\$65.00
16/09/11	CXC	Locating submission documents for S Hopper; preparing folder; delivering folder to S Hopper; telephone attendance on S Hopper; analysing definitions in head leases for S Hopper; locating contentions in reply for S Hopper.	47.00	\$1,527.50
19/09/11	CXC	Reviewing memorandum of advice and roadmap prepared by S Hopper for LFS.	27.00	\$877.50
20/09/11	CXC	Responding to emails from L Brentnall re closing submissions and contentions of fact and law.	7.00	\$0.00
21/09/11	CXC	Considering requirements for appeal book and orders for directions; email to M Fernon; email to counsel re appeal book and draft directions; discussion with M Ong; considering grounds of appeal in view of memorandum of advice from counsel; reading email from S Hopper re grounds.	24.00	\$780.00
26/09/11	CXC	Telephone attendance on S Hopper re orders and appeal book contents for directions hearing; telephone attendance on S Hopper re pre-emptive costs order; internal meeting with M Fernon; email to S Hopper with copy of CoA faxed instructions.	5.00	\$162.50
27/09/11	CXC	Dealing with proposed directions.	5.00	\$162.50
28/09/11	CXC	Telephone attendance on S Hopper re directions hearing and proposed indexes of appeal book; obtaining and sending to S Hopper CoA Standard Directions 1 and other Practice Notes for CoA; follow up telephone call to Litigation Funding Services; preparation for attendance at Directions hearing; reading and responding to email from Litigation Funding Services.	9.00	\$292.50
29/09/11	CXC	Attendance at court for directions hearing; discussion with counsel; preparing brief to counsel for pre-emptive costs application.	37.00	\$1,202.50
30/09/11	MXN	Attendance at B Hopper's chambers to update Brief to Counsel folders.	4.00	\$130.00
04/10/11	CXC	Preparation of file note as to attendance at Directions Hearing; preparing brief to T Woodward for pre-emptive costs application.	32.00	\$1,040.00
05/10/11	SDD	Delivering brief to counsel.	9.00	\$180.00
05/10/11	CXC	Telephone attendance on S Hopper re list of authorities; telephone attendance on C Fenwick of Blake Dawson re list of authorities.	2.00	\$65.00
05/10/11	MXN	Preparation of Index to Brief to T Woodward, including compiling documents and saving to Clarendon Lawyers system; updating Court documents folder and Index, including hyperlinking documents.	32.00	\$576.00
05/10/11	MJF	Telephone attendance on C Garnaut re funding issues.	8.00	\$420.00
06/10/11	CXC	Dealing with email correspondence from S Hopper, C Fenwick of Blakes, and T Woodward of counsel; telephone attendance with M Fernon on S Hopper; telephone attendance on D Mackay re laws with respect to arrangements for litigation funding; research litigation funding laws; considering form of agreement between appellants and litigation funders; teleconference with S Hopper, G Bigmore and C Garnaut re litigation funding proposal; email to other parties re withdrawal of application; telephone attendance on AAR re content of email; considering form of withdrawal of application; drafting minute of consent order; preparing email to S Hopper with draft wording of correspondence to other parties.	76.00	\$2,470.00
06/10/11	DXM	Telephone attendance on on M Fernon and C Curtain (In) regarding litigation funding arrangement; telephone attendance on S Dluzniak of IMF (out) - unavailable, message left; drafting and sending email to S Dluzniak; forwarding same to C Curtain; drafting and sending further email to S Dluzniak with contact details for C Curtain.	2.00	\$79.00

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
06/10/11	DXM	Reviewing and amending power of attorney for potential litigation funder.	2.00	\$79.00
06/10/11	MJF	Telephone attendance on C Garnaut; telephone attendance on S Hopper; telephone attendance on S Hopper; teleconference with Bigmore and Hopper; telephone attendance on C Garnaut; teleconference.	28.00	\$1,470.00
07/10/11	DXM	Internal Meeting with C Curtain to discuss costs orders.	1.00	\$39.50
07/10/11	CXC	Reading email from S Hopper re consent order; review and amend consent order and prepare email to all parties; considering form of agreement for funding appeal; drafting agreement for funding appeal; prepare email to court of appeal registry notifying withdrawal of application.	35.00	\$1,137.50
10/10/11	CXC	Review and amend Management and Funding Agreement; prepare email to C Garnaut re Management and Funding Agreement.	4.00	\$130.00
11/10/11	CXC	Considering email correspondence from AAR and Blake Dawson re consent orders; emails to and from S Hopper re consent orders; review and amend consent orders; preparing correspondence to AAR and Blake Dawson re consent orders; preparing correspondence to Court of Appeal Registry re consent orders; review and amend Management and Funding Agreement.	22.00	\$715.00
11/10/11	CXC	Entering new dates from Directions orders; filing.	8.00	\$260.00
12/10/11	CXC	Finalise funding agreement; telephone attendance on S Hopper re hearing; telephone attendance on Court of Appeal Registry re hearing; email to other parties re hearing.	8.00	\$260.00
13/10/11	CXC	Administration tasks.	6.00	\$0.00
17/10/11	CXC	Review and amend costs agreement and forward to client; emails to and from T Schubert.	16.00	\$520.00
19/10/11	CXC	Email to S Hopper re Funding Agreement.	1.00	\$32.50
20/10/11	CXC	Telephone attendance on R McClymont re possible settlement of all proceedings; telephone attendance on S Hopper re settlement discussions.	4.00	\$130.00
21/10/11	CXC	Discussion with M Fernon re telephone conversation with R McClymont re settlement; follow up actions re power of attorney for Management and Funding Agreement; considering requirement of court approval for Management and Funding Agreement; review and amend Management and Funding Agreement.	23.00	\$747.50
24/10/11	CXC	Internal meeting with M Fernon re powers of attorney for litigants and organising execution of Funding Agreement by litigants; drafting and typing letter to LFS re contribution towards preparation of application; perusing powers of attorney prepared for Timbercorp cases; amending letter to representative growers and powers of attorney.	28.00	\$910.00
25/10/11	CXC	Review and amend letters and powers of attorney to representative growers; telephone attendance on S Hopper consulting counsel's opinion re application to approve Management and Funding Agreement; preparing brief to counsel for advice about application to approve Management and Funding Agreement; sending brief to counsel.	31.00	\$1,007.50
GST				\$52,483.50
Total Professional Costs				
				\$5,248.35
				\$57,731.85

FEE EARNER SUMMARY

	Hourly Rate	Hours	Amount
Catherine Curtain	0.00	60.20	\$14,560.00
Catherine Curtain	325.00	29.40	\$9,555.00
Dan Mackay	0.00	0.20	\$0.00
Dan Mackay	395.00	0.70	\$276.50
Jon-Lee Farrell	0.00	1.30	\$0.00
Jon-Lee Farrell	200.00	8.60	\$1,720.00
Katie Desmond	250.00	0.70	\$175.00
Michael Fernon	495.00	3.30	\$1,633.50
Michael Fernon	525.00	31.90	\$16,747.50
Marianne Natoli	0.00	8.60	\$832.00
Marianne Natoli	180.00	15.80	\$2,844.00
Sarah Dorn	0.00	5.10	\$740.00
Sarah Dorn	200.00	13.10	\$2,620.00
Yu-chiao Hsueh	325.00	2.40	\$780.00
		181.30	\$52,483.50
GST			\$5,248.35
Total Professional Fees			<u>\$57,731.85</u>

REMITTANCE ADVICE

Bill to: Funders Cf- EGA Corporate Advisers
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: MJF:1100297:B07217
Invoice Date: 28 October 2011
Invoice No: B07217
Amount Due: \$84,020.31
Payable By: 11 November 2011

Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to Clarendon Lawyers Pty Ltd for \$84,020.31 to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number 1100297:B07217

2. ☐ BANK TRANSFER

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Transfer Amount: \$84,020.31

Swift Code (overseas transfer only): NATAAU3303M

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: 083170
Account: 856779023

Please quote reference 1100297:B07217 and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Card Type (Please tick):

☐ Visa

☐ MasterCard

Expiry Date: _____

Amount Due: \$84,020.31

Please note that if this invoice is paid by credit card after the due date, a 1.5% additional fee will apply as provided for in our Terms of Engagement.

Name on Card: _____

Signature: _____

Please quote reference 1100297:B07217 and fax this advice to us.

Your Rights in Relation to Legal Costs

The following avenues are available to you if you are not happy with this bill -

- requesting an itemised bill;
- discussing your concerns with us;
- having our costs assessed;
- making a complaint to the Legal Services Commissioner;
- applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website - <http://www.lsc.vic.gov.au>).

If you have any concerns about our legal costs, or our legal services, please do not hesitate to speak to the director responsible for your matter. If we cannot satisfactorily resolve your concern with you, the above avenues are available.

**Amount due for payment within 14 days
Please return with your payment**

GAR001_1100297_088

GREENS LIST

Michael Green Pty Ltd
as Trustee for the
Green Family Trust
ABN: 76 924 553 989
205 William Street
Melbourne Victoria
Australia 3000
Phone: (03) 9225 7222
Fax: (03) 9225 8485
DX: 98
E-Mail: payments@greenslist.com.au

SLIP NUMBER: 465999
PROCESSED DATE: 02-08-2011

FEES DUE TO: MR. S. HOPPER
ABN #: 43 873 876 570

SOLICITOR: CLARENDON LAWYERS
G.P.O. BOX 4930
MELBOURNE 3001

TAX INVOICE

REFERENCE: MICHAEL FERNON

NAME OF CAUSE OR MATTER:
IN THE MATTER OF TIMBERCORP ALMONDS

DATE	PARTICULARS	FEES
25-07-2011	AS PER ATTACHED MEMORANDUM OF FEES	5,062.50
	Approved By: <u>WTF</u> Ledger/Matter: <u>1100297</u> Signed: _____ Date: <u>4/8/11</u>	
In the absence of an arrangement to the contrary the fees are payable within 30 days of this account Interest is payable on this bill under the Legal Profession Act 2004 as amended, either; 1. Under S 3.4.21(1) if this bill is unpaid 30 days or more after being given to the recipient. The rate of interest payable is 6.50%. 2. or under S3.4.21(2) in accordance with a costs agreement.		TOTAL: \$ 5,062.50

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$460.23

Legal Profession Act 2004 [as amended] - Notification of your rights

The following avenues are open to you in the event of a dispute in relation to legal costs:

- You may seek a costs review under Division 7 of Part 3.4 of the Act.
Such application must be made to the Costs Court Registrar within 12 months after
 - The bill was given or the request for payment was made, or
 - The costs were paid if neither a bill was given nor a request was made.

For and on behalf of:
Michael Green - Approved Clerk
Legal Profession Act 2004

Per: [Signature]

- If this bill is subject to a costs agreement you may apply to VCAT to have that agreement set aside under Section 3.4.32 of the Act.
You may make a complaint under Chapter 4 of the Act - "Complaints and Discipline" - to the Legal Services Commissioner. Such a complaint must be made within 60 days after the legal costs are payable or, if an itemised bill is requested, within 30 days after the itemised bill is provided.

Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PROCESSED: 02-08-2011

SLIP NUMBER: 465999

☐ MASTERCARD ☐ VISA

CARD NUMBER:

□ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □

TOTAL: \$ 5,062.50

NAME ON CARD:

□ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □

EXPIRY DATE:

□ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □

SIGNED: _____

SEND TO: MICHAEL GREEN PTY LTD
205 WILLIAM STREET
MELBOURNE, VICTORIA
AUSTRALIA 3000

SOLICITOR: CLARENDON LAWYERS
6977500

DUE TO: MR. S. HOPPER
3783

PAYING BY CHEQUE, MAKE CHEQUE PAYABLE TO 'MICHAEL GREEN PTY LTD'
PAYING BY CREDIT CARD, COMPLETE THE DETAILS AND POST, FAX OR PHONE
PAYING BY EFT DEPOSIT, COMMONWEALTH BANK - BSB: 063 009 A/C: 1010 8402 - FAX OR EMAIL NOTIFICATION
IF RECEIPT REQUIRED, RETURN THIS PAGE INTACT WITH PAYMENT

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www.e-commerce.net.au info@e-commerce.net.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 25 July 2011

Tel: 9225 6857
Fax: 9225 8485

Subject In the matter of Timbercorp Almonds

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$375 per hour (including GST) and \$3,000 per day (including GST).

