

IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR 35 OF 2010

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

**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 1**

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

**JAMES THACKRAY**

First Defendant

**TONY MCGRATH**

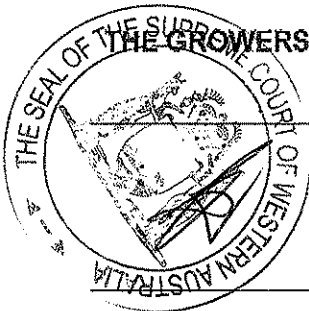
Second Defendant

**COLIN MCINTOSH NICOL**

Third Defendant

**THE GROWERS LISTED IN SCHEDULE 8 OF THE APPLICATION**

Fourth Defendants



**ORDER FOR DIRECTIONS  
BEFORE THE HONOURABLE JUSTICE LE MIERE  
28 APRIL 2010**

Date of Document: 28 April 2010  
Date of Filing: 28 April 2010  
Filed on behalf of: The plaintiffs

Prepared by  
**Middletons**  
Level 2  
6 Kings Park Road  
WEST PERTH WA 6005

Tel: (08) 9216 0900  
Fax: (08) 9216 0901  
Ref: JMH:20090355.353765  
james.healy@middletons.com

UPON THE APPLICATION of those fourth defendants listed in Schedule A to the Notice of Appearance dated 12 April 2010 by amended interlocutory process dated 28 April 2010 and UPON HEARING Mr R Douglas of counsel for the plaintiffs and Mr D Solomon and Mr D Marsh of counsel on behalf of those fourth defendants listed in Schedule A to the Notice of Appearance dated 12 April 2010 IT IS ORDERED that:

1. Upon Mr Robert Allen Burns signing a confidentiality undertaking in the form of confidentiality undertaking that appears at attachment NCC-26 to the affidavit of Natalie Claire Collins sworn 28 April 2010, the plaintiffs' shall serve on Mr Burns as agent for those fourth defendants listed in Schedule A to the Notice of Appearance dated 12 April 2010, the confidential affidavits listed in paragraphs 1.1 to 1.6 of the minute of proposed amended interlocutory process dated 28 April 2010 and the annexures attached to them.
2. The time for any defendant in these proceedings to file and serve any affidavits in opposition and any submissions in relation to the plaintiffs' interlocutory process dated 7 April 2010 be extended to Thursday, 6 May 2010.
3. There be liberty to apply.
4. Costs be reserved.

BY THE COURT



REGISTRAR