

Notice to clients

**MF Global Australia Limited (administrators appointed)  
MF Global Securities Australia Limited (administrators appointed)  
Brokerone Pty Limited (administrators appointed)  
together, the "Companies".**

## **FIRST CREDITORS' MEETINGS ON 11 NOVEMBER 2011**

We refer to our previous communications, as follows:

- dated 1 November 2011, to all clients;
- dated 3 November 2011, to all clients; and
- dated 3 November 2011, to creditors and clients (**Creditor Circular**).

Since their appointment at 7:45am on 1 November 2011, the administrators of the Companies have continued to review the approximately 20,700 client account records held by the Companies and hundreds of client communication and queries that have been received.

The administrators of the Companies have also continued over the weekend of 5 and 6 November 2011 directly to liaise with the representatives of the other companies in the MF Global group, including those with control of those companies through their respective insolvency procedures.

The purpose of this communication is to provide further information for clients regarding the first meeting of creditors of the Companies which are scheduled for Friday 11 November 2011 in Sydney (**First Creditors' Meetings**).

The Creditor Circular was transmitted to clients as part of the formal notification of the First Creditors' Meetings that the Companies' administrators are required to provide under the *Corporations Act 2001* (Cth) (**Corporations Act**).

By order of the Supreme Court of New South Wales dated 3 November 2011, the administrators were permitted to notify creditors and clients of the First Creditors' Meetings by sending the formal notice of the First Creditors' Meeting to the e-mail address of any creditor who was provided with a financial service by any of the Companies for whom the Companies' administrators have an e-mail address.

The Creditor Circular constituted that form of notice to creditors. A notice of the First Creditors' Meetings was also published in *The Australian*, the *Sydney Morning Herald* and *The Age* on 3 November 2011 and was posted to a number of other parties that are recorded in the Companies' records as being creditors.

The administrators are continuing to review all of the information available to them in the Companies' records and from other sources of information, with a view to ensuring that client positions are identified and reconciled. At this stage of their investigations, the Administrators are unlikely to be able to determine definitively whether or not individual account holders are creditors of the Companies.



Clients who believe that they may be owed funds by any or all of the Companies (including from the return of client funds held by the Companies under the Corporations Act) are encouraged to lodge a proof of debt prior to the First Creditors' Meetings.

The administrators will accept proofs of debt by lodgement for the purposes of the First Creditors' Meetings using the email address [mfgaustralia@deloitte.com.au](mailto:mfgaustralia@deloitte.com.au) or using the other methods of lodgement provided in the Creditor Circular, by 4:00pm (Sydney time) on Thursday 10 November 2011.

Some answers to frequently-asked questions regarding the First Creditors' Meetings are provided below.

Yours faithfully,

**Christopher Campbell**  
**Joint administrator**  
**MF Global Australia Limited (administrators appointed)**  
**MF Global Securities Australia Limited (administrators appointed)**  
**Brokerone Pty Limited (administrators appointed)**



## **FIRST CREDITORS' MEETINGS ON 11 NOVEMBER 2011**

### **FREQUENTLY ASKED QUESTIONS**

First meetings of creditors have been convened for each of the Companies pursuant to section 436E(1) of the Corporations Act.

The first creditors' meetings will be held on Friday 11 November 2011 at 10:30am at the Sofitel Sydney Wentworth, Main Ballroom, 61-101 Phillip Street, Sydney, NSW, 2000 (**First Creditors' Meetings**).

This document provides in summary form answers to some of the questions that creditors and clients of the Companies have raised in advance of the First Creditors' Meetings.

This document does not constitute, and should not be interpreted in any way as constituting or relied upon as, legal advice. The information is a brief summary of some issues that may be relevant to the circumstances of individual clients and creditors.

Creditors and clients are encouraged to take independent legal advice in respect of their own individual circumstances, for example in respect of (a) any claims they may have, or may wish to assert, against the Companies and (b) in respect of the administration of the Companies generally.