Date	Narration	Total
7 July 2011	Drafting notice of appeal (3¼ hours)	\$1,218.75
8 July 2011	Considering notice of appeal and appeal book index (2¼ hours)	\$843.75
14 July 2011	Perusing affidavit regarding costs; summons; drafting appeal book index (5¼ hours)	\$1,968.75
15 July 2011	Drafting appeal book index; settling costs application (2 hours)	\$750.00
21 July 2011	Telephone conference with G. Bigmore QC; telephone conference with Michael Fernon; email to Michael Fernon (¾ hour)	\$281.25
	Total fees (inc GST):	\$5,062.50

Liability limited by a scheme under Professional Standards Legislation

465999

GREENS LIST

Michael Green Pty Ltd
as Trustee for the
Green Family Trust
ABN: 76 924 553 989
205 William Street
Melbourne Victoria
Australia 3000
Phone: (03) 9225 7222
Fax: (03) 9225 8485
DX: 98

E-Mail: payments@greenslist.com.au

TAX INVOICE

REFERENCE:

MICHAEL FERNON

SLIP NUMBER:
467230

PROCESSED DATE:
25-08-2011

FEES DUE TO:
MR. S. HOPPER

ABN #: 43 873 876 570

SOLICITOR:

6977500

CLARENDON LAWYERS
G.P.O. BOX 4930
MELBOURNE 3001

NAME OF CAUSE OR MATTER:
IN THE MATTER OF TIMBERCORP ALMONDS

DATE	PARTICULARS	FEES
25-08-2011	AS PER ATTACHED MEMORANDUM OF FEES	6,750.00
	Approved By: <u>MJF</u> Ledger/Matter: <u>1109297</u> Signed: <u>[Signature]</u> Date: <u>25/8/11</u>	
In the absence of an arrangement to the contrary the fees are payable within 30 days of this account Interest is payable on this bill under the Legal Profession Act 2004 as amended, either; 1. Under S 3.4.21(1) if this bill is unpaid 30 days or more after being given to the recipient. The rate of interest payable is 6.50%. 2. or under S3.4.21(2) in accordance with a costs agreement.		TOTAL: \$ 6,750.00

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$613.64

Legal Profession Act 2004 [as amended] - Notification of your rights

The following avenues are open to you in the event of a dispute in relation to legal costs:

- You may seek a costs review under Division 7 of Part 3.4 of the Act.
Such application must be made to the Costs Court Registrar within 12 months after
 - The bill was given or the request for payment was made, or
 - The costs were paid if neither a bill was given nor a request was made.

For and on behalf of:
Michael Green - Approved Clerk
Legal Profession Act 2004

Per: KG

- If this bill is subject to a costs agreement you may apply to VCAT to have that agreement set aside under Section 3.4.32 of the Act.
You may make a complaint under Chapter 4 of the Act - "Complaints and Discipline" - to the Legal Services Commissioner. Such a complaint must be made within 60 days after the legal costs are payable or, if an itemised bill is requested, within 30 days after the itemised bill is provided.

Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PROCESSED: 25-08-2011

SLIP NUMBER:

467230

☐ MASTERCARD ☐ VISA

CARD NUMBER:

TOTAL:

\$ 6,750.00

NAME ON CARD:

EXPIRY DATE:

SIGNED:

SEND TO:

MICHAEL GREEN PTY LTD
205 WILLIAM STREET
MELBOURNE, VICTORIA
AUSTRALIA 3000

SOLICITOR:

CLARENDON LAWYERS

6977500

DUE TO:

MR. S. HOPPER

3783

PAYING BY CHEQUE, MAKE CHEQUE PAYABLE TO 'MICHAEL GREEN PTY LTD'
PAYING BY CREDIT CARD, COMPLETE THE DETAILS AND POST, FAX OR PHONE
PAYING BY EFT DEPOSIT, COMMONWEALTH BANK - BSB: 063 009 A/C: 1010 8402 - FAX OR EMAIL NOTIFICATION
IF RECEIPT REQUIRED, RETURN THIS PAGE INTACT WITH PAYMENT

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• Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper Tel: 9225 6857
Barrister Fax: 9225 8485

Date 25 August 2011

Subject In the matter of Timbercorp Almonds

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$375 per hour (including GST) and \$3,000 per day (including GST).

Date	Narration	Total
2 August 2011	Researching and considering submissions re pre-emptive orders (5¼ hours)	\$1,968.75
3 August 2011	Submissions (3¼ hours)	\$1,218.75
4 August 2011	Submissions; reviewing cases (1¼ hours)	\$656.25
5 August 2011	Reviewing cases; settling submissions (4 hours)	\$1,500.00
10 August 2011	Memo to litigation funders (2½ hours)	\$937.50
11 August 2011	Settling memo of advice and email (¾ hour)	\$281.25
15 August 2011	Reading submissions and email to solicitor (½ hour)	\$187.50
	Total fees (inc GST):	\$6,750.00

Liability limited by a scheme under Professional Standards Legislation

467 230

E-Mail: payments@greenslist.com.au

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Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 12 September 2011

Tel: 9225 6857
Fax: 9225 8485

Subject In the matter of Timbercorp Almonds

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$375 per hour (including GST) and \$3,000 per day (including GST).

Date	Narration	Total
23 August 2011	Perusing Bank's cases (3 hours)	\$1,125.00
25 August 2011	Attending to correspondence; reply submissions (6 hours)	\$2,250.00
26 August 2011	E.mail regarding costs application (1 hour)	\$375.00
30 August 2011	Attending to directions hearing and correspondence (¾ hour)	\$281.25
31 August 2011	Teleconference with Catherine Curtain and other counsel (½ hour)	\$187.50
2 September 2011	Arranging adjournment of directions hearing (1 hour)	\$375.00
	Total fees (inc GST):	\$4,593.75

Liability limited by a scheme under Professional Standards Legislation

468248

Fee Slip 1016661

TAX INVOICE

Date 7/10/2011

Fees Due to 10881

Mr Garry T Bigmore QC

ABN: 50 805 058 321

Solicitor 1085700

Attention: Michael Fernon
Clarendon Lawyers
Level 17, Rialto North Tower
525 Collins Street
Melbourne 3000



THINK FOLEY'S FIRST

Foley's List Pty Ltd

A.B.N. 19 064 152 218

Please forward cheque to:

Foley's List Pty Ltd
Owen Dixon Chambers
205 William St
Melbourne, Vic 3000

AusDoc: DX 92 Melbourne

Tel: (03) 9225 7777
Fax: (03) 9225 8480
Email: foleys@foleys.com.au

Your Reference

Michael Fernon

Approved By: *MJ*

Ledger/Matter: 1100297

Signed: *[Signature]*

Date: 10/10/11

Cause or Matter

Timbercorp Apportionment - Settlement

Date	Description	Fees
6/10/2011	Teleconference re funding of appeal (1 hour)	770.00
Total Payable		\$770.00

The amount of GST included in the above supply is \$70.00

In the absence of an arrangement to the contrary, these fees are payable within 30 days of this account.

Payment Options

- Cheque Payable to "Foley's List Pty Ltd"
- Direct Deposit
BSB : 013035 Account Number : 255038705
Account Name : Foley's List Pty Ltd Trust Account
Description/Message/Reference : 1016661



Biller Code : 170613

Reference : 10166619

Telephone & Internet Banking - BPAY

Call your bank, credit union or building society to make this payment from your cheque, savings or credit card account.

* Note: Credit Card payments incur a 1.2% surcharge.

If paying by Credit Card, balance owing is \$779.24

Statement for the purposes of s.3.4.21(3) of the Legal Profession Act 2004

Interest under s.3.4.21(1) or (2) of the Legal Profession Act 2004 may be charged on unpaid legal costs and is payable if the costs are not paid:

(i) under s.3.4.21(1) if the costs are unpaid 30 days after this Fee Slip is given and at the rate prescribed by regulation 3.4.3 of the Legal Profession Regulations 2005 (namely, the rate that is equal to the Cash Rate Target as defined in regulation 3.4.3(4) as at the date this Fee Slip is issued, increased by 2 percentage points); or

(ii) in accordance with a costs agreement at the rate specified in the costs agreement.

Notification of rights under Section 3.4.35 of the Legal Profession Act 2004

YOUR RIGHTS IN RELATION TO LEGAL COSTS

The following avenues are available to you if you are not happy with this bill:

- requesting an itemised bill
- discussing your concerns with us
- having our costs assessed
- making a complaint to the Legal Services Commissioner
- applying to set aside our costs agreement

There may be other avenues available in your State or Territory (such as mediation).

Time limits apply to the avenues for resolving costs disputes.

For more information about your rights, please read the fact sheet titled "Your Right to Challenge Legal Costs." You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website).

From 1/07/2008 liability limited by a scheme approved under Professional Standards Legislation.

[Signature]
Approved Clerk *rym*

Fee Slip 285178

TAX INVOICE

Date 7/10/2011

Fees Due to

Mr Ted W Woodward S.C.

ABN: 26 007 407 500

Client

Attention: Michael Femon
Clarendon Lawyers
Level 17 Rialto North Tower
525 Collins Street
Melbourne VIC 3000

Your Reference

MJF:1100297



List A Barristers Pty Ltd
A.B.N. 25 832 335 126
A.C.N. 007 370 256

Please forward cheque to:

List A Barristers Pty Ltd
Room 6 Ground Floor
Owen Dixon Chambers West
205 William St
Melbourne Vic 3000

AusDoc: DX 90 Melbourne

Tel: (03) 9225 8444

Fax: (03) 9225 8395

Email: accounts@listabarristers.com.au

Cause or Matter

Goldenberg & Ors v Bosi Security Services Limited (as trustee for Australia and New Zealand Banking Group Ltd) & Ors

Date	Description	Fees
7/10/2011	As per Summary of Attendances dated 7 October 2011.	1,320.00
Total Payable		\$1,320.00

The amount of GST included in the above supply is \$120.00

In the absence of an arrangement to the contrary, these fees are payable within 30 days of this account.

Approved By:	MJF
Ledger/Matter:	1100297
Signed:	[Signature]
Date:	10/10/11

David Andrews Approved Clerk

This invoice is a bill for the purposes of Section 3.4.34 of the Legal Profession Act 2004. If all or any part of the legal costs referred to in this bill are not paid within 30 days, interest is payable by you on those unpaid legal costs at the Cash Rate Target fixed by the Reserve Bank plus 2%.

Liability limited by a scheme approved under Professional Standards Legislation.

Your rights in relation to legal costs

The following avenues are available to you if you are not happy with this bill ---

1. Requesting an itemized bill.
2. Discussing your concerns with us.
3. Having our costs assessed.
4. Making a complaint to the Legal Services Commissioner.
5. Applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes.

For more information about your rights, please read the fact sheet titled Your Right To Challenge Legal Costs. You can ask for a copy, or obtain it from the Legal Services Commissioner (or download it from their website).

10 OCT 2011

BY:

... continued

Clarendon Lawyers



Bank Account Details for Direct Deposits:

Account Name: List A Barristers Pty Ltd Trust Account
BSB: 063-009 Account Number: 10232016

Note: Please provide the Fee Slip number(s) in the
account description.

Alternatively please return the section below with your payment to:

LIST A BARRISTERS PTY LTD

Room 6 Ground Floor
Owen Dixon Chambers West
205 William Street
Melbourne Vic 3000

A.B.N. 25 832 335 126

AusDoc: DX 90 Melbourne

Client:	945000	Barrister:	57700	Fee Slip:	285178
Date:	7/10/2011	Amount:	\$1,320.00		
Ref:	MJF:1100297				
Matter:	Goldenberg & Ors v Bosi Security Services Limited (as trustee for Australia and New Zealand Banking Group)				

Ted Woodward SC
Barrister

List A
205 William Street
Melbourne Vic. 3000

Chambers:
Lonsdale Chambers
Level 5
530 Lonsdale Street
MELBOURNE VIC 3000

Telephone 9225 7090
Fax 9670 5756
Mobile 0411 221 929
DX 90 Melbourne
E-mail ted.woodward@vicbar.com.au

SUMMARY OF ATTENDANCES

To: Clarendon Lawyers
Ref: MJF:1100297
Contact: Michael Fernon
Matter: Goldenberg & Ors v Bosi Security Services
Limited (as trustee for Australia and New
Zealand Banking Group Ltd) & Ors
Timbercorp Almonds Apportionment Appeal
Proceeding no. S APCI 2011 0103
Basis of charging: \$660 per hour up to \$6,600 per day (inc. GST)

Attendances for the period:

6 Oct 2011	Commencing preparation for hearing and associated attendances	2	\$1,320.00
TOTAL			\$1,320.00

Ted Woodward
Date: 7 October 2011

Michael Green Pty Ltd
as Trustee for the
Green Family Trust
ABN: 76 924 553 989
205 William Street
Melbourne Victoria
Australia 3000
Phone: (03) 9225 7222
Fax: (03) 9225 8485
DX: 98
ents@greenslist.com.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 12 October 2011

Tel: 9225 6857
Fax: 9225 8485

Subject In the matter of Timbercorp Almonds

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$375 per hour (including GST) and \$3,000 per day (including GST).

Date	Narration	Total
21 September 2011	Email re appeal grounds (½ hour)	\$187.50
27 September 2011	Interlocutory timetable (¼ hour)	\$93.75
28 September 2011	Conference with opposing counsel and preparing for directions hearing (4½ hours)	\$1,687.50
29 September 2011	Directions hearing (½ day)	\$1,500.00
6 October 2011	Telephone conference with Garry Bigmore QC, Michael Fernon, Catherine Curtain and Chris Garnaut (¾ hour)	\$281.25
	Total fees (inc GST):	\$3,750.00

Liability limited by a scheme under Professional Standards Legislation

469680

30 November 2011

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

our ref: MJF:CL:1100297
invoice no: B07367
your ref:

Eli Goldfinger
MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

Dear Eli

Almonds Apportionment Appeal - SAPCI 2011 103

We **enclose** a memorandum of our professional costs for the period to 30 November 2011, details of which are set out in the attached schedule.

