

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

S CI 2011

**IN THE MATTER OF WILLMOTT FORESTS LIMITED (RECEIVERS AND MANAGERS  
APPOINTED) (IN LIQUIDATION) (ACN 063 263 650)**

**WILLMOTT FORESTS LIMITED (RECEIVERS AND MANAGERS APPOINTED) (IN  
LIQUIDATION) (ACN 063 263 650) IN ITS CAPACITY AS RESPONSIBLE ENTITY OF THE  
MANAGED INVESTMENT SCHEMES LISTED IN SCHEDULE 2 AND IN ITS CAPACITY AS  
MANAGER OF THE UNREGISTERED SCHEMES LISTED IN SCHEDULES 3 AND 4  
AND ORS ACCORDING TO SCHEDULE 1**

Plaintiffs

**CERTIFICATE IDENTIFYING EXHIBIT**

Date of document: 13 December 2011  
Filed on behalf of: the Plaintiffs

Prepared by:  
**ARNOLD BLOCH LEIBLER**  
Lawyers and Advisers  
Level 21  
333 Collins Street  
MELBOURNE 3000

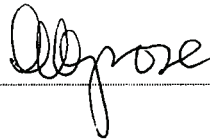
Solicitor's Code: 54  
DX 38455 Melbourne  
Tel: 9229 9999  
Fax: 9229 9900  
Ref: 011565031

(Kimberley MacKay: kmackay@abl.com.au)

This is the exhibit marked "CDC-9" now produced and shown to **CRAIG DAVID CROSBIE** at the time of swearing his affidavit on 13 December 2011.

**MEAGAN LOUISE GROSE**  
Arnold Bloch Leibler  
Level 21, 333 Collins Street  
Melbourne 3000  
An Australian Legal Practitioner within the  
meaning of the Legal Profession Act 2004

Before me: \_\_\_\_\_



**Exhibit "CDC-9"**  
**Letter from Clarendon Lawyers to ABL**  
**dated 28 November 2011**

28 November 2011

**Our Ref:** MAB:DXM:1100238  
MAB:DXM:1000479  
**Your Ref:** JCS

Jane Sheridan  
Arnold Bloch Liebler  
Level 21, 333 Collins St  
MELBOURNE VIC 3000

By email: JSheridan@abl.com.au

Dear Jane

**Willmott Forests Limited (receivers and managers appointed) (in liquidation)  
Liquidators' Asset Sale Campaign**

We refer to the sale campaign presently being conducted by your clients in relation to the assets of Willmott Forests Limited (receivers and managers appointed) (in liquidation) (**WFL**) including the land on which registered and unregistered schemes established and/or operated by WFL are located.

We refer to the email from Ms Kimberley MacKay to Mr Yu-chiao Hsueh sent 21 November 2011 at 10:34am in which Ms MacKay states:

*The liquidators are still in final stage negotiations. An application will be filed with the Court once the sale contracts have been signed. We are still hopeful that the application will be heard before the end of the year.*

**Growers Meeting**

A notice of meeting was issued 25 November 2011 calling a meeting of Growers in Willmott Forests 1995-1999 Project ARSN 089 598 612 (**Project**) to be held on 21 December 2011 (**Meeting**) to consider resolutions to approve and implement a revised proposal for the restructure and continuation of the Project (**New WGG Proposal**).

We enclose copies of the following:

- Covering letter to notice of meeting dated 25 November 2011;
- Notice of meeting dated 25 November 2011; and
- Other materials provided to Growers (proxy form; WGG Grower contribution form; and Grower details update form).

We request that you immediately provide a copy of the notice of meeting and the covering letter to the potential purchaser/s with whom your clients are in negotiations and confirm with the potential purchaser/s our clients' intention to continue the Project.

**Willmott Forests 1995-1999 Project**

As you are aware, Growers in the Willmott Forests 1995-1999 Project ARSN 089 598 612 (**Project**) have interests as lessees of land in the Bombala region. These interests are reflected in the relevant title by registered Forest Property Agreements.

In addition, we note that our clients have previously raised a potential claim to the land on which the Project has been established as scheme property of the Project.

We remind you that our client reserves all rights in relation to this potential claim.

We seek your confirmation that the potential purchaser/s with whom your clients are in negotiations have been put on notice of the Growers interests and the potential claim to the land.



If the potential purchaser/s has/have not been put on notice of these matters we request they are so immediately, and prior to any sale contract being executed.

**Unregistered managed investment schemes**

We refer to the following unregistered managed investment schemes established and/or managed by WFL and the Willmott Group:

- 1994 Grimsey & Associates Pty Ltd – Forestry Partnership No.1;
- 1994 Grimsey & Associates Pty Ltd – Forestry Partnership No.2;
- 1994 Grimsey & Associates Pty Ltd – Forestry Partnership No.3
- 1993 McKenzie Private Partnership No.11994,
- McKenzie Private Partnership No.2
- Sharp - Reed Plantation Project – 1998; and
- 1995 No Project.

(together the **Unregistered Schemes**)

We refer to previous correspondence of earlier this year and confirm that our client intends to facilitate and pursue the continuation of the Unregistered Schemes.

Again, we request your confirmation that the potential purchaser has been put on notice of our client's intention to continue the Unregistered Schemes.

Yours sincerely

pp. 

Mark Bland  
Director

Enc

Direct Tel: 03 8681 4415  
Email: [Mark.Bland@clarendonlawyers.com.au](mailto:Mark.Bland@clarendonlawyers.com.au)