

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**

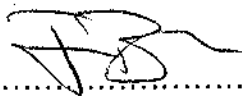
Defendants

**CERTIFICATE IDENTIFYING EXHIBIT**

Date of document: 7 February 2002  
Filed on behalf of: the 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

This is the exhibit marked "PFC4" now produced and shown to Paul Francis Chiappi at the time of swearing his affidavit on 7 February 2002



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 1980

**Exhibit "PFC4"**  
**Letter dated 25 January 2002 to Deacons**

25 January 2002

By facsimile: 9222 4222

Deacons  
Lawyers  
DX 445  
MELBOURNE

Your ref Peter Cash  
Our ref PC:SLI  
File no 01-1208689  
Doc no 125640

Direct fax: 9229 9712

Dear Sirs

**Ansett Australia Limited (Administrators Appointed) and the Trustees of the Ansett Australia Superannuation Plans**

We refer to the Supreme Court proceeding issued by your clients.

The relief sought at paragraphs 1 to 6 and 12 to 14 inclusive of the originating process in that proceeding can be dealt with by the Federal Court. The relief sought is clearly within the Federal Court's jurisdiction. The relief is sought in respect of a company under administration, in respect of the conduct of that company or its administrators and the relief sought may impact upon the interests of the company and of its unsecured creditors.

It is not clear to us what is sought by paragraphs 8 to 11 of the relief. We would be obliged if you would inform us as to the power, jurisdiction or basis on which the trustees rely in relation to the relief sought by these paragraphs. Would you please inform us of the circumstances in which it is thought that the Court would make the declarations sought.

It appears to us that paragraph 7 repeats the same issues or seeks the same relief as are raised or sought by paragraphs 1 to 6. We would be obliged if you would inform us of what other matters or issues are separately raised by paragraph 7.

If you believe that paragraph 7 does raise other issues or relief, would you please inform us why those issues or relief do not fall within the Federal Court's jurisdiction.

We would be obliged for your response to this letter as a matter of urgency. As you are aware, the Federal Court proceeding returns before Justice Goldberg on 1 February 2002. It is essential that we have your answer in sufficient time to allow these issues to be raised then.

Yours faithfully  
**ARNOLD BLOCH LEIBLER**

**Paul Chiappi**