If you have any queries, please contact us.

Yours faithfully

Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419
E-mail: michael.fernon@clarendonlawyers.com.au

Encl.

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 30 November 2011
our ref: MJF:CL:1100297
invoice no: B07367
contact: Michael Fernon
your ref:

ABN
TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

PROFESSIONAL COSTS

To our professional costs as per the attached schedule:

	GST	
Professional Costs subject to GST	\$1,581.50	\$15,815.00

DISBURSEMENTS

("*" indicates a disbursement paid as your agent)

	GST	
Australian Securities & Investments Commission - Annual Statement fees - C & G Funding Pty Ltd ACN 147 114 716 - 291011		\$226.50
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 471882 - 281111	\$93.75	\$937.50

Subtotal	\$16,979.00
GST @ 10%	\$1,675.25
Invoice Total	\$18,654.25

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is not paid in accordance with our terms

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 30 November 2011
our ref: MJF:CL:1100297
invoice no: B07367
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
27/10/11	CXC	Perusing authenticated order re dismissed pre-emptive costs application (1 folio); perusing executed powers of attorney from G Goldenberg and C Moshopolous (1 folio).	1.00	\$32.50
31/10/11	ELD	Reviewing reviewing judgements and writing memo on tax paragraphs	20.00	\$270.00
31/10/11	ELD	Reading reading the two judgements to understand the facts	55.00	\$742.50
03/11/11	CXC	Considering Management and Funding Agreement and Powers of Attorney returned.	3.00	\$97.50
03/11/11	CXC	Administration Billing tasks.	2.00	\$0.00
08/11/11	CXC	Prepare brief to counsel (G Bigmore) re court approval for Management and Funding Agreement; travel and attendance at Korda Mentha re settlement negotiations.	27.00	\$877.50
08/11/11	MJF	Conference with KordaMentha.	15.00	\$787.50
08/11/11	ELD	Meeting - draft settlement	15.00	\$202.50
09/11/11	CXC	Considering litigation schedule; email to J Sheridan confirming litigation schedule; file note of attendance at Korda Mentha;	4.00	\$130.00
09/11/11	MJF	Email to counsel.	2.00	\$105.00
10/11/11	CXC	Reading correspondence from C Little re PoAs and Management and Funding Agreement; responding to email of D Butterfield re PoAs; telephone voice message left for C Little; organising for documents to be sent again to C Little; teleconference with S Hopper and G Bigmore re settlement issues; dictating file note of teleconference.	25.00	\$812.50
11/11/11	CXC	Review and amend file note of teleconference.	6.00	\$195.00
16/11/11	CXC	Organising teleconference with counsel to discuss proposals for settlement of appeal; telephone attendance on S Hopper.	3.00	\$97.50
17/11/11	CXC	Teleconference with S Hopper and G Bigmore discussing proposals in relation to settlement of Timbercorp schemes.	6.00	\$195.00
18/11/11	MXO	Considering court of appeal practice statements (18 folios); considering orders of court 29/09/11; research re notice of contention.	10.00	\$325.00
18/11/11	MXO	Reviewing judgment of Robson J (20 folios).	26.00	\$845.00
21/11/11	MXO	Reviewing material/research on preparing summary of proceedings & issues & summary of facts; reviewing judgment of Davies J (45 folios).	64.00	\$2,080.00
22/11/11	MXO	Considering grounds of appeal in notice of appeal; reviewing documents & preparing draft summary of proceedings & issues.	62.00	\$2,015.00
23/11/11	MXO	Reviewing documents/judgments; preparing draft summary of facts for court of appeal; discussion with M Fernon re 1st & 2nd respondents' notice of contention.	50.00	\$1,625.00
23/11/11	MJF	Email to counsel re next steps; telephone attendance on E Goldfinger re funding.	4.00	\$210.00
24/11/11	MXO	Considering the notice of contention filed by the 1st and 2nd respondents (3 folios); preparing summary in light of the contentions.	20.00	\$650.00
25/11/11	MXO	Perusing proposed "framework of steps to achieve binding compromises of the proposed TPIF proceedings" in relation to global settlement.	5.00	\$162.50
28/11/11	CXC	Reading Notice of Contentions from First and Second Respondents; reading draft summary of appeal proceeding facts.	5.00	\$162.50
29/11/11	MXO	Reviewing Summary for Court of Appeal and discussion with M Fernon on same.	5.00	\$162.50
29/11/11	MXO	Reviewing S Hopper's email with comments re Summary; reviewing & amending Summary in accordance with S Hopper's comments; telephone attendances on S Hopper re Summary.	55.00	\$1,787.50
29/11/11	MJF	Settling summary.	7.00	\$367.50
30/11/11	MXO	Revising Summary for Court of Appeal; email same to S Hopper for settling; preparing covering letter for service on all parties.	8.00	\$260.00

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
30/11/11	MXO	Telephone attendances on S Hopper re Summary; reviewing search on The TGG (Timbercorp Growers Group) Inc; reviewing document for Receivers winding-up proceeding in SCI 7114/2009.	11.00	\$357.50
30/11/11	MXO	Attending to G Bignore & S Hopper's query re Summary; amending Summary; serving of Summary on all parties via email.	8.00	\$260.00
				<u>\$15,815.00</u>
GST				\$1,581.50
Total Professional Costs				<u>\$17,396.50</u>

FEE EARNER SUMMARY

	Hourly Rate	Hours	Amount
Catherine Curtain	0.00	0.20	\$0.00
Catherine Curtain	325.00	8.00	\$2,600.00
Ebony Dinsdale	135.00	9.00	\$1,215.00
Michael Fernon	525.00	2.80	\$1,470.00
Michelle Ong	325.00	32.40	\$10,530.00
		<u>52.40</u>	<u>\$15,815.00</u>
GST			\$1,581.50
Total Professional Fees			<u>\$17,396.50</u>

REMITTANCE ADVICE

Bill to: MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: MJF:1100297:B07367
Invoice Date: 30 November 2011
Invoice No: B07367
Amount Due: \$18,654.25
Payable By: 14 December 2011

Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to **Clarendon Lawyers Pty Ltd** for **\$18,654.25** to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number **1100297:B07367**

2. ☐ BANK TRANSFER

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Transfer Amount: **\$18,654.25**

Swift Code (overseas transfer only): **NATAAU3303M**

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: 083170
Account: 856779023

Please quote reference **1100297:B07367** and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Expiry Date: _____

Amount Due: **\$18,654.25**

Name on Card: _____

Signature: _____

Card Type (Please tick):

- ☐ Visa
☐ MasterCard

Please note that if this invoice is paid by credit card after the due date, a 1.5% additional fee will apply as provided for in our Terms of Engagement.

Please quote reference **1100297:B07367** and fax this advice to us.

Your Rights in Relation to Legal Costs

The following avenues are available to you if you are not happy with this bill -

- requesting an itemised bill;
- discussing your concerns with us;
- having our costs assessed;
- making a complaint to the Legal Services Commissioner;
- applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website - <http://www.lsc.vic.gov.au>).

If you have any concerns about our legal costs, or our legal services, please do not hesitate to speak to the director responsible for your matter. If we cannot satisfactorily resolve your concern with you, the above avenues are available.

Amount due for payment within 14 days
Please return with your payment

GREENS LIST

 SLIP NUMBER:
471882

 PROCESSED DATE:
28-11-2011

 FEES DUE TO:
MR. S. HOPPER

ABN #: 43 873 876 570

SOLICITOR:

6977500

 CLARENDON LAWYERS
G.P.O. BOX 4930
MELBOURNE 3001

 Michael Green Pty Ltd
as Trustee for the
Green Family Trust
ABN: 76 924 553 989
205 William Street
Melbourne Victoria
Australia 3000
Phone: (03) 9225 7222
Fax: (03) 9225 8485
DX: 98

E-Mail: payments@greenslist.com.au

TAX INVOICE

REFERENCE:

MICHAEL FERNON

 NAME OF CAUSE OR MATTER:
TIMBERCORP ALMONDS APPEAL

DATE	PARTICULARS	FEES
24-11-2011	AS PER ATTACHED MEMORANDUM OF FEES	1,031.25
	Approved By: <i>MJF</i> Ledger/Matter: <i>1100897</i> Signed: <i>[Signature]</i> Date: <i>30/11/11</i>	
In the absence of an arrangement to the contrary the fees are payable within 30 days of this account Interest is payable on this bill under the Legal Profession Act 2004 as amended, either: 1. Under S 3.4.21(1) if this bill is unpaid 30 days or more after being given to the recipient. The rate of interest payable is 6.50%. 2. or under S3.4.21(2) in accordance with a costs agreement.		TOTAL: \$ 1,031.25

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$93.75

Legal Profession Act 2004 [as amended] - Notification of your rights

The following avenues are open to you in the event of a dispute in relation to legal costs:

- You may seek a costs review under Division 7 of Part 3.4 of the Act.
Such application must be made to the Costs Court Registrar within 12 months after
 - The bill was given or the request for payment was made, or
 - The costs were paid if neither a bill was given nor a request was made.

 For and on behalf of:
Michael Green - Approved Clerk
Legal Profession Act 2004

 Per: *[Signature]*

- If this bill is subject to a costs agreement you may apply to VCAT to have that agreement set aside under Section 3.4.32 of the Act.
You may make a complaint under Chapter 4 of the Act - "Complaints and Discipline" - to the Legal Services Commissioner. Such a complaint must be made within 60 days after the legal costs are payable or, if an itemised bill is requested, within 30 days after the itemised bill is provided.

Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PROCESSED: 28-11-2011

 SLIP NUMBER:
471882

☐ MASTERCARD ☐ VISA

CARD NUMBER:

 TOTAL:
\$ 1,031.25

NAME ON CARD:

EXPIRY DATE:

SIGNED:

 SEND TO:
MICHAEL GREEN PTY LTD
205 WILLIAM STREET
MELBOURNE, VICTORIA
AUSTRALIA 3000

 SOLICITOR:
CLARENDON LAWYERS

6977500

 DUE TO:
MR. S. HOPPER

3783

 PAYING BY CHEQUE, MAKE CHEQUE PAYABLE TO 'MICHAEL GREEN PTY LTD'
 PAYING BY CREDIT CARD, COMPLETE THE DETAILS AND POST, FAX OR PHONE
 PAYING BY EFT DEPOSIT, COMMONWEALTH BANK - BSB: 063 009 A/C: 1018 8432 - FAX OR EMAIL NOTIFICATION
 IF RECEIPT REQUIRED, RETURN THIS PAGE INTACT WITH PAYMENT

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 © Copyright 1997-2011 E-Commerce Australia Pty Ltd
 www.e-commerce.net.au info@e-commerce.net.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister
Tel: 9225 6857
Fax: 9225 8485

Date 24 November 2011

Subject In the matter of Timbercorp Almonds Appeal

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$375 per hour (including GST) and \$3,000 per day (including GST).

Date	Narration	Total
7 November 2011	Considering advice re litigation funding; teleconference with G. Bigmore regarding funding (2¾ hours)	\$1031.25 \$1,031.25
	Total fees (inc GST):	\$1031.25 \$1,031.25

Liability limited by a scheme under Professional Standards Legislation

471882

29 February 2012

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

our ref: MJF:CL:1100297
invoice no: B07803
your ref:

Eli Goldfinger
MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

Dear Eli

Almonds Apportionment Appeal - SAPCI 2011 103

We **enclose** a memorandum of our professional costs in respect of this matter for the period to 28 February 2012, details of which are set out in the attached schedule.

If you have any queries, please contact us.

Yours faithfully

Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419
E-mail: michael.fernon@clarendonlawyers.com.au

Encl.

