

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
BEFORE THE COURT OF APPEAL  
CIVIL DIVISION

No 2115 of 2001

BETWEEN

**ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION PLAN PTY LTD**  
(ACN 065 590 178) (as trustee of the Ansett Australia Ground Staff Superannuation Plan)

Appellant

and

**ANSETT AUSTRALIA LIMITED (Subject to Deed of Company Arrangement)**  
(ACN 004 209 410) & ORS

Respondents

**CERTIFICATE IDENTIFYING EXHIBIT**

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Date of document 15 April 2003

Filed on behalf of the appellant

Prepared by  
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Reference JFA RNF 30-4185285  
Ross Freeman

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This is the exhibit marked 'ALM-5' now produced and shown to **ANTHONY LEIGH MIDDLETON** at the time of affirming his affidavit on 15 April 2003.

before me



.....  
JULIA FRANCES AVIS  
525 Collins Street, Melbourne  
A current practitioner within the  
meaning of the Legal Practice Act 1996

**'ALM-5' Notice of  
contention dated 11 April  
2003**

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
BEFORE THE COURT OF APPEAL  
CIVIL DIVISION

No. 2115 of 2001

BETWEEN:

**ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION  
PLAN PTY LTD (ACN 065 590 178) (as trustee of the Ansett Australia  
Ground Staff Superannuation Plan)**

Appellant

and

**ANSETT AUSTRALIA LIMITED (Subject to a Deed of Company  
Arrangement) & ORS (ACN 004 209 410)**

Respondents

AND BETWEEN:

**ANSETT AUSTRALIA LIMITED (Subject to a Deed of Company  
Arrangement) & ORS (ACN 004 209 410)**

Cross Appellants

and

**ANSETT AUSTRALIA GROUND STAFF SUPERANNUATION  
PLAN PTY LTD (ACN 065 590 178) (as trustee of the Ansett Australia  
Ground Staff Superannuation Plan) & ORS**

Cross Respondents

**NOTICE OF CONTENTION**

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Date of document: 11 April 2003

Filed on behalf of the Respondents and Cross Appellants

Prepared by:

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TO: Ansett Australia Ground Staff Superannuation Plan Pty Ltd  
(ACN 065 590 178) (as trustee of the Ansett Australia Ground Staff  
Superannuation Plan)

TAKE NOTICE that the respondents/cross appellants will, at the hearing of the appeal to the Court of Appeal of the Supreme Court of Victoria against the judgment of orders made by the Honourable Justice Warren on 7 February 2003, contend that the orders made by her Honour in response to paragraphs 14(a) and (c) of the Originating Motion should be affirmed on the ground that the Ground Staff Superannuation Plan was continued for the mutual benefit of Ansett Australia Limited and its creditors on the one hand and the Trustee and the members of the Ground Staff Superannuation Plan on the other.

DATED: 11 April 2003

Arnold Bloch Leibler  
**Arnold Bloch Leibler**  
Solicitors for the respondents  
and cross-appellants