

26 August 2003

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BY FACSIMILE

Anne Hassan
Associate to Hon. Justice Warren
Supreme Court of Victoria
210 William Street
MELBOURNE VIC 3000

Dear Ms Hassan

Ansett Australia Ground Staff Superannuation Plan P/L & Anor v Ansett Australia Ltd & Ors Supreme Court Proceeding No. 2115 of 2002 - Trial Costs

At the hearing yesterday morning, Her Honour gave leave for the first plaintiff to file by 5.00pm today a memorandum regarding two issues:

1. the percentage apportionment of costs; and
2. whether it persists with its submission that costs orders to be made between the plaintiffs.

We request that Her Honour regard this letter as the first plaintiff's memorandum on these issues.

Apportionment of costs

We confirm that the first plaintiff agrees that a reasonable apportionment of costs between the three main issues on which Her Honour gave judgment is 50 per cent to the first two questions (the retrenchment and obligation questions) and 50 per cent to the third question (on priority).

Orders between plaintiffs

We confirm that the first plaintiff no longer seeks orders as between it and the second plaintiff in relation to costs and that this should remain a private matter between the plaintiffs.

If you have any queries, please contact Julia Avis.

Yours faithfully

MINTER ELLISON

Solicitors for the first plaintiff



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Our reference: JFA 30-4185285

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