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 29 February 2012
our ref: MJF:CL:1100297
invoice no: B07803
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

PROFESSIONAL COSTS

To our professional costs as per the attached schedule:

	GST	
Professional Costs subject to GST	\$1,799.80	\$17,998.00

DISBURSEMENTS

(* indicates a disbursement paid as your agent)

	GST	
Lawpoint / SAI Global - ASIC Company & Business Searches (Manual	\$5.88	\$58.80
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 472964 - 151211	\$187.50	\$1,875.00
SAI Global/Anstat Pty Ltd - ANSTAT searches	\$1.37	\$13.73
Young's List Pty Ltd - Barristers fees - G Bigmore QC - Fee slip INVTB8 - 200212	\$70.00	\$700.00

Subtotal	\$20,645.53
GST @ 10%	\$2,064.55
Invoice Total	\$22,710.08

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is not paid in accordance with our terms

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 29 February 2012
our ref: MJF:CL:1100297
invoice no: B07803
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
01/12/11	MXO	Perusing email from ABL acknowledging receipt of draft Summary & its clients' non-participation in the appeal.	1.00	\$32.50
06/12/11	MXO	Reviewing list of scheme documents for Almond & Olives projects to ascertain the documents we have on our system & preparing a consolidated list.	20.00	\$650.00
07/12/11	CXC	Meeting with Grower Representatives about Management and Funding Agreement and request from funders re amendment to the agreement; reading draft email to funders re proposal for amendment of agreement; reading email from J Josephts re summary of appeal.	11.00	\$357.50
07/12/11	MJF	Drawing response to funders letter; conference; drafting letter.	12.00	\$630.00
08/12/11	MXO	Perusing revised summary for court of appeal received from the first and second respondents; telephone attendance on S Hopper re same.	15.00	\$487.50
08/12/11	MXO	Preparing covering letter to court of appeal registry for filing of summary.	5.00	\$162.50
09/12/11	MXO	Reviewing revised summary with S Hopper's comments; incorporating the comments into the summary; email to Blake Dawson & Allens Arthur Robinson for their approval.	23.00	\$747.50
09/12/11	CXC	Administration Updating litigation schedule.	3.00	\$0.00
12/12/11	MXO	Reviewing changes made to summary by the respondents; telephone attendances on S Hopper discussing the changes.	8.00	\$260.00
12/12/11	MXO	Telephone attendances on S Hopper discussing the further changes made by the respondents & also G Bigmore's comments on same; amending & finalising summary for court of appeal (18 pages); filing summary with the court of appeal; service of summary on all parties.	40.00	\$1,300.00
12/12/11	CXC	Review amended Funding Agreement.	4.00	\$130.00
12/12/11	CXC	Reading correspondence from AAR re Appeal summary; discussion with M Ong re amendments proposed by banks to summary.	11.00	\$357.50
12/12/11	MJF	Perusing email from Hinchin and telephone attendance; amending funding agreement (drafting).	11.00	\$577.50
14/12/11	MJF	Finalising funding agreement amendments.	7.00	\$367.50
14/12/11	ELD	Travel time Taking brief to council	5.00	\$67.50
23/12/11	MXO	Perusing letter from AAR requesting for costs of the pre-emptive costs application & orders of 11/10/11.	5.00	\$162.50
23/12/11	MXO	Research on party-party costs & solicitor-client costs.	19.00	\$617.50
18/01/12	CJA	Peruse appeal documents.	10.00	\$425.00
23/01/12	CJA	Draft letter to R McClymont and C Fenwick.	4.00	\$170.00
23/01/12	CJA	Draft letter to C Hinchin and J Joseph.	4.00	\$170.00
23/01/12	CJA	* Administration Considering court documents; amend index.	5.00	\$0.00
23/01/12	CJA	Email to C Garnaut.	1.00	\$42.50
23/01/12	CJA	Peruse letter from BD.	1.00	\$42.50
23/01/12	CXC	Drafting letter to grower representatives by way of update; perusal of correspondence from Blake Dawson re costs of pre-emptive costs application (12 folios).	7.00	\$227.50
24/01/12	CJA	Take instructions on costs issue.	3.00	\$127.50
24/01/12	CXC	* Administration Getting together signed Management and Funding Agreements for sending to grower representatives.	5.00	\$0.00
24/01/12	CJA	Letter to C Hinchin re costs.	5.00	\$212.50
24/01/12	MJF	Telephone attendance on C Garnaut.	2.00	\$105.00
25/01/12	CJA	Further drafting letter to C Hinchin re costs.	3.00	\$127.50
25/01/12	CJA	Letter to R McClymont re costs.	3.00	\$127.50
25/01/12	CJA	Letter to Grower Representatives.	4.00	\$170.00
27/01/12	CJA	Letter to Grower Representatives.	10.00	\$425.00
01/02/12	MXO	Perusing letter to ABL, AAR & BD re confirmation of costs & confirmation of proposed compromise.	2.00	\$65.00
01/02/12	CJA	Teleconference with counsel.	5.00	\$212.50

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
01/02/12	CJA	Draft letter to all parties.	15.00	\$637.50
01/02/12	CJA	Email to counsel.	1.00	\$42.50
02/02/12	CJA	Peruse letter from AAR.	1.00	\$42.50
02/02/12	CJA	Discussion with M Fernon.	1.00	\$42.50
02/02/12	CJA	Draft letter to AAR.	3.00	\$127.50
06/02/12	CJA	Telephone attendance on S Hopper.	2.00	\$85.00
07/02/12	CJA	Telephone attendance S Hopper.	1.00	\$42.50
07/02/12	CJA	Telephone attendance on J Joseph.	2.00	\$85.00
08/02/12	CJA	Peruse email from G Bigmore.	1.00	\$42.50
08/02/12	CJA	Draft letter to other parties.	4.00	\$170.00
08/02/12	CJA	Consider and amend draft proposed minute of consent orders.	4.00	\$170.00
08/02/12	CJA	Peruse email from counsel.	1.00	\$42.50
08/02/12	CJA	Peruse email and letter from AAR.	2.00	\$85.00
08/02/12	CJA	Various emails with counsel.	4.00	\$170.00
08/02/12	MXO	Preparing proposed minutes of consent orders for extension of time to file outline submissions; reviewing & amending same.	13.00	\$422.50
09/02/12	CJA	Peruse letter from R McClymont.	2.00	\$85.00
10/02/12	CJA	Telephone call S Hopper.	2.00	\$85.00
10/02/12	CJA	Telephone call S Hopper.	2.00	\$85.00
10/02/12	CJA	Scan transcripts of apportionment proceeding; email to S Hopper.	4.00	\$170.00
10/02/12	CJA	Email to S Hopper.	1.00	\$42.50
13/02/12	CJA	Discuss list of authorities with M Ong.	3.00	\$127.50
13/02/12	MXO	Discussion with C Armstrong re draft outline submission; reviewing court of appeal practice notes; preparing preliminary list of authorities.	38.00	\$1,235.00
14/02/12	MXO	Telephone attendances on C Fenwick of Blake Dawson & J Sheridan of ABL following up on signed proposed minutes of consent orders; email to Court of Appeal filing the proposed orders.	8.00	\$260.00
14/02/12	ELD	Research Appeal Transcripts	3.00	\$40.50
14/02/12	CJA	Peruse submissions; identify queries.	12.00	\$510.00
14/02/12	CJA	Consider draft list of authorities; suggest amendments.	5.00	\$212.50
14/02/12	CJA	Telephone attendance J Joseph.	2.00	\$85.00
14/02/12	CJA	Telephone attendance S Hopper.	2.00	\$85.00
14/02/12	CJA	Peruse letter from J Joseph.	1.00	\$42.50
14/02/12	CJA	Email to counsel.	2.00	\$85.00
14/02/12	CJA	Email to counsel.	2.00	\$85.00
14/02/12	CJA	Peruse email from counsel.	1.00	\$42.50
14/02/12	CJA	Peruse letter and email from C Fenwick.	1.00	\$42.50
14/02/12	CJA	Peruse email from D Briggs.	1.00	\$42.50
15/02/12	CJA	Locate outstanding references for submissions.	15.00	\$637.50
16/02/12	MXO	Reviewing & amending list of authorities; email to S Hopper for his comments.	3.00	\$97.50
16/02/12	CJA	Amend draft submissions.	15.00	\$637.50
16/02/12	CJA	Email to counsel.	1.00	\$42.50
21/02/12	CJA	Emails with counsel.	2.00	\$85.00
22/02/12	CJA	Emails with counsel.	3.00	\$127.50
23/02/12	MXO	Reviewing court of appeal practice notes re list of authorities as requested by S Hopper.	3.00	\$97.50
23/02/12	MXO	Reviewing & amending list of authorities according to S Hopper's instructions.	10.00	\$325.00
23/02/12	CJA	Email to counsel.	2.00	\$85.00
23/02/12	CJA	Peruse email from M Ong.	2.00	\$85.00
28/02/12	MXO	Reviewing & amending outline submissions forwarded by S Hopper; telephone attendance on S Hopper; filing of outline submissions & list of authorities with court of appeal registry & service of same on all parties.	20.00	\$650.00
				\$17,998.00
GST				\$1,799.80
Total Professional Costs				\$19,797.80

FEE EARNER SUMMARY

	Hourly Rate	Hours	Amount
Celia Armstrong	0.00	0.50	\$0.00
Celia Armstrong	425.00	17.80	\$7,565.00
Catherine Curtain	0.00	0.80	\$0.00
Catherine Curtain	325.00	3.30	\$1,072.50
Ebony Dinsdale	135.00	0.80	\$108.00
Michael Fernon	525.00	3.20	\$1,680.00
Michelle Ong	325.00	23.30	\$7,572.50
		49.70	\$17,998.00
GST			\$1,799.80
Total Professional Fees			\$19,797.80

REMITTANCE ADVICE

Bill to: MRB Equities Pty Ltd, Redvill Pty Ltd and Ferrari Investments Holdings Pty Ltd
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: MJF:1100297:B07803
Invoice Date: 29 February 2012
Invoice No: B07803
Amount Due: \$22,710.08
Payable By: 14 March 2012

Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to Clarendon Lawyers Pty Ltd for \$22,710.08 to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number 1100297:B07803

2. ☐ BANK TRANSFER

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Transfer Amount: \$22,710.08

Swift Code (overseas transfer only): NATAAU3303M

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: 083170
Account: 856779023

Please quote reference 1100297:B07803 and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Expiry Date: _____

Amount Due: \$22,710.08

Name on Card: _____

Signature: _____

Card Type (Please tick):

- ☐ Visa
☐ MasterCard

Please note that if this invoice is paid by credit card after the due date, a 1.5% additional fee will apply as provided for in our Terms of Engagement.

Please quote reference 1100297:B07803 and fax this advice to us.

Your Rights in Relation to Legal Costs

The following avenues are available to you if you are not happy with this bill -

- requesting an itemised bill;
- discussing your concerns with us;
- having our costs assessed;
- making a complaint to the Legal Services Commissioner;
- applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website - <http://www.lsc.vic.gov.au>).

If you have any concerns about our legal costs, or our legal services, please do not hesitate to speak to the director responsible for your matter. If we cannot satisfactorily resolve your concern with you, the above avenues are available.

**Amount due for payment within 14 days
Please return with your payment**

GREENS LIST

 SLIP NUMBER:
472964

 PROCESSED DATE:
15-12-2011

 FEES DUE TO:
MR. S. HOPPER

ABN #: 43 873 876 570

SOLICITOR:

6977500

CLARENDON LAWYERS
G.P.O. BOX 4930
MELBOURNE 3001

Michael Green Pty Ltd
 as Trustee for the
 Green Family Trust
 ABN: 76 924 553 989
 205 William Street
 Melbourne Victoria
 Australia 3000
 Phone: (03) 9225 7222
 Fax: (03) 9225 8485
 DX: 98
 E-Mail: payments@greenslist.com.au

TAX INVOICE

REFERENCE:

MICHAEL FERNON

 NAME OF CAUSE OR MATTER:
TIMBERCORP ALMONDS APPEAL

DATE	PARTICULARS	FEES
12-12-2011	AS PER ATTACHED MEMORANDUM OF FEES	2,062.50
In the absence of an arrangement to the contrary the fees are payable within 30 days of this account Interest is payable on this bill under the Legal Profession Act 2004 as amended, either: 1. Under S 3.4.21(1) if this bill is unpaid 30 days or more after being given to the recipient. The rate of interest payable is 6.25%. 2. or under S3.4.21(2) in accordance with a costs agreement.		TOTAL: \$ 2,062.50

Approved By: *MGP*
 Ledger/Matter: *1100297*
 Signed: *[Signature]*
 Date: *21/12/11*

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$187.50

Legal Profession Act 2004 [as amended] - Notification of your rights

The following avenues are open to you in the event of a dispute in relation to legal costs:

- You may seek a costs review under Division 7 of Part 3.4 of the Act.
 Such application must be made to the Costs Court Registrar within 12 months after
 - The bill was given or the request for payment was made, or
 - The costs were paid if neither a bill was given nor a request was made.

For and on behalf of:
Michael Green - Approved Clerk
 Legal Profession Act 2004

 Per: *[Signature]*

- If this bill is subject to a costs agreement you may apply to VCAT to have that agreement set aside under Section 3.4.32 of the Act.
 You may make a complaint under Chapter 4 of the Act - "Complaints and Discipline" - to the Legal Services Commissioner. Such a complaint must be made within 60 days after the legal costs are payable or, if an itemised bill is requested, within 30 days after the itemised bill is provided.

Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PROCESSED: 15-12-2011

 SLIP NUMBER:
472964
☐ MASTERCARD ☐ VISA

CARD NUMBER:

TOTAL:

\$ 2,062.50

NAME ON CARD:

EXPIRY DATE:

SIGNED:

SEND TO:

MICHAEL GREEN PTY LTD
205 WILLIAM STREET
MELBOURNE, VICTORIA
AUSTRALIA 3000

SOLICITOR:

CLARENDON LAWYERS

6977500

DUE TO:

MR. S. HOPPER

3783

PAYING BY CHEQUE, MAKE CHEQUE PAYABLE TO 'MICHAEL GREEN PTY LTD'
 PAYING BY CREDIT CARD, COMPLETE THE DETAILS AND POST, FAX OR PHONE
 PAYING BY EFT DEPOSIT, COMMONWEALTH BANK - BSB: 083 089 A/C: 1010 8402 - FAX OR EMAIL NOTIFICATION
 IF RECEIPT REQUIRED, RETURN THIS PAGE INTACT WITH PAYMENT

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 © Copyright 1997-2011 E-Commerce Australia Pty Ltd
 www.e-commerce.net.au Info@e-commerce.net.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 12 December 2011

Tel: 9225 6857
Fax: 9225 8485

Subject In the matter of Timbercorp Almonds Appeal

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$375 per hour (including GST) and \$3,000 per day (including GST).

