

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

F.5382

No. 2115 of 2001

**B E T W E E N:**

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 (according  
to the schedule attached)

Plaintiffs

- and -

ANSETT AUSTRALIA LIMITED (Administrators Appointed)  
(A.C.N. 004 209 410) and others (according to the schedule attached)

Defendants



**GENERAL FORM OF ORDER**

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JUDGE: The Honourable Justice Warren

DATE MADE: 14 June 2002

ORIGINATING PROCESS: Originating Motion Between Parties

HOW OBTAINED: On return of the order of the Honourable Justice Warren made  
22 March 2002.

ATTENDANCE: Mr. J.G. Santamaria, one of her Majesty's Counsel with  
Mr. D.M. Maclean of Counsel for the Plaintiffs.  
Mr. S. Whelan, one of Her Majesty's Counsel with  
Mr. T. J. Walker and Mr. B.M. McMahon of Counsel for the  
First and Secondnamed Defendants.  
Mr. M. Robins of Counsel for the Thirdnamed Defendant.  
Mr. A. Stops, the Solicitor for the Fourthnamed Defendant.

OTHER MATTERS: Not applicable.

**THE COURT ORDERS BY CONSENT:**

1. Paragraphs 5 to 11 of the order of the Honourable Justice Warren made on  
10 May 2002 are vacated.
2. The First and Secondnamed Defendants file and serve any affidavits upon which they  
intend to rely by 4.00 p.m. on 21 June 2002.

3. The Third and Fourthnamed Defendants file and serve any affidavits upon which they intend to rely by 4.00 p.m. on 25 June 2002.
4. The Firstnamed Plaintiff file and serve written submissions by 4.00 p.m. on 26 June 2002.
5. The First and Secondnamed Defendants file and serve written submissions by 4.00 p.m. on 4 July 2002.
6. The Third and Fourthnamed Defendants file and serve written submissions by 4.00 p.m. on 11 July 2002.
7. The hearing of the questions raised by, and the relief sought in, paragraphs 2, 5, 7 (insofar as it relates to the Ansett Transport Industries Ltd Pilots/Management Superannuation Plan), 9, 10, 11, 12(b), 13 (insofar as it relates to the Ansett Transport Industries Ltd Pilots/Management Superannuation Plan) and 14(b) of the second amended originating motion is adjourned sine die.
8. The First and Secondnamed Defendants by their solicitors respond in writing to the matters raised by the letters dated 30 April 2002 and 6 June 2002 from the Plaintiffs' solicitors by 4.00 p.m. on 17 June 2002.
9. The costs of this day are reserved.
10. Liberty is reserved to any party to apply upon 1 working days' prior notice to all other parties.

DATE AUTHENTICATED:           **24 June 2002**

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SM: 24/06/02



SCHEDULE OF PARTIES

F.5382

No. 2115 of 2001

**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) Firstnamed Plaintiff

ANSETT PILOTS/MANAGEMENT SUPERANNUATION  
PLAN PTY LTD (A.C.N. 065 590 043) (as trustee of the Ansett  
Transport Industries Limited Pilots/Management Superannuation Plan) Secondnamed Plaintiff

- and -

ANSETT AUSTRALIA LIMITED (Administrators Appointed)  
(A.C.N. 004 209 410) Firstnamed Defendant

MARK FRANCIS XAVIER MENTHA and  
MARK ANTHONY KORDA Secondnamed Defendants

RUSSELL THOMAS BOOTH Thirdnamed Defendant

JAMES HERBERT HENNESSY Fourthnamed Defendant

