

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE**

**COMMERCIAL AND EQUITY DIVISION  
COMMERCIAL LIST**

No. 2115/01 F5382

**BETWEEN:**

**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 7**

**Date of Document:**

6 February 2002

**Filed on behalf of:**

The Plaintiffs

**Prepared by:**

Maurice Blackburn Cashman  
Lawyers  
Level 10, 456 Lonsdale Street  
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Ref: SLB

This is the document marked SLB 7 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)

*Transmission from facsimile (03) 8686 6505*

**Date** 24 January 2002

**To** Employment & Industrial Law Section

**Company/Firm** Maurice Blackburn Cashman

**City and Country**

**Fax No** 9600 2404

**From** Peter E Cash

**Direct Line** 8686 6672

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**Our Ref** 524015/00354

**Subject** FEDERAL COURT PROCEEDING NO. V 3-75 OF 2001

## Lawyers

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Number of Pages **3** (including this page)

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# Deacons



(Incorporating Dunhill Mudden Butler)

Your Ref: SG/1/85092/43  
Our Ref: 524015/00354  
Contact: Peter E Cash  
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24 January 2002

Maurice Blackburn Cashman  
Lawyers  
DX 466  
MELBOURNE

Dear Sirs

## FEDERAL COURT PROCEEDING NO. V 3075 OF 2001

We refer to your letter dated 22 January 2002.

Our clients issued an originating motion in the commercial list of the Supreme Court on 21 December 2001.

On 9 January 2002 the court made orders by consent joining 2 members of the Ground Staff Plan as defendants. The purpose of their joinder was to ensure that the respective interests of the members of the Plans that have and have not been made "redundant" are represented before the court. Each of those defendants have since appointed solicitors to represent them.

We are not aware of any basis for your firm being provided with copies of documents relating to this proceeding. Your clients, the ACTU and the various unions, are not and could not be parties in the proceeding. As discussed in our letter to Mr Bornstein of 7 December 2001, we do not accept that you can act for the members of the Plans. The interests of those members are in any event already represented by the third and fourth defendants. Moreover, having previously claimed to act for both the third and the fourth defendants in relation

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to the same matters that are now in issue in this proceeding, your firm would now be unable to represent any party.

~~Yours faithfully~~

Peter E Sash  
Partner  
Deacons