

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

F.5382
No. 2115 of 2001

BETWEEN:

**ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION PLAN PTY LTD
(ACN 065 590 178) (as Trustee of the Ansett Australia Ground Staff
Superannuation Plan) AND ANOTHER**

Plaintiffs

and

**ANSETT AUSTRALIA LIMITED (subject to deed of company arrangement)
(ACN 004 209 410) AND OTHERS**

Defendants

CERTIFICATE IDENTIFYING EXHIBIT

Date of document: 21 June 2002
Filed on behalf of: the first and second defendants
Prepared by:
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Paul Chiappi/Janet Belleli

This is the exhibit marked "DE-1" now produced and shown to Dominic Emmett at the time of swearing his affidavit on 24 June 2002

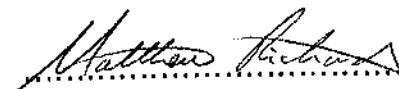

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Exhibit "DE-1"
Email dated 7 December 2001

Forwarded by Dominic Emmett on 10/12/2001 09:36

To: Dominic Emmett, Denis J. Thorn
CC:
Date: 07/12/2001 10:12
From: Nigel_Fish@ansett.com.au
Subject: Ansett Superannuation

Dominic & Denis,

As a result of the very poor returns experienced by the Ansett Superannuation Plans during the September Quarter a 'Notifiable Event' was

triggered for the four Defined Benefit Plans. The process required the Actuary

to determine whether the Plans had hit technical insolvency. The Actuary has

since drafted new Funding and Solvency certificates (comfortable that insolvency has not occurred) but importantly the Actuary has advised increases to at least the Ground Staff employer contribution rate from 9.0% to 14%. The Actuary, Paul Francis, is keen to discuss the issue with you.

Would you be available for say half an hour on Friday.

Regards,

Nigel

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Footer*****
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