

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

- and -

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

ORDER



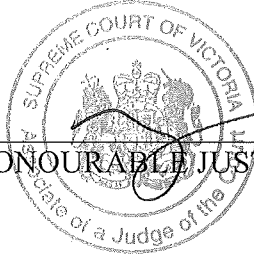
JUDGE: The Honourable Justice Ferguson
DATE MADE: 21 September 2012
ORIGINATING PROCESS: Originating Process filed 30 September 2011
HOW OBTAINED: On the papers.
ATTENDANCE: None.
OTHER MATTERS: Minutes of Consent placed on the Court file.

THE COURT ORDERS BY CONSENT THAT:

1. The Plaintiffs' Interlocutory Process dated 1 June 2012:
 - a. in respect of Taunton Enterprises Pty Ltd, be discontinued with the Plaintiffs to pay Taunton Enterprises Pty Ltd's costs of the application on a party-party basis; and
 - b. in respect of Peter Edward Lamb, be adjourned to 12 October 2012.

2. Costs otherwise be reserved.

DATE AUTHENTICATED: 21 September 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