Date	Narration	Total
29 November 2011	Summary for Court of Appeal (2 ¾ hours)	\$1,031.25
30 November 2011	Settling Court of Appeal summary (1 ¼ hour)	\$468.75
9 December 2011	Considering agreed summary of facts (1 hour)	\$375.00
12 December 2011	Considering summary of facts (½ hour)	\$187.50
	Total fees (inc GST):	\$2,062.50

472964

TAX INVOICE

INVOICE NUMBER: INVGTB8	PROCESSED DATE: 20/02/2012
FEES DUE TO: Mr Garry Bigmore QC	
ABN: 50805058321	
OUR REF: 128	
YOUR REF: Michael Fernon	
Mr Michael Fernon Clarendon Lawyers Level 17, North Rialto Tower 525 Collin Street Melbourne, Victoria, 3000	

YOUNG'S LIST

Young's List Pty Ltd
 ABN 58 153 974 184
 Joan Rosanove Chambers
 Level 1, 550 Lonsdale Street
 Melbourne Victoria 3000

GPO BOX 4770
 MELBOURNE VICTORIA 3001
 DX 86 Melbourne VIC

T: 03 9225 6777
 F: 03 9225 6355
 E: tammy@youngslist.com.au
 www.youngslist.com.au

21 FEB 2012

NAME OF CAUSE/MATTER
Timbercorp (Almonds Appeal)

Date	PARTICULARS	FEES	GST	GST
13/02/2012	Settling submissions to VSCA	\$700.00	10%	\$70.00
In the absence of an agreement to the contrary, this tax invoice is payable within 90 days of this tax invoice being given. Interest under s.3.4.21 of the Legal Profession Act 2004 may be charged on unpaid legal costs and is payable if the costs are not paid:		Total Fees	\$700.00	
i. 30 days after this tax invoice is given and at the Cash Rate Target as set by the Reserve Bank of Australia, as at the date of issue of this tax invoice, increased by 2 percentage points; or		Total GST	\$70.00	
ii. In accordance with a costs agreement at the rate specified in the costs agreement.		Total Due	\$770.00	

Notification of Rights under s.3.4.35 of the Legal Profession Act 2004 - Your rights in relation to legal costs:

1. Requesting an itemised bill;
2. discussing your concerns with us;
3. having our costs assessed;
4. making a complaint to the Legal Services Commissioner;
5. applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled 'Your right to challenge legal costs'. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website).

For and on behalf of:
 Tamara L Young
 Legal Professional Act 2004
 Per: *[Signature]*

Approved By: *MIF*
 Ledger/Matter: 100297
 Signed: *[Signature]*
 Date: 21/2/12

From 01/07/2008, liability limited by a scheme approved under Professional Standards legislation

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PLEASE MAKE CHEQUE PAYABLE TO "Young's List Pty Ltd"

SOLICITORS NAME:	Clarendon Lawyers
FEES DUE TO:	Mr Garry Bigmore QC
SEND TO:	Young's List Pty Ltd GPO BOX 4770 MELBOURNE VICTORIA 3001

PROCESSED
 20/02/2012

INVOICE NUMBER:	INVGTB8
REFERENCE	128
TOTAL:	\$770.00

DIRECT DEPOSIT

BSB: 083-028 Account Number: 12-451-4492
 Account Name: Young's List Pty Ltd
 Description/ Reference: 128 - Inv no: INVGTB8

PLEASE EMAIL REMITTANCE ADVICE TO:
 tammy@youngslist.com.au - CASE REF: 128, INVOICE NO: INVGTB8,
 BARRISTER: Mr Garry Bigmore QC

30 March 2012

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

our ref: MJF:CL:1100297
invoice no: B08021
your ref:

Eli Goldfinger
MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

Dear Eli

Almonds Apportionment Appeal - SAPCI 2011 103

We **enclose** a memorandum of our professional costs in respect of this matter for the period to 25 March 2012, details of which are set out in the attached schedule.

If you have any queries, please contact us.

Yours faithfully

Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419
E-mail: michael.fernon@clarendonlawyers.com.au

Encl.

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 30 March 2012
our ref: MJF:CL:1100297
invoice no: B08021
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

PROFESSIONAL COSTS

To our professional costs as per the attached schedule:

	GST	
Professional Costs subject to GST	\$658.50	\$6,585.00

DISBURSEMENTS

("*" indicates a disbursement paid as your agent)

	GST	
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 476472 - 190312	\$336.36	\$3,363.64

Subtotal		\$9,948.64
GST @ 10%		\$994.86
Invoice Total		\$10,943.50

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is not paid in accordance with our terms

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 30 March 2012
our ref: MJF:CL:1100297
invoice no: B08021
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
28/02/12	CJA	Telephone attendance on S Hopper re submissions.	2.00	\$85.00
28/02/12	CJA	Peruse email from S Hopper; discuss with M Ong.	2.00	\$85.00
28/02/12	CJA	Peruse email from S Hopper.	1.00	\$42.50
28/02/12	CJA	Search transcripts; email to S Hopper.	4.00	\$170.00
28/02/12	CJA	Settle letter to Registrar.	2.00	\$85.00
28/02/12	CJA	Internal meeting with C Curtain and M Ong.	3.00	\$127.50
14/03/12	CJA	Peruse email from J Joseph; consider submissions.	7.00	\$297.50
14/03/12	CJA	Email to clients.	2.00	\$85.00
14/03/12	CJA	Email to counsel.	2.00	\$85.00
14/03/12	MXO	Perusing respondents' outline submission and list of authorities.	12.00	\$390.00
19/03/12	CJA	Peruse email from S Hopper; search for and collate requested information; email to S Hopper.	14.00	\$595.00
20/03/12	MXO	Reviewing submissions in reply prepared by G Bigmore & S Hopper; preparing covering letter for filing of submission with court of appeal; perusing practice notes for preparing note on proposed content of appeal book & proposed directions for preparing appeal book; reviewing & amending proposed index to appeal book.	53.00	\$1,722.50
20/03/12	CJA	Peruse email from S Hopper; consider and search transcripts; email to S Hopper.	2.00	\$85.00
20/03/12	CJA	Various discussions and emails with S Hopper re preparing and settling reply submissions.	8.00	\$340.00
20/03/12	CJA	Settle and sign letter.	1.00	\$42.50
21/03/12	MXO	Reviewing documents & preparing proposed orders for directions on preparing appeal book; reviewing & amending proposed index to appeal book.	25.00	\$812.50
22/03/12	CJA	Various emails and discussions regarding the appeal book index.	5.00	\$212.50
23/03/12	CJA	Review and discuss draft correspondence to other parties; various discussions with M Ong and S Hopper.	10.00	\$425.00
23/03/12	CJA	Attending to correspondence with other parties re communication to court.	2.00	\$85.00
23/03/12	MXO	Preparing draft letter to solicitors for respondents seeking extension of time to file revised agreed note of proposed content to appeal book; revising & amending it; telephone attendances on B Rechter of AAR, C Fenwick of Ashurst & D Briggs of ABL to follow up on same.	25.00	\$812.50
				\$6,585.00
GST				\$658.50
Total Professional Costs				\$7,243.50

FEE EARNER SUMMARY

	Hourly Rate	Hours	Amount
Celia Armstrong	425.00	6.70	\$2,847.50
Michelle Ong	325.00	11.50	\$3,737.50
		18.20	\$6,585.00
GST			\$658.50
Total Professional Fees			\$7,243.50

REMITTANCE ADVICE

Bill to: MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: MJF:1100297:B08021
Invoice Date: 30 March 2012
Invoice No: B08021
Amount Due: \$10,943.50
Payable By: 13 April 2012

Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to **Clarendon Lawyers Pty Ltd** for **\$10,943.50** to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number **1100297:B08021**

2. ☐ BANK TRANSFER

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Transfer Amount: **\$10,943.50**

Swift Code (overseas transfer only): **NATAAU3303M**

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: 083170
Account: 856779023

Please quote reference **1100297:B08021** and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Card Type (Please tick):

☐ Visa

☐ MasterCard

Expiry Date: _____

Amount Due: **\$10,943.50**

Please note that if this invoice is paid by credit card after the due date, a 1.5% additional fee will apply as provided for in our Terms of Engagement.

Name on Card: _____

Signature: _____

Please quote reference **1100297:B08021** and fax this advice to us.

Your Rights in Relation to Legal Costs

The following avenues are available to you if you are not happy with this bill -

- requesting an itemised bill;
- discussing your concerns with us;
- having our costs assessed;
- making a complaint to the Legal Services Commissioner;
- applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website - <http://www.lsc.vic.gov.au>).

If you have any concerns about our legal costs, or our legal services, please do not hesitate to speak to the director responsible for your matter. If we cannot satisfactorily resolve your concern with you, the above avenues are available.

Amount due for payment within 14 days
Please return with your payment

GAR001_1100297_135

GREENS LIST

 SLIP NUMBER:
476472

 PROCESSED DATE:
19-03-2012

 FEES DUE TO:
MR. S. HOPPER

ABN #: 43 873 876 570

SOLICITOR:

6977500

 CLARENDON LAWYERS
G.P.O. BOX 4930
MELBOURNE 3001

 Michael Green Pty Ltd
as Trustee for the
Green Family Trust
ABN: 76 924 553 989
205 William Street
Melbourne Victoria
Australia 3000
Phone: (03) 9225 7222
Fax: (03) 9225 8485
DX: 98

E-Mail: payments@greenslist.com.au

TAX INVOICE

REFERENCE:

MICHAEL FERNON

 NAME OF CAUSE OR MATTER:
TIMBERCORP ALMONDS APPEAL

DATE	PARTICULARS	FEES
15-03-2012	AS PER ATTACHED MEMORANDUM OF FEES	3,700.00
	Approved By: <u>MJF</u> Ledger/Matter: <u>1100297</u> Signed: <u>[Signature]</u> Date: <u>22/3/12</u>	
In the absence of an arrangement to the contrary the fees are payable within 30 days of this account Interest is payable on this bill under the Legal Profession Act 2004 as amended, either; 1. Under S 3.4.21(1) if this bill is unpaid 30 days or more after being given to the recipient. The rate of interest payable is 6.25%. 2. or under S3.4.21(2) in accordance with a costs agreement.		TOTAL: \$ 3,700.00

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$338.36

Legal Profession Act 2004 [as amended] - Notification of your rights

The following avenues are open to you in the event of a dispute in relation to legal costs:

- You may seek a costs review under Division 7 of Part 3.4 of the Act.
Such application must be made to the Costs Court Registrar within 12 months after
 - The bill was given or the request for payment was made, or
 - The costs were paid if neither a bill was given nor a request was made.

 For and on behalf of:
Michael Green - Approved Clerk
Legal Profession Act 2004

 Per: [Signature]

- If this bill is subject to a costs agreement you may apply to VCAT to have that agreement set aside under Section 3.4.32 of the Act.
You may make a complaint under Chapter 4 of the Act - "Complaints and Discipline" - to the Legal Services Commissioner. Such a complaint must be made within 60 days after the legal costs are payable or, if an itemised bill is requested, within 30 days after the itemised bill is provided.

Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PROCESSED: 19-03-2012

 SLIP NUMBER:
476472

☐ MASTERCARD ☐ VISA

CARD NUMBER:

 TOTAL:
\$ 3,700.00

NAME ON CARD:

EXPIRY DATE:

SIGNED:

SEND TO:

 MICHAEL GREEN PTY LTD
205 WILLIAM STREET
MELBOURNE, VICTORIA
AUSTRALIA 3000

 SOLICITOR:
CLARENDON LAWYERS

6977500

 DUE TO:
MR. S. HOPPER

3783

 PAYING BY CHEQUE, MAKE CHEQUE PAYABLE TO 'MICHAEL GREEN PTY LTD'
 PAYING BY CREDIT CARD, COMPLETE THE DETAILS AND POST, FAX OR PHONE
 PAYING BY EFT DEPOSIT, COMMONWEALTH BANK - BSB: 063 009 A/C: 1010 8402 - FAX OR EMAIL NOTIFICATION
 IF RECEIPT REQUIRED, RETURN THIS PAGE INTACT WITH PAYMENT

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 www.e-commerce.net.au info@e-commerce.net.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 15 March 2012

Tel: 9225 6857
Fax: 9225 8485

Subject **In the matter of Timbercorp Almonds Appeal**

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$400 per hour (including GST) and \$3,200 per day (including GST).

