

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

No. 2115/01
F.5382

BETWEEN

ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION PLAN PTY LTD
(A.C.N. 065 590 178) (as trustee of the Ansett Australia Ground Staff Superannuation
Plan) **AND OTHERS**

Plaintiffs

and

ANSETT AUSTRALIA LIMITED (A.C.N. 004 209 410) (Administrators Appointed) **AND
OTHERS**

Defendants

AFFIDAVIT OF PAUL FRANCIS CHIAPPI

Date of document: 7 February 2002
Filed on behalf of: the first and second defendants
Arnold Bloch Leibler
Lawyers & Advisers
Level 21
333 Collins Street
MELBOURNE 3000

Solicitor's Code: 54
DX 455 Melbourne
Tel: 9229 9647
Fax: 9229 9712
Ref: P Chiappi

I, **PAUL FRANCIS CHIAPPI**, of Level 21, 333 Collins Street, Melbourne Victoria,
solicitor, make oath and say:

- 1 I am a solicitor and partner of the firm Arnold Bloch Leibler of Level 21,
333 Collins Street, Melbourne Victoria. I have the care of this matter on behalf
of the first and second defendants.
- 2 On 25 January 2002, I wrote to the solicitors for the plaintiffs, Deacons,
querying the reason or reasons for the plaintiffs issuing these proceedings,
given that the first and second defendants had previously issued a proceeding
in the Federal Court, at the request of the plaintiffs, raising some of the matters

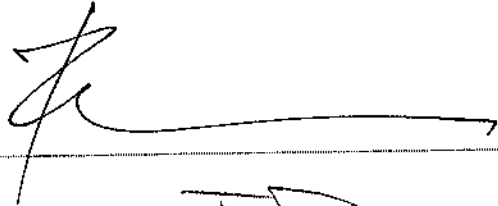


JANET BELLELI
ARNOLD BLOCH LEIBLER
LEVEL 21, 333 COLLINS STREET
MELBOURNE 3000
A NATURAL PERSON WHO IS A CURRENT
PRACTITIONER WITHIN THE MEANING OF
THE LEGAL PRACTICE ACT 1996.

raised in this proceeding. Now produced and shown to me marked "PFC4" is a copy of that letter. I have not had a response to that letter.

3 On 1 February 2002, I again wrote to Deacons seeking answers in relation to the jurisdictional basis for any objection they had to running the matters in issue in this proceeding in the Federal Court. Now produced and shown to me marked "PFC5" is a copy of that letter. I have not had a response from Deacons.

SWORN by PAUL FRANCIS CHIAPPI at)
Melbourne in the State of Victoria on)
7 February 2002)



Before me:



Print Name:

JANET BELLELI
ARNOLD BLOCH LEIBLER
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MELBOURNE 3000.
A NATURAL PERSON WHO IS A CURRENT
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THE LEGAL PRACTICE ACT 1986.