

**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
AND OTHERS**

PLAINTIFFS

and

ANSETT AUSTRALIA LIMITED (Administrators Appointed) AND OTHERS

DEFENDANTS

AFFIDAVIT OF MARK WOLLAN

Date of Document: 12 February 2002
Filed on behalf of Mark Wollan.
Prepared by Wollan & Associates
Solicitors, Level 5, 121 Flinders Lane, Melbourne 3000

Solicitors Code 18645
Tel: 9654 0600
Fax: 9654 0611
Ref: MW

I, Mark Wollan of Level 5, 121 Flinders Lane, Melbourne, Victoria, Solicitor make oath and say that: -

1. I make this affidavit in support of my application for leave to intervene and to make submissions in this proceeding as an unsecured creditor of the First Defendant.

CLAIM AS AN UNSECURED CREDITOR

2. I am an Ansett 'Global Rewards' unsecured creditor of Ansett Australia Limited, the First Defendant in this proceeding. Now produced and shown to me and marked "MW1" is a true copy of a proof of debt that I have lodged with Mark Francis Xavier Mentha and Mark Anthony Korda as the Administrators of the First Defendant being the Second Defendants in these proceedings.
3. The debt owing to me by the First Defendant arose out of my membership of the Ansett Global Rewards frequent flyer programme. I was entitled to vote at the first part of the Second Meeting of Creditors held on 29 January 2002 and I have not been advised that my claim as a creditor has not been admitted to proof by the Second Defendants.

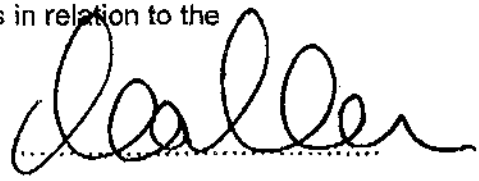
INTEREST IN PROCEEDINGS

4. The remedies and relief sought by the Plaintiffs could significantly affect my rights as an unsecured creditor of the First Defendant.
5. The solicitors for the First and the Second Defendants have provided me with copies of certain documents filed in this proceeding. I refer to the Amended

Originating Motion. The Plaintiffs seek answers to the questions set out therein. The nature of these answers will affect my rights as an unsecured creditor of the First Defendant. For example, the Plaintiffs seek declarations as to the liability of the First Defendant to make contributions (if any) to the Superannuation Plans by reason of the retrenchment or the non-retrenchment of certain staff. The answer to this question will affect the amount of any distribution to me as an unsecured creditor. Furthermore, questions of creditors' priorities will arise under section 556 (1) (e) the Corporations Act which will also affect the amount of any such distribution.

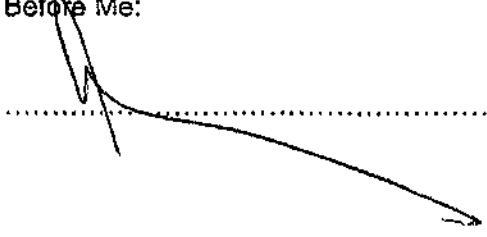
- 6. I am informed by the First and the Second Defendants' solicitors that their clients would prefer that my counsel present argument regarding the interests of myself and the unsecured creditors in relation to the above matters. I have been requested by the Second Defendants to "appear before the Court to argue the case for unsecured creditors". Now produced and shown to me and marked "MW2" is a letter to me dated 11 February 2002 from Messrs. Arnold Bloch Leibler, Solicitors for the First and Second Defendants.
- 7. At this stage, I cannot see the need to file any evidence. My role is likely to be limited to making submissions of law concerning the questions raised by the Plaintiffs based on the material filed by the existing parties to the proceeding.
- 8. I respectfully request that this honorable Court grant me leave to intervene in these proceedings so that I may make submissions in relation to the aforementioned matters.

SWORN BY MARK WOLLAN
at Melbourne in the State of Victoria



This 12th day of February 2002

Before Me:



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Name & Qualifications
MICHAEL WARREN
Roth Warren Solicitors
121 Flinders Lane, Melbourne
A natural person who is a current
practitioner within the meaning of
the Legal Practice Act 1996