

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



S CI 2011 5202

IN THE MATTER of TASMANIAN PLANTATION PTY LTD ACN 009 560 463
 (subject to deed of company arrangement) (controllers acting), FOREST ENTERPRISES
 AUSTRALIA LIMITED ACN 009 553 548 (subject to deed of company arrangement)
 (receivers & managers appointed) and FEA CARBON PTY LTD ACN 009 505 195 (subject
 to deed of company arrangement) (receivers and managers appointed)

BETWEEN:

TASMANIAN PLANTATION PTY LTD ACN 009 560 Plaintiffs
 463 (SUBJECT TO DEED OF COMPANY
 ARRANGEMENT) (CONTROLLERS ACTING) and
 Others (according to the attached Schedule)

- and -

FEA PLANTATIONS LIMITED ACN 055 969 429 Defendants
 (SUBJECT TO DEED OF COMPANY ARRANGEMENT)
 (RECEIVERS APPOINTED)

ORDER



JUDGE: The Honourable Justice Ferguson

DATE MADE: 2 April 2012

ORIGINATING PROCESS: Originating Process filed 30 September 2011

HOW OBTAINED: On the papers.

ATTENDANCE: None.

OTHER MATTERS: The Defendant does not and will not object to the
 constitution of the proceeding, on the basis that the
 Plaintiffs acknowledge that the Defendant or any
 grower or growers subsequently added as a party may
 raise any defences that the Second Plaintiff (**FEA**)
 would be entitled to raise as the lessee of any leases.

THE COURT ORDERS BY CONSENT THAT:

1. By no later than 5:00pm on Monday 2 April 2012, the Defendant provide any request for further information in relation to the Plaintiffs' Statement of Facts and Contentions dated 4 November 2011.
2. By no later than 5:00pm on Thursday 5 April 2012, the Defendant respond to the Plaintiffs' request for further information in relation to the Defendant's Statement of Facts and Contentions and Counterclaim dated 16 February 2012, as contained in the letter from Maddocks to DLA Piper dated 1 March 2012.
3. By no later than 5:00pm on Tuesday 24 April 2012, the Plaintiffs respond to the Defendant's request for further information in relation to the Plaintiffs' Statement of Facts and Contentions dated 4 November 2011.
4. The directions hearing be adjourned to 27 April 2012.
5. Costs reserved.

DATE AUTHENTICATED: 2 April 2012



THE HONOURABLE JUSTICE FERGUSON

Schedule of Parties

Between:

TASMANIAN PLANTATION PTY LTD ACN 009 560 463 (SUBJECT TO DEED OF COMPANY ARRANGEMENT) (CONTROLLERS ACTING)

First Plaintiff

FOREST ENTERPRISES AUSTRALIA LTD ACN 009 553 548 (SUBJECT TO DEED OF COMPANY ARRANGEMENT) (RECEIVERS AND MANAGERS APPOINTED)

Second Plaintiff

FEA CARBON PTY LTD ACN 009 505 195 (SUBJECT TO DEED OF COMPANY ARRANGEMENT) (RECEIVERS AND MANAGERS APPOINTED)

Third Plaintiff

TIMOTHY BRYCE NORMAN AND SALVATORE ALGERI IN THEIR CAPACITY AS JOINT AND SEVERAL RECEIVERS AND MANAGERS OF FOREST ENTERPRISES AUSTRALIA LTD ACN 009 553 548 (SUBJECT TO DEED OF COMPANY ARRANGEMENT) (RECEIVERS AND MANAGERS APPOINTED) AND OF FEA CARBON PTY LTD ACN 009 505 195 (SUBJECT TO DEED OF COMPANY ARRANGEMENT) (RECEIVERS AND MANAGERS APPOINTED) AND AS CONTROLLERS OF TASMANIAN PLANTATION PTY LTD ACN 009 560 463 (SUBJECT TO DEED OF COMPANY ARRANGEMENT) (CONTROLLERS ACTING)

Fourth and Fifth Plaintiffs

- and -

FEA PLANTATIONS LIMITED ACN 055 969 429 (SUBJECT TO DEED OF COMPANY ARRANGEMENT) (RECEIVERS APPOINTED)

Defendant

