

GREAT SOUTHERN MANAGERS AUSTRALIA LIMITED (ACN 083 825 405) (IN LIQUIDATION) IN ITS CAPACITY AS RESPONSIBLE ENTITY OF THE MANAGED INVESTMENT SCHEMES LISTED IN SCHEDULE 2 TO THE AMENDED ORIGINATING PROCESS

First Plaintiff

GREAT SOUTHERN OLIVES COMPANY LIMITED (ACN 121 381 208) (IN LIQUIDATION)

Second Plaintiff

GREAT SOUTHERN OLIVE HOLDINGS PTY LIMITED (ACN 111 092 374) (IN LIQUIDATION)

Third Plaintiff

ANDREW JOHN SAKER

Fourth Plaintiff

MARTIN BRUCE JONES

Fifth Plaintiff

DARREN GORDON WEAVER

Sixth Plaintiff

JAMES HENRY STEWART

Seventh Plaintiff

GREAT SOUTHERN OLIVE PROCESSING PTY LTD (ACN 128 547 437) (IN LIQUIDATION)

Eighth Plaintiff

JAMES GERARD THACKRAY

First Defendant

ANTHONY GREGORY MCGRATH

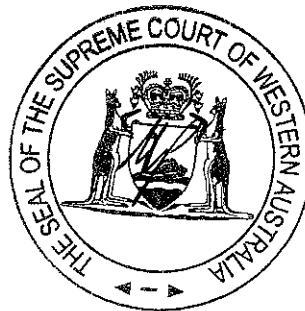
Second Defendant

COLIN MCINTOSH NICOL AND SIMON ANDREW READ

Third Defendants

THE GROWERS LISTED IN SCHEDULE 8 TO THE FURTHER AMENDED ORIGINATING PROCESS

Fourth Defendants



**ORDERS BEFORE THE HONOURABLE JUSTICE LE MIERE
22 OCTOBER 2010**

Date of Document: 25 October 2010
Date of Filing: 25 October 2010
Filed on behalf of: The plaintiffs

Prepared by
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UPON THE APPLICATION of the fourth defendants by interlocutory process dated 28 July 2010 filed in the consolidated Supreme Court actions COR 35 of 2010 and COR 252 of 2009 and UPON HEARING Mr R W Douglas of counsel for the first to eighth plaintiffs and Mr D J Marsh of counsel for the Growers Listed in Schedule 8 to the Further Amended Originating Process dated 12 August 2010 IT IS ORDERED THAT:

1. The application by interlocutory process dated 28 July 2010 (**Application**) by the fourth defendants named in schedule 1 to the Application (the **named fourth defendants**) be dismissed.
2. The named fourth defendants pay the plaintiffs' costs of the Application to be taxed if not agreed.
3. Nothing in this order shall prejudice any named fourth defendant from seeking costs the subject of the Application at the conclusion of the Rights Proceedings as defined in the orders made on 27 May 2010.



BY THE COURT

A handwritten signature in cursive script, appearing to read "R. Le Miere".

THE HONOURABLE JUSTICE LE MIERE