

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE

**COMMERCIAL AND EQUITY DIVISION
COMMERCIAL LIST**

No. 2115/01 F5382

B E T W E E N :

**ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION PLAN PTY
LTD (ACN 065 590 178) (as Trustee of the ANSETT GROUND STAFF
SUPERANNUATION PLAN) & Ors**

Plaintiffs

and

**ANSETT AUSTRALIA LTD
(ADMINISTRATORS APPOINTED) (ACN 004 209 410) & Ors**

Defendants

SLB 3

Date of Document:	6 February 2002
Filed on behalf of:	The Plaintiffs
Prepared by:	Solicitor's Code: 564
Maurice Blackburn Cashman	Tel: 9605.2700
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This is the document marked SLB 3 now produced and shown to Simone Louise Bingham at the time of affirming this Affidavit this 6th day of February, 2002.

Before me:

Anne Gooley.....

ANNE GOOLEY
of 456 Lonsdale Street, Melbourne
a natural person who is a current
practitioner within the meaning
of the Legal Practice Act, 1996.

Deacons



(Incorporating Dunhill Madden Butler)

Your Ref: J Bornstein
Our Ref: 524015/354
Contact: Peter E Cash
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4 December 2001

Mr Joshua Bornstein
Maurice Blackburn Cashman
Lawyers
Level 10
456 Lonsdale Street
MELBOURNE VIC 3000

Dear Sirs

**ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION PLAN PTY
LTD & ORS ATS MENTHA & KORDA (AS ADMINISTRATORS OF ANSETT
AUSTRALIA LIMITED) - FEDERAL COURT PROCEEDING NO. V3075 OF
2001**

We refer to your letter dated 29 November 2001 and to the appearance of Mr Beach QC with Mr Quinn at the directions hearing on 29 November 2001.

We note that Mr Beach informed the court that he appeared "for the ACTU, 12 unions and relevant employees".

So far as you act on behalf of employees who are members of one or another of the superannuation plans that are the subject of this proceeding, we believe that it is necessary that you identify the relevant employees or classes of employees.

This is because the members of those superannuation plans, particularly the members of the ground staff plan, have a conflicting interest in the outcome of the proceeding.

Specifically, those members who have already been made "redundant" by the Administrators have a different interest to those who have not yet been made "redundant" but are likely to be in the near future, and each of those groups have a very different interest from those employees who will, if Ansett Mark II proceeds, either remain as employees of Ansett or resign in order to become employees of the relevant Tesna entity.

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Please let us have your urgent advice as to which of these 3 groups of employees you in fact represent.

Yours faithfully

Peter E Cash
Partner
Deacons