

**IN THE FEDERAL COURT OF AUSTRALIA
VICTORIA DISTRICT REGISTRY
DIVISION: CORPORATIONS**

No. VID 562 of 2010

IN THE MATTER OF: SONRAY CAPITAL MARKETS PTY LTD (IN LIQUIDATION)
(ACN 104 482 993)

**RE AN APPLICATION BY GEORGE GEORGES & JOHN ROSS
LINDHOLM**
IN THEIR CAPACITIES AS JOINT AND SEVERAL LIQUIDATORS OF
SONRAY CAPITAL MARKETS PTY LTD (IN LIQUIDATION) (ACN 104 482
993)

Plaintiffs

Pursuant to the orders of the Federal Court made on 2 August 2011 the liquidators propose the following protocol for the indemnification of the costs of parties that are granted leave to be heard in the proceeding in a representative capacity and incurs costs in so doing.

Indemnity Costs Protocol

- 1 Any costs incurred and sought to be reimbursed from the