Date	Narration	Total
10 February 2012	Appeal submissions (2 ½ hours)	\$1,000.00
13 February 2012	Amending submissions; teleconference with Garry Bigmore QC (¾ hour)	\$300.00
14 February 2012	Submissions (3 hours)	\$1,200.00
22 February 2012	Considering submissions and email to Celia Armstrong (¾ hour)	\$300.00
28 February 2012	Appeal submissions (1 ¼ hours)	\$500.00
	Total fees (inc GST):	\$3,700.00

476472

30 April 2012

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

our ref: MJF:CL:1100297
invoice no: B08200
your ref:

Eli Goldfinger
MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

Dear Eli

Almonds Apportionment Appeal - SAPCI 2011 103

We **enclose** a memorandum of our professional costs in respect of this matter for the period to 27 April 2012, details of which are set out in the attached schedule.

If you have any queries, please contact us.

Yours faithfully

Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419
E-mail: michael.fernon@clarendonlawyers.com.au

Encl.

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 30 April 2012
our ref: MJF:CL:1100297
invoice no: B08200
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

PROFESSIONAL COSTS

To our professional costs as per the attached schedule:

	GST	
Professional Costs subject to GST	\$1,086.45	\$10,864.50

DISBURSEMENTS

("*" indicates a disbursement paid as your agent)

	GST	
Optus Billing Services Pty Ltd - Teleconference Charges - 13.02.12 - 12.03.12	\$3.75	\$37.45
Young's List Pty Ltd - Barristers fees - G Bigmore QC - Fee slip INVGTB28 - 040412	\$70.00	\$700.00
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 477389 - 030412	\$372.73	\$3,727.27
Michael Green Pty Ltd - Barristers fees - S Hopper - Fee slip 477849 - 170412	\$54.55	\$545.45

Subtotal	\$15,874.67
GST @ 10%	\$1,587.48
Invoice Total	\$17,462.15

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is not paid in accordance with our terms

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 30 April 2012
our ref: MJF:CL:1100297
invoice no: B08200
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
26/03/12	MXO	Telephone attendances on Ashurst, ABL and AAR re request for extension of time to comply with orders of the Court of Appeal; preparing proposed minutes of consent orders; forwarding to respective parties for execution; following up for return of executed copies.	6.00	\$195.00
26/03/12	CJA	Email to counsel.	1.00	\$42.50
26/03/12	CJA	Various internal discussions with M Ong re correspondence with other parties and consent orders.	3.00	\$127.50
27/03/12	MXO	Reviewing and forwarding proposed minute of consent orders to Court of Appeal registry.	2.00	\$65.00
29/03/12	CJA	Telephone attendance on S Hopper.	2.00	\$85.00
03/04/12	CJA	Peruse email and letter from Ashurst.	2.00	\$85.00
05/04/12	CJA	Various emails.	2.00	\$85.00
05/04/12	CJA	Prepare amended appeal book index.	10.00	\$425.00
10/04/12	CJA	Reviewing submissions and preparing revised proposed appeal book index.	12.00	\$510.00
10/04/12	CJA	Drafting proposed further directions.	7.00	\$297.50
10/04/12	CJA	Email to S Hopper.	2.00	\$85.00
11/04/12	CJA	Email to all parties.	3.00	\$127.50
11/04/12	CJA	Various telephone attendances on S Hopper; finalising draft proposed further directions.	8.00	\$340.00
11/04/12	CJA	Telephone attendance on B Rechter.	2.00	\$85.00
12/04/12	CJA	Email to B Rechter.	2.00	\$85.00
16/04/12	CJA	Telephone attendance on C Garnaut.	2.00	\$85.00
16/04/12	CJA	Telephone attendance on J Joseph.	2.00	\$85.00
16/04/12	CJA	Telephone attendance on S Hopper.	2.00	\$85.00
16/04/12	CJA	Peruse email from J Joseph; consider enclosures.	4.00	\$170.00
16/04/12	CJA	Email to counsel.	2.00	\$85.00
16/04/12	CJA	Telephone attendance on B Rechter.	2.00	\$85.00
16/04/12	CJA	Telephone attendance on M Grose.	2.00	\$85.00
16/04/12	CJA	Preparing to file.	4.00	\$170.00
16/04/12	CJA	Preparing to serve.	3.00	\$127.50
16/04/12	CJA	Telephone attendance on S Hopper.	2.00	\$85.00
16/04/12	CJA	Telephone attendance on S Hopper.	2.00	\$85.00
16/04/12	CJA	Email to all parties.	2.00	\$85.00
17/04/12	EAO	Updating Court Folder.	7.00	\$94.50
17/04/12	CJA	Internal meeting with M Fernon.	2.00	\$85.00
17/04/12	CJA	Peruse email from S Hopper.	1.00	\$42.50
17/04/12	CJA	Email to AAR.	2.00	\$85.00
17/04/12	CJA	Attend to filing proposed index to appeal book.	4.00	\$170.00
17/04/12	CJA	Attend to service of proposed index to appeal book.	2.00	\$85.00
17/04/12	CJA	Telephone attendance on C Fenwick.	2.00	\$85.00
17/04/12	CJA	Email to C Fenwick.	1.00	\$42.50
17/04/12	CJA	Telephone attendance on J Joseph (x2)	3.00	\$127.50
17/04/12	CJA	Telephone attendance on S Hopper.	1.00	\$42.50
17/04/12	CJA	Telephone attendance on C Garnaut.	4.00	\$170.00
18/04/12	EAO	Updating court documents.	3.00	\$40.50
18/04/12	CJA	Peruse email from G Bigmore; email to G Bigmore.	4.00	\$170.00
18/04/12	EAO	Preparing plan for preparing Appeal Book.	36.00	\$486.00
19/04/12	CJA	Letter and email to Ashurst.	5.00	\$212.50
19/04/12	CJA	Telephone attendance on C Fenwick; email to C Garnaut.	3.00	\$127.50
20/04/12	CJA	Consider preparation of appeal book; discuss with E Orum.	4.00	\$170.00
20/04/12	CJA	Peruse email from C Garnaut.	1.00	\$42.50
20/04/12	CJA	Email to C Garnaut.	1.00	\$42.50

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
20/04/12	EAO	Preparing Appeal Book.	22.00	\$297.00
23/04/12	CJA	Discuss with M Fernon; arrange meeting with CWF.	2.00	\$85.00
23/04/12	CJA	Supervising E Orum.	6.00	\$255.00
23/04/12	CJA	Discussion with C Finlayson; email to C Fenwick.	3.00	\$127.50
23/04/12	EAO	Preparing Appeal Book.	56.00	\$756.00
24/04/12	CJA	Telephone attendance on C Fenwick.	1.00	\$42.50
24/04/12	CJA	Supervise E Orum.	3.00	\$127.50
24/04/12	EAO	Preparing Appeal Book.	54.00	\$729.00
24/04/12	CJA	Email to T Schubert.	1.00	\$42.50
24/04/12	CJA	Supervise E Orum; review checklist.	5.00	\$212.50
26/04/12	EAO	Preparing Appeal Book.	57.00	\$769.50
27/04/12	CJA	Various emails with E Orum; consider attachment; discuss with E Orum; drafting cover note.	8.00	\$255.00
27/04/12	EAO	Preparing Appeal Book- creating document cover sheets.	72.00	\$972.00
GST				\$10,864.50
Total Professional Costs				
				\$1,086.45
				\$11,950.95

FEE EARNER SUMMARY

	Hourly Rate	Hours	Amount
Celia Armstrong	425.00	15.20	\$6,460.00
Edward Orum	135.00	30.70	\$4,144.50
Michelle Ong	325.00	0.80	\$260.00
			46.70
			\$10,864.50
GST			
			\$1,086.45
Total Professional Fees			
			\$11,950.95

REMITTANCE ADVICE

Bill to: MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: CJA:1100297:B08200
Invoice Date: 30 April 2012
Invoice No: B08200
Amount Due: \$17,462.15
Payable By: 14 May 2012

Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to Clarendon Lawyers Pty Ltd for \$17,462.15 to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number 1100297:B08200

2. ☐ BANK TRANSFER

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Transfer Amount: \$17,462.15

Swift Code (overseas transfer only): NATAAU3303M

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: 083170
Account: 856779023

Please quote reference 1100297:B08200 and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Card Type (Please tick):

☐ Visa

☐ MasterCard

Expiry Date: _____

Amount Due: \$17,462.15

Name on Card: _____

Please note that if this invoice is paid by credit card after the due date, a 1.5% additional fee will apply as provided for in our Terms of Engagement.

Signature: _____

Please quote reference 1100297:B08200 and fax this advice to us.

Your Rights in Relation to Legal Costs

The following avenues are available to you if you are not happy with this bill -

- requesting an itemised bill;
- discussing your concerns with us;
- having our costs assessed;
- making a complaint to the Legal Services Commissioner;
- applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website - <http://www.lsc.vic.gov.au>).

If you have any concerns about our legal costs, or our legal services, please do not hesitate to speak to the director responsible for your matter. If we cannot satisfactorily resolve your concern with you, the above avenues are available.

Amount due for payment within 14 days
Please return with your payment

RECEIVED
6 APR 2012

YOUNG'S LIST

BY:

Mr Michael Fernon
Clarendon Lawyers
Level 17, Rialto North Tower
525 Collins Street
Melbourne
Victoria 3000

TAX INVOICE

Fee due to Mr Garry Bignore QC

ABN: 50805058321

Invoice Number: INVGTB28

Processed Date: 04/04/2012

Your Reference: Michael Fernon

Our Reference: 128

Timbercorp (Almonds Appeal)

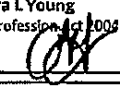
Date	Particulars	Fees	GST	GST
20/03/2012	Settling reply submissions. (Hours Worked: 1h 0m)	\$700.00	10%	\$70.00
In the absence of an agreement to the contrary, this tax invoice is payable within 30 days of this tax invoice being given. Interest under s.3.4.21 of the Legal Profession Act 2004 may be charged on unpaid legal costs and is payable if the costs are not paid:		Total Fees	\$700.00	
i. 30 days after this tax invoice is given and at the Cash Rate Target as set by the Reserve Bank of Australia, as at the date of issue of this tax invoice, increased by 2 percentage points; or		Total GST	\$70.00	
ii. in accordance with a costs agreement at the rate specified in the costs agreement.		Total Due	\$770.00	

Notification of Rights under s.3.4.35 of the Legal Profession Act 2004 - Your rights in relation to legal costs:

1. Requesting an itemised bill;
2. discussing your concerns with us;
3. having our costs assessed;
4. making a complaint to the Legal Services Commissioner;
5. applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs". You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website).

For and on behalf of:
Tamara L Young
Legal Profession Act 2004

Per: 

Approved By: 
Ledger/Matter: 1100297
Signed: 
Date: 6/4/12

From 01/07/2008, liability limited by a schema approved under Professional Standards legislation

PAYMENT OPTIONS

BPAY

Please pay via BPAY (Information to the right).

Cheque

Please make cheque payable to "Young's List Pty Ltd" for the sum of .

* Note: Credit card payments incur a 1.20% surcharge. If paying by credit card, the total payable for this invoice is \$779.24

	Bill Code: 196683
	Ref: 003000288
Telephone & Internet Banking - BPAY* Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au	

PLEASE EMAIL REMITTANCE ADVICE TO: tammy@youngslist.com.au - CASE REF: 128, INVOICE NO: INVGTB28, BARRISTER: Mr Garry Bignore QC

JOAN ROSANOVE CHAMBERS | LEVEL 1, 550 LONSDALE STREET, MELBOURNE VICTORIA 3000
Telephone 03 9225 6777 Facsimile 03 9225 6355 | ABN 58 153 974 184 | youngslist.com.au

GREENS LIST

Michael Green Pty Ltd
as Trustee for the
Green Family Trust
ABN: 76 924 553 989
205 William Street
Melbourne Victoria
Australia 3000
Phone: (03) 9225 7222
Fax: (03) 9225 8485
DX: 98
E-Mail: payments@greenslist.com.au

SLIP NUMBER:
477389

PROCESSED DATE:
03-04-2012

BY:

FEES DUE TO:
MR. S. HOPPER

ABN #: 43 873 876 570

SOLICITOR:

6977500

CLARENDON LAWYERS
G.P.O. BOX 4930
MELBOURNE 3000

TAX INVOICE

REFERENCE:

MICHAEL FERNON

NAME OF CAUSE OR MATTER:
TIMBERCORP ALMONDS APPEAL

DATE	PARTICULARS	FEES
02-04-2012	AS PER ATTACHED MEMORANDUM OF FEES	4,100.00
	Approved By: <u>MF</u> Ledger/Matter: <u>1100297</u> Signed: <u>[Signature]</u> Date: <u>03/04/12</u>	
In the absence of an arrangement to the contrary the fees are payable within 30 days of this account. Interest is payable on this bill under the Legal Profession Act 2004 as amended, either; 1. Under S 3.4.21(1) if this bill is unpaid 30 days or more after being given to the recipient. The rate of interest payable is 6.25%. 2. or under S3.4.21(2) in accordance with a costs agreement.		TOTAL: \$4,100.00

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$372.73

Legal Profession Act 2004 [as amended] - Notification of your rights

The following avenues are open to you in the event of a dispute in relation to legal costs:

- You may seek a costs review under Division 7 of Part 3.4 of the Act.
Such application must be made to the Costs Court Registrar within 12 months after
 - The bill was given or the request for payment was made, or
 - The costs were paid if neither a bill was given nor a request was made.

For and on behalf of:
Michael Green - Approved Clerk
Legal Profession Act 2004

Per: [Signature]

- If this bill is subject to a costs agreement you may apply to VCAT to have that agreement set aside under Section 3.4.32 of the Act. You may make a complaint under Chapter 4 of the Act - "Complaints and Discipline" - to the Legal Services Commissioner. Such a complaint must be made within 60 days after the legal costs are payable or, if an itemised bill is requested, within 30 days after the itemised bill is provided.

Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PROCESSED: 03-04-2012

SLIP NUMBER:

477389

☐ MASTERCARD ☐ VISA

CARD NUMBER:

□ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □

TOTAL:

\$4,100.00

NAME ON CARD:

EXPIRY DATE:

□ □ □ □

SIGNED:

SEND TO:

MICHAEL GREEN PTY LTD
205 WILLIAM STREET
MELBOURNE, VICTORIA
AUSTRALIA 3000

SOLICITOR:

CLARENDON LAWYERS

6977500

DUE TO:

MR. S. HOPPER

3783

PAYING BY CHEQUE, MAKE CHEQUE PAYABLE TO MICHAEL GREEN PTY LTD
PAYING BY CREDIT CARD, COMPLETE THE DETAILS AND POST, FAX OR PHONE
PAYING BY EFT DEPOSIT, COMMONWEALTH BANK - BSB: 063 009 A/C: 1010 8402 - FAX OR EMAIL NOTIFICATION
IF RECEIPT REQUIRED, RETURN THIS PAGE INTACT WITH PAYMENT

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www.e-commerce.net.au info@e-commerce.net.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 2 April 2012

Tel: 9225 6857
Fax: 9225 8485

Subject In the matter of Timbercorp Almonds Appeal

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$400 per hour (including GST) and \$3,200 per day (including GST).

Date	Narration	Total
19 March 2012	Considering and drafting reply submissions (4 ¾ hours)	\$1,900.00
20 March 2012	Reply submissions (5 ¼ hours)	\$2,100.00
22 March 2012	Email correspondence (¼ hour)	\$100.00
	Total fees (inc GST):	\$4,100.00

477389

GREENS LIST

19 APR 2012

Michael Green Pty Ltd
as Trustee for the
Green Family Trust
ABN: 76 924 553 989
205 William Street
Melbourne Victoria
Australia 3000
Phone: (03) 9225 7222
Fax: (03) 9225 8485
DX: 98

E-Mail: payments@greenslist.com.au

SLIP NUMBER:
477849

PROCESSED DATE:
17-04-2012

FEES DUE TO:
MR. S. HOPPER

ABN #: 43 873 876 570

SOLICITOR:

6977500

CLARENDON LAWYERS
G.P.O. BOX 4930
MELBOURNE 3001

TAX INVOICE

REFERENCE:

MICHAEL FERNON

NAME OF CAUSE OR MATTER:
IN THE MATTER OF TIMBERCORP ALMONDS APPEAL

DATE	PARTICULARS	FEES
13-04-2012	AS PER ATTACHED MEMORANDUM OF FEES	600.00
	Approved By: <i>MSF</i> Ledger/Matter: <i>1100#297</i> Signed: <i>[Signature]</i> Date: <i>19/4/12</i>	
In the absence of an arrangement to the contrary the fees are payable within 30 days of this account Interest is payable on this bill under the Legal Profession Act 2004 as amended, either; 1. Under S 3.4.21(1) if this bill is unpaid 30 days or more after being given to the recipient. The rate of interest payable is 6.25%. 2. or under S3.4.21(2) in accordance with a costs agreement.		TOTAL: \$ 600.00

THE TOTAL AMOUNT IS INCLUSIVE OF 10.00% GST, \$54.55

Legal Profession Act 2004 [as amended] - Notification of your rights

The following avenues are open to you in the event of a dispute in relation to legal costs:

- You may seek a costs review under Division 7 of Part 3.4 of the Act.
Such application must be made to the Costs Court Registrar within 12 months after
 - The bill was given or the request for payment was made, or
 - The costs were paid if neither a bill was given nor a request was made.

For and on behalf of:
Michael Green - Approved Clerk
Legal Profession Act 2004

Per: *[Signature]*

2. If this bill is subject to a costs agreement you may apply to VCAT to have that agreement set aside under Section 3.4.32 of the Act.
You may make a complaint under Chapter 4 of the Act - "Complaints and Discipline" - to the Legal Services Commissioner. Such a complaint must be made within 60 days after the legal costs are payable or, if an itemised bill is requested, within 30 days after the itemised bill is provided.
Professional Standards Act 2003 [Vic] - "Liability limited by a scheme approved under Professional Standards Legislation"

REMITTANCE ADVICE

(PLEASE DETACH HERE AND RETURN WITH REMITTANCE)

PROCESSED: 17-04-2012

SLIP NUMBER:

477849

☐ MASTERCARD ☐ VISA

CARD NUMBER:

TOTAL:

\$ 600.00

NAME ON CARD:

EXPIRY DATE:

SIGNED:

SEND TO:

MICHAEL GREEN PTY LTD
205 WILLIAM STREET
MELBOURNE, VICTORIA
AUSTRALIA 3000

SOLICITOR:

CLARENDON LAWYERS

6977500

DUE TO:

MR. S. HOPPER

3783

PAYING BY CHEQUE, MAKE CHEQUE PAYABLE TO 'MICHAEL GREEN PTY LTD'
Paying by credit card, complete the details and post, fax or phone
Paying by EFT deposit, COMMONWEALTH BANK - BSB: 063 009 A/C: 1010 8402 - FAX OR EMAIL NOTIFICATION
IF RECEIPT REQUIRED, RETURN THIS PAGE INTACT WITH PAYMENT

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www.e-commerce.net.au info@e-commerce.net.au

Memorandum of fees – Sam Hopper

To Michael Fernon
Clarendon Lawyers

From Sam Hopper
Barrister

Date 13 April 2012

Tel: 9225 6857
Fax: 9225 8485

Subject In the matter of Timbercorp Almonds Appeal

Set out in the table below are my fees accrued to date in the above matter. My clerk will forward to you with this memorandum a tax invoice for the outstanding amount.

Fees are incurred at the rate of \$400 per hour (including GST) and \$3,200 per day (including GST).

Date	Narration	Total
11 April 2012	Attending to directions and index to Appeal Book (1 ½ hours)	\$600.00
	Total fees (inc GST):	\$600.00

477849



Level 17 Rialto North Tower
525 Collins Street Melbourne
Victoria 3000 Australia

T 03 8681 4400 F 03 8681 4499
www.clarendonlawyers.com.au
ABN 15 774 771 940

31 May 2012

our ref: MJF:CL:1100297
invoice no: B08388
your ref:

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

Eli Goldfinger
MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

Dear Eli

Almonds Apportionment Appeal - SAPCI 2011 103

We **enclose** a memorandum of our professional costs in respect of this matter for the period to 31 May 2012, details of which are set out in the attached schedule.

If you have any queries, please contact us.

Yours faithfully




Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419
E-mail: michael.fernon@clarendonlawyers.com.au

Encl.



Level 17 Rialto North Tower
525 Collins Street Melbourne
Victoria 3000 Australia

T 03 8681 4400 F 03 8681 4499
www.clarendonlawyers.com.au
ABN 15 774 771 940

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 31 May 2012
our ref: MJF:CL:1100297
invoice no: B08388
contact: Michael Fernon
your ref:

ABN **TAX INVOICE**
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

PROFESSIONAL COSTS

To our professional costs as per the attached schedule:

	GST
Professional Costs subject to GST	\$1,337.90 \$13,379.00

DISBURSEMENTS

(* indicates a disbursement paid as your agent)

	GST
Mail Call Couriers - Courier Fee	\$1.99 \$19.86
Mail Call Couriers - Courier Fee	\$1.99 \$19.86
Supreme Court of Victoria - Setting down fee	\$755.20
Mail Call Couriers - Courier Fee	\$1.99 \$19.86
LitSupport Pty Ltd - Specialist Photocopying	\$87.64 \$876.40
LitSupport Pty Ltd - Photocopying - preparation of final court books	\$207.45 \$2,074.50

Subtotal	\$17,144.68
GST @ 10%	\$1,638.96
Invoice Total	\$18,783.64

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is not paid in accordance with our terms

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 31 May 2012
our ref: MJF:CL:1100297
invoice no: B08388
contact: Michael Fernon
your ref:

ABN

TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
30/04/12	CJA	Peruse and comment on draft appeal book; discuss with E Orum.	25.00	\$1,062.50
30/04/12	CJA	Email to J Joseph.	2.00	\$85.00
30/04/12	EAO	Preparing Appeal Book.	50.00	\$675.00
30/04/12	EAO	Meeting with C Armstrong about Appeal Book.	16.00	\$216.00
01/05/12	CJA	Supervise E Orum.	6.00	\$255.00
01/05/12	EAO	Applying rules for leases and sub-leases to appeal book.	49.00	\$661.50
02/05/12	CJA	Various emails and telephone attendances on E Orum re preparation of the appeal book; peruse amended proposed index to appeal book.	6.00	\$255.00
02/05/12	CJA	Amend draft proposed directions.	2.00	\$85.00
02/05/12	CJA	Email to all parties.	2.00	\$85.00
02/05/12	CJA	Peruse emails from J Joseph.	2.00	\$85.00
02/05/12	CJA	Peruse email from B Rechter.	1.00	\$42.50
02/05/12	EAO	Amending and preparing appeal book.	60.00	\$810.00
03/05/12	CJA	Telephone call to B Rechter.	1.00	\$42.50
03/05/12	CJA	Telephone call to B Rechter.	1.00	\$42.50
03/05/12	CJA	Telephone attendance on B Rechter.	1.00	\$42.50
03/05/12	CJA	Review and amend proposed index to appeal book.	13.00	\$552.50
03/05/12	CJA	Further amend proposed directions.	2.00	\$85.00
03/05/12	CJA	Email to all parties.	3.00	\$127.50
03/05/12	CJA	Telephone attendance on B Rechter.	2.00	\$85.00
03/05/12	EAO	Scanning and saving Appeal Book.	16.00	\$216.00
03/05/12	EAO	Amending index to appeal book and document cover sheets	36.00	\$486.00
03/05/12	EAO	Drafting letter to the Registrar of Court of Appeal.	6.00	\$81.00
04/05/12	CJA	Peruse email from B Rechter.	1.00	\$42.50
04/05/12	CJA	Peruse email from C Fenwick.	1.00	\$42.50
04/05/12	CJA	Peruse email from M Grose.	1.00	\$42.50
04/05/12	CJA	Supervise E Orum; preparation of appeal book.	10.00	\$425.00
04/05/12	CJA	Attending to filing further revised proposed index to appeal book and proposed directions.	3.00	\$127.50
04/05/12	CJA	Attending to service of further revised proposed index to appeal book.	2.00	\$85.00
04/05/12	EAO	Photocopying appeal book.	22.00	\$297.00
04/05/12	EAO	Amending Appeal Book document cover pages.	20.00	\$270.00
04/05/12	EAO	Re paginating and compiling document.	31.00	\$418.50
06/05/12	CJA	Peruse draft appeal book.	15.00	\$637.50
07/05/12	CJA	Attending to finalising Appeal Book.	35.00	\$1,487.50
07/05/12	CJA	Amend appeal book index.	0.00	\$0.00
07/05/12	CJA	Settling letters enclosing appeal book.	6.00	\$255.00
07/05/12	EAO	Amending and printing Appeal Book.	66.00	\$891.00
08/05/12	ELD	Drafting and sending power of attorney for David Butterfield.	5.00	\$67.50
08/05/12	CJA	Various emails re payment of funds to Ashurst.	3.00	\$127.50
08/05/12	CJA	Instruct and supervise E Dinsdale re: power of attorney for D Butterfield.	3.00	\$127.50
11/05/12	EAO	Updating Court Documents folder.	8.00	\$108.00
15/05/12	EAO	Drafting Deed of Acknowledgment.	37.00	\$499.50
16/05/12	EAO	Further drafting Deed of Acknowledgment.	5.00	\$67.50
17/05/12	EAO	Attending Registry to collect appeal book.	6.00	\$81.00
17/05/12	CJA	Peruse correspondence from Court of Appeal; internal discussions.	3.00	\$127.50
21/05/12	EAO	Amending Deed of Acknowledgment	21.00	\$283.50
22/05/12	EAO	Correcting Appeal Book.	2.00	\$27.00
28/05/12	CJA	Following up payment of Ashurst's costs.	2.00	\$85.00
29/05/12	CJA	Review amended Appeal Book.	2.00	\$85.00
29/05/12	CJA	Supervise O Orum.	3.00	\$127.50
30/05/12	ELD	Drafting enclosing letters for Appeal Book.	3.00	\$40.50



SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
30/05/12	CJA	Various emails following up payment of Ashurst's costs.	3.00	\$127.50
31/05/12	CJA	Supervise E Orum.	5.00	\$212.50
31/05/12	CJA	Settle and sign letters of service.	2.00	\$85.00
				\$13,379.00
GST				
Total Professional Costs				\$1,337.90
				\$14,716.90

FEE EARNER SUMMARY

	Hourly Rate	Hours	Amount
Celia Armstrong	425.00	16.90	\$7,182.50
Edward Orum	135.00	45.10	\$6,088.50
Ebony Dinsdale	135.00	0.80	\$108.00
		62.80	\$13,379.00
GST			
Total Professional Fees			\$1,337.90
			\$14,716.90

REMITTANCE ADVICE

Bill to: MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: CJA:1100297:B08388
Invoice Date: 31 May 2012
Invoice No: B08388
Amount Due: \$18,783.64
Payable By: 14 June 2012



Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to **Clarendon Lawyers Pty Ltd** for **\$18,783.64** to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number **1100297:B08388**

2. ☐ BANK TRANSFER

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Transfer Amount: **\$18,783.64**

Swift Code (overseas transfer only): **NATAAU3303M**

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: 083170
Account: 856779023

Please quote reference **1100297:B08388** and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Card Type (Please tick):

Expiry Date: _____

- ☐ Visa
☐ MasterCard

Amount Due: **\$18,783.64**

Please note that if this invoice is paid by credit card after the due date, a 1.5% additional fee will apply as provided for in our Terms of Engagement.

