

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

List E

No. S CI 2010 1354

**BETWEEN:**

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

Plaintiff

and

**B.B OLIVES PTY LTD (IN LIQUIDATION) (ACN 083 992) & ORS  
(according to the Schedule)**

Defendants

**AFFIDAVIT OF PAMELA JAN DRY**

Date of document:  
Filed on behalf of:  
Prepared by:  
Clarendon Lawyers  
Level 17, Rialto North Tower  
525 Collins Street  
MELBOURNE VIC 3000

2 October 2012  
the Eight Defendant

Tel: 03 8681 4400  
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Solicitors Code: 101294  
Ref: MJF:1000133

[michael.fernon@clarendonlawyers.com.au](mailto:michael.fernon@clarendonlawyers.com.au)

I, **PAMELA JAN DRY** of 11 Timbertop Ridge, Warrandyte, Victoria, 3113, make oath and say that:

- 1 I make this affidavit on my own behalf and except where I otherwise indicate, the matters deposed to in this affidavit are deposed to from my own personal knowledge of the facts.
- 2 On 29 June 2009 I attended the second meeting of creditors for the Timbercorp group and discussed with some people at that meeting the fact that I was a grower in the 2007 Timbercorp Olive Project.
- 3 Shortly after the second creditors meeting, I was contacted by Clarendon Lawyers and asked to be a representative grower. I agreed.
- 4 I was unable to attend the conference on 20 July 2012 to discuss the advice from counsel as I was travelling at the time.
- 5 I received the written advice from counsel by email and I reviewed it after I returned to Melbourne on 21 July 2012.
- 6 On 21 July 2012 I spoke with Celia Armstrong of Clarendon Lawyers and gave her my instructions that I agreed to accept the compromise.
- 7 In deciding to accept the compromise I acted independently of anyone else.



8 I have no business or personal relationship with Chris Garnaut

SWORN by **PAMELA JAN DRY**  
at Melbourne in the State of Victoria  
this ~~Second~~ day of October 2012

) *Pamela J. Dry*  
)  
)

Before me:.....  


**SARAH DORN**  
of Clarendon Lawyers Pty Ltd  
Level 17, Rialto North Tower  
525 Collins St, Melbourne Victoria 3000  
an Australian Legal Practitioner within the  
meaning of the *Legal Profession Act 2004*

**SCHEDULE**

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

**BETWEEN**

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

Plaintiff

**B.B. OLIVES PTY LTD (IN LIQUIDATION) (ACN 083 992 367)**

First Defendant

**ALMOND LAND PTY LTD (IN LIQUIDATION) (ACN 091 460 392)**

Second Defendant

**TIMBERCORP LIMITED (IN LIQUIDATION) (ACN 055 185 067)**

Third Defendant

**MARK ANTHONY KORDA**

**(in his capacity as liquidator of Almond Land Pty Ltd (in liquidation))**

**(in his capacity as liquidator of B.B. Olives Pty Ltd (in liquidation))**

**(in his capacity as liquidator of Timbercorp Limited (in liquidation))**

Fourth Defendant

**LEANNE KYLIE CHESSER**

**(in her capacity as liquidator of Almond Land Pty Ltd (in liquidation))**

**(in her capacity as liquidator of Timbercorp Limited (in liquidation))**

Fifth Defendant

**MARK FRANCIS XAVIER MENTHA**

**(in his capacity as liquidator of B.B. Olives Pty Ltd (in liquidation))**

Sixth Defendant

**MICHAEL CHARLES VICARY**

**(as the representative of the Growers in the 2006 Timbercorp Olive Project (ARSN 119 182 179))**

Seventh Defendant

**PAMELA JAN DRY**

**(as the representative of the Growers in the 2007 Timbercorp Olive Project (ARSN 123 155 715))**

Eighth Defendant

**DAVID BUTTERFIELD**

**(as the representative of the Growers in the 2008 Timbercorp Olive Project (ARSN 129 307 722))**

Ninth Defendant