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IN THE SUPREME COURT OF WESTERN AUSTRALIA  
COMMERCIAL AND MANAGED CASES LIST

COR 35 OF 2010  
COR 252 OF 2009

IN THE MATTER OF GREAT SOUTHERN MANAGERS AUSTRALIA LIMITED  
(ACN 083 825 405) (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED)

GREAT SOUTHERN MANAGERS AUSTRALIA LIMITED (ACN 083 825 405) (IN  
LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) INCLUDING IN ITS CAPACITY  
AS RESPONSIBLE ENTITY OF THE MANAGED INVESTMENT SCHEMES LISTED IN  
SCHEDULE 2 TO THE FURTHER 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

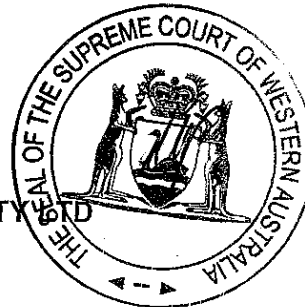
Second Defendant

COLIN MCINTOSH NICOL AND SIMON ANDREW READ

Third Defendants

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

Fourth Defendants



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**ORDERS  
BEFORE THE HONOURABLE JUSTICE LE MIERE  
21 SEPTEMBER 2010**

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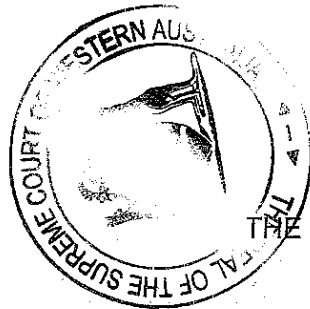
Case Manager	The Hon Justice Le Miere
Date of Document:	21 September 2010
Date of Filing:	21 September 2010
Filed on behalf of:	The plaintiffs

Prepared by  
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UPON THE APPLICATION of the first to eighth plaintiffs by Interlocutory Process dated 15 September 2010 and UPON HEARING Mr R W Douglas as counsel for the first to eighth plaintiffs and Mr K Reid as counsel for the 4065th fourth defendant IT IS ORDERED THAT:

1. Pursuant to s. 511 of the *Corporations Act 2001 (Cth)*, the fourth to seventh plaintiffs (**Liquidators**) are justified in varying the asset sale agreement between Kailis Organic Olive Groves Limited (ACN 095 927 969) and the first to eighth plaintiffs dated 26 March 2010, a true copy of which is confidential attachment AJS-83 to the second supplementary affidavit of Andrew John Saker sworn 7 April 2010, such variation to be substantially on the terms set out in confidential attachment AJS-201 to the confidential affidavit of Andrew John Saker sworn 15 September 2010 (**Deed of Variation**).
2. Pursuant to s. 477(2B) of the *Corporations Act 2001 (Cth)* the Court approves the Liquidators entry into the Deed of Variation.
3. The confidential affidavit of Andrew John Saker sworn 15 September 2010 and its annexures:
  - (a) be placed in a sealed envelope and marked '*Confidential - Not to be Accessed for Inspection except so far as the Court orders*';
  - (b) not be available for inspection so far as the Court orders; and
  - (c) any application to inspect the confidential affidavits or the attachments thereto be referred to a Judge or Master of the Court within 3 days notice thereof to be provided to the solicitors for the plaintiffs.



BY THE COURT

A handwritten signature in black ink, appearing to read 'J. Le Miere', is written over the text 'BY THE COURT'.

THE HONOURABLE JUSTICE LE MIERE