Name on Card: _____

Signature: _____

Please quote reference **1100297:B08388** and fax this advice to us.

Your Rights in Relation to Legal Costs

The following avenues are available to you if you are not happy with this bill -

- requesting an itemised bill;
- discussing your concerns with us;
- having our costs assessed;
- making a complaint to the Legal Services Commissioner;
- applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website - <http://www.lsc.vic.gov.au>).

If you have any concerns about our legal costs, or our legal services, please do not hesitate to speak to the director responsible for your matter. If we cannot satisfactorily resolve your concern with you, the above avenues are available.

Amount due for payment within 14 days
Please return with your payment



Level 17 Rialto North Tower
525 Collins Street Melbourne
Victoria 3000 Australia

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www.clarendonlawyers.com.au
ABN 15 774 771 940

31 July 2012

**STRICTLY PRIVATE & CONFIDENTIAL
TO BE OPENED BY ADDRESSEE ONLY**

our ref: MJF:CL:1100297
invoice no: B08712
your ref:

Eli Goldfinger
MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

Dear Eli

Almonds Apportionment Appeal - SAPCI 2011 103

We enclose a memorandum of our professional costs in respect of this matter for the period to 31 July 2012, details of which are set out in the attached schedule.

If you have any queries, please contact us.

Yours faithfully

Michael Fernon
Director
Clarendon Lawyers Pty Ltd

Tel: 03 8681 4419

E-mail: michael.fernon@clarendonlawyers.com.au

Encl.



Level 17 Rialto North Tower
525 Collins Street Melbourne
Victoria 3000 Australia

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www.clarendonlawyers.com.au
ABN 15 774 771 940

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 31 July 2012
our ref: MJF:CL:1100297
invoice no: B08712
contact: Michael Fernon
your ref:

ABN TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

PROFESSIONAL COSTS

To our professional costs as per the attached schedule:

	GST	
Professional Costs subject to GST	\$106.70	\$1,067.00
Subtotal		\$1,067.00
GST @ 10%		\$106.70
Invoice Total		\$1,173.70

Amount due for payment within 14 days

We reserve the right to charge interest under the *Penalty Interest Rates Act 1983* if this account is
not paid in accordance with our terms

MRB Equities Pty Ltd, Redvil Pty Ltd and
Ferrari Investments Holdings Pty Ltd
C/- EGA Corporate Advisers
Level 18, 499 St Kilda Road
MELBOURNE VIC 3004

date: 31 July 2012
our ref: MJF:CL:1100297
invoice no: B08712
contact: Michael Fernon
your ref:

ABN TAX INVOICE
15 774 771 940

Almonds Apportionment Appeal - SAPCI 2011 103

SCHEDULE OF PROFESSIONAL COSTS

Date	Solicitor/Clerk	Description	Units	Value
29/05/12	EAO	Phoning other parties about appeal book.	6.00	\$81.00
29/05/12	EAO	Updating appeal book index.	14.00	\$189.00
29/05/12	EAO	Collecting Appeal Books to be amended.	13.00	\$175.50
31/05/12	EAO	Organising Appeal Books to disperse.	18.00	\$243.00
31/05/12	EAO	Proofreading enclosure letters.	6.00	\$81.00
31/05/12	EAO	Delivering appeal books.	22.00	\$0.00
27/06/12	CJA	Various emails regarding query from T Schubert.	7.00	\$297.50
				\$1,067.00
GST				\$106.70
Total Professional Costs				\$1,173.70

FEE EARNER SUMMARY

	Hourly Rate	Hours	Amount
Celia Armstrong	425.00	0.70	\$297.50
Edward Orum	135.00	7.90	\$769.50
		8.60	\$1,067.00
GST			\$106.70
Total Professional Fees			\$1,173.70

REMITTANCE ADVICE

Bill to: MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
Client Name: Garnaut Private Wealth Pty Ltd
Matter Name: Almonds Apportionment Appeal - SAPCI 2011 103
Our Ref: CJA:1100297:B08712
Invoice Date: 31 July 2012
Invoice No: B08712
Amount Due: \$1,173.70
Payable By: 14 August 2012



Please choose a payment method and return this advice to our office.

1. ☐ CHEQUE

Please return this advice with your cheque payable to **Clarendon Lawyers Pty Ltd** for **\$1,173.70** to:

Clarendon Lawyers Pty Ltd
GPO Box 4930
MELBOURNE VIC 3001

Please quote bill number **1100297:B08712**

2. ☐ BANK TRANSFER

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Transfer Amount: **\$1,173.70**

Swift Code (overseas transfer only): **NATAAU3303M**

Bank: National Australia Bank
Account Name: Clarendon Lawyers Pty Ltd

BSB: **083170**
Account: **856779023**

Please quote reference **1100297:B08712** and fax this advice to us.

3. ☐ CREDIT CARD

Please fax this advice to 03 8681 4499 or email accounts@clarendonlawyers.com.au stating the reference number and the amount paid.

Card Number: _____

Expiry Date: _____

Amount Due: **\$1,173.70**

Name on Card: _____

Signature: _____

Card Type (Please tick):

- ☐ Visa
☐ MasterCard

Please note that if this invoice is paid by credit card after the due date, a 1.5% additional fee will apply as provided for in our Terms of Engagement.

Please quote reference **1100297:B08712** and fax this advice to us.

Your Rights in Relation to Legal Costs

The following avenues are available to you if you are not happy with this bill -

- requesting an itemised bill;
- discussing your concerns with us;
- having our costs assessed;
- making a complaint to the Legal Services Commissioner;
- applying to set aside our costs agreement.

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled "Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website - <http://www.lsc.vic.gov.au>).

If you have any concerns about our legal costs, or our legal services, please do not hesitate to speak to the director responsible for your matter. If we cannot satisfactorily resolve your concern with you, the above avenues are available.

Amount due for payment within 14 days
Please return with your payment

GAR001_1100297_217

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COURT OF APPEAL**

SACPI 2011 0103

BETWEEN:

GRAHAM GOLDENBERG & ORS (according to the Schedule)

Appellants

- and -

BOSI SECURITY SERVICES LIMITED (ACN 009 413 852) & ORS (according to the schedule attached)

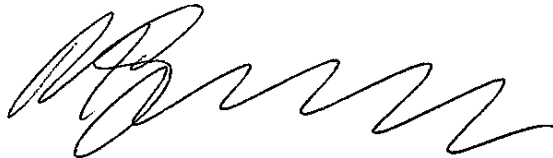
Respondents

EXHIBIT EG-15

Date of document:	27 September 2012
Filed on behalf of:	MRB Equities Pty Ltd, Redvil Pty Ltd and Ferrari Investments Holdings Pty Ltd
MGA Lawyers	Solicitors Code: 104101
Level 9,	Tel: 8631 5555
179 Queen Street	Fax: 8631 5599
MELBOURNE VIC 3000	Ref: MG5400/08

This is the exhibit marked "EG-15" now produced and shown to Eli Goldberg at the time of swearing his affidavit on 27 September 2012.

Before me:



MARK GEREMIA
Level 9 179 Queen Street, Melbourne VIC 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Act 2004

.....
MGA Lawyers, Level 9, 179 Queen St, Melbourne Vic
An Australian Legal Practitioner with the meaning of the Legal Practice Act
2001

"EG-15"
Account from Ashurst

Our ref: RWM\ CHFE\ 03 2010 2555
Partner: Ross McClymont
Direct line: 9679 3025
Email: ross.mcclymont@ashurst.com
Contact: Chris Fenwick
Direct line: 9679 3148
Email: chris.fenwick@ashurst.com

24 April 2012

Ashurst Australia
Level 26
181 William Street
Melbourne VIC 3000
Australia

GPO Box 9938
Melbourne VIC 3001
Australia

Tel +61 3 9679 3000
Fax +61 3 9679 3111
DX 388 Melbourne
www.ashurst.com

Attention: Celia Armstrong
Clarendon Lawyers
Level 17, Rialto North Tower
525 Collins Street
MELBOURNE VIC 3000

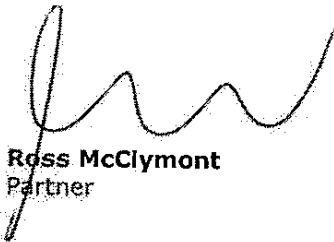
ashurst

Dear Celia

**Graham Goldenberg & Ors v BOSI Security Limited as trustee for Australia and New Zealand Banking Group Limited, BOS International Limited and Westpac Banking Corporation & Anor
Supreme Court Proceeding SAPCI 2011 103 (Proceeding)**

We refer to your email sent on 23 April 2012 and as requested now enclose a tax invoice payable by your clients in respect of the Orders made in the proceeding on 13 October 2011.

Yours faithfully



Ross McClymont
Partner

Chris Fenwick
Senior Associate

AUSTRALIA BELGIUM CHINA FRANCE GERMANY HONG KONG SAR INDONESIA (ASSOCIATED OFFICE) ITALY JAPAN
PAPUA NEW GUINEA SINGAPORE SPAIN SWEDEN UNITED ARAB EMIRATES UNITED KINGDOM UNITED STATES OF AMERICA

Ashurst Australia (ABN 75 304 286 095) is a general partnership constituted under the laws of the Australian Capital Territory carrying on practice under the name "Ashurst" under licence from Ashurst LLP. Ashurst LLP is a limited liability partnership registered in England and Wales, and is a separate legal entity from Ashurst Australia. In Asia, Ashurst Australia, Ashurst LLP and their respective affiliates provide legal services under the name "Ashurst". Ashurst Australia, Ashurst LLP or their respective affiliates has an office in each of the places listed above.

220154293.01

ashurst

T 61 3 9679 3000
F 61 3 9679 3111
DX 187 Melbourne

GPO Box 9938
Melbourne VIC 3001

ABN 75 304 286 095

Our reference
RWM CHFE 03 2010 2555

Date of issue
24 April 2012

Messrs Goldenberg, Littley,
Moshopoulos & Butterfield
c/- Clarendons Lawyers
Level 17 Rialto North Tower
525 Collins Street
MELBOURNE VIC 3000

Attention Graham Goldenberg, Christopher Littley,
Constantine Moshopoulos & David Butterfield

**Graham Goldenberg & Ors v BOSI Security Limited as trustee for
Australia and New Zealand Banking Group Limited, BOS International
Limited and Westpac Banking Corporation & Anor
Supreme Court Proceeding SAPCI 2011 103**

Amount due
\$25,000.00

Payment due
8 May 2012

Costs as agreed between the parties in respect of the Orders made in the Supreme
Court of Victoria Court of Appeal Proceeding No S APCI 2011 0103 on 13 October 2011

Total for this bill

\$25,000.00

\$25,000.00

Ashurst Australia

Statement

If the costs and disbursements in this bill are unpaid for 30 days after you have been given this bill, interest is payable on the unpaid costs and disbursements at the rate prescribed by regulations made under the Legal Profession Act 2004 (Vic), which is the percentage (or maximum percentage) specified by the Reserve Bank of Australia as the Cash Rate Target as at the date of the bill, increased by 2% per annum, unless we have agreed otherwise.

Your rights in relation to legal costs

The following avenues are available to you if you are not happy with this bill –

- requesting an itemised bill
- discussing your concerns with us
- having our costs assessed
- making a complaint to the Legal Services Commissioner
- applying to set aside our costs agreement

There may be other avenues available in your State or Territory (such as mediation). Time limits apply to the avenues for resolving costs disputes. For more information about your rights, please read the fact sheet titled Your right to challenge legal costs. You can ask us for a copy, or obtain it from the Legal Services Commissioner (or download it from their website).

EFT Payment – Bills Only

Account Name: Ashurst
Bank: ANZ
BSB: 013 030
Account No: 7750 69986
Swift Code: ANZB AU 3M
Reference: 0001A

Account Enquiry

Ms Jaya Ramalingam
T 61 3 9679 3467
E jaya.ramalingam
@blakedawson.com