

B E T W E E N

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 083 992 367) & ORS (according to the attached Schedule)

Defendant

SUMMONS
(BB Olives Rights Proceeding)

Date of document: 27 August 2012

Filed on behalf of: The Plaintiff

Prepared by:

Ashurst Australia
Level 26
181 William Street
Melbourne VIC 3000

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Ref: RWM 03 2010 2555

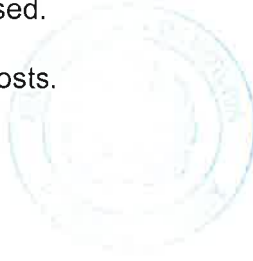
To: the first to ninth defendants.

You are summoned to attend before the Court on the hearing of an application by the plaintiff (**BOSI**) for the following orders:

1. Pursuant to rule 16.01(4) of the *Supreme Court (General Civil Procedure) Rules 2005*, the compromise set out in clause 2 of the Deed of Compromise dated 25 July 2012 between the plaintiff and the first to ninth defendants (the **Compromise**) is approved and shall be binding on the absent persons who are represented by the seventh, eighth and ninth defendants.

Further, BOSI seeks orders by consent that:

2. The proceeding is dismissed.
3. There be no order as to costs.



This application will be returnable before the Honourable Justice Judd in Court No. ³,
Supreme Court, ~~210 William Street, Melbourne~~, on 31 August 2012 at 10 am for a directions
hearing. **450 LITTLE BOURKE STREET, MELBOURNE**

DATE: ²⁷August 2012



This summons was filed by Ashurst Australia of Level 26, 181 William Street, Melbourne,
solicitors for the plaintiff.

SCHEDULE OF PARTIES

**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 083 992 367)**

First Defendant

and

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

Second Defendant

and

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

Third Defendant

and

**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))**

Fourth Defendant

and

**LEANNE KYLIE CHESSER
(in her capacity as liquidator of B.B. Olives Pty Ltd (in liquidation))**

Fifth Defendant

and

**MARK FRANCIS XAVIER MENTHA
(in his capacity as liquidator of B.B. Olives Pty Ltd (in liquidation))**

Sixth Defendant

and

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



Seventh Defendant

and

PAMELA JAN DRY

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

Eighth Defendant

and

DAVID BUTTERFIELD

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

Ninth Defendant