#### **What is a first meeting of creditors?**

The Administrators are required to hold a meeting of the companies' creditors within eight business days of their appointment.

The administrators were appointed on 1 November 2011, so the First Creditors' Meetings have been scheduled to take place on Friday, 11 November 2011.

Further information is provided on the Australian Securities and Investments Commission (ASIC) website at [www.asic.gov.au](http://www.asic.gov.au).

#### **Am I a creditor of the Companies?**

Anyone who believes that they may have a claim against, or be owed money by, the Companies potentially is a creditor of the Companies.

Accordingly, if you are a client of any of the Companies, or have held a customer account with any of the Companies and believe that you have not been repaid money to which you are entitled (including client money), you may be a creditor of the Companies.

#### **Can I attend the first meeting of creditors?**

There are three separate meetings of creditors of the three Companies, although the administrators currently intend to hold those meetings concurrently on 11 November 2011.



Creditors who have lodged proofs of debt with the administrators, which are accepted by the administrators as claims against one or more of the Companies for voting purposes will be entitled to attend the First Creditors' Meeting.

Creditors can attend or observe the First Creditors' Meetings using the following media:

- **(in person)** by attending the meeting to be held at the Sofitel Sydney Wentworth, Main Ballroom, 61-101 Phillip Street, Sydney, NSW, 2000; and
- **(web access)** we are in the process of establishing a live feed to the meeting which will be available online (details will be confirmed as soon as they are available).

### **Proof of debt?**

In order to vote at the first meetings of creditors, you also need to submit a proof of debt to the Administrators.

The form of proof of debt was included with the Creditor Circular, a further copy of which is available through [www.deloitte.com/au/mfglobal](http://www.deloitte.com/au/mfglobal).

A proof of debt is a document in which you assert that you are a creditor of a company and how much you say a company owes you. You should provide relevant information in support of your claim, including:

- (a) your account number (if you are a client or hold a customer account with the Companies);
- (b) your estimated amount owed and an explanation of the basis for any calculations of that amount; and
- (c) supporting documentation (which can be enclosed with your proof of debt when submitted to the administrators).

The proof of debt submitted for these first meetings of creditors is used for voting purposes at the first meetings only and will not necessarily form the basis of any calculations made by the administrators for the purposes of distributing funds or other property to creditors.

Creditors will have subsequent opportunities to submit proofs of debt and amend the value of the amount you intend to claim against the Companies.

To enable a creditor to vote at the First Creditors' Meetings, proofs of debt must be submitted to the administrators prior to the First Creditors' Meetings to allow sufficient time to enable the administrators to consider and make a determination of claims based on the information provided.

Accordingly, the administrators ask that proofs of debt are submitted prior to 4pm (Sydney time), Thursday 10 November 2011.



You can submit your proof of debt as follows:

**By post:**

Deloitte Touche Tohmatsu  
Attention: Paul Redpath  
Level 9, Grosvenor Place  
225 George Street  
SYDNEY NSW 2000

**By email:**

mfgaustralia@deloitte.com.au

**What is a proxy?**

If you wish to vote at the meeting, but are unable to, or do not wish to attend the First Creditors' Meetings in person or by telephone, you may nominate someone to hold your proxy.

If you have not already received a proxy and believe that you are, or may be, a creditor of one of the Companies, a proxy form is available online through [www.deloitte.com/au/mfglobal](http://www.deloitte.com/au/mfglobal).

You can submit your proxy as follows:

**By post:**

Deloitte Touche Tohmatsu  
Attention: Paul Redpath  
Level 9, Grosvenor Place  
225 George Street  
SYDNEY NSW 2000

**By email:**

mfgaustralia@deloitte.com.au

In order to be valid and to allow the holder to vote at the meetings, the proxy must be submitted to the administrators to allow sufficient time to enable the administrators to consider and calculate voting entitlements prior to the First Creditors' Meetings.

Accordingly, the administrators ask that proxies are submitted prior to 4pm (Sydney time), Thursday 10 November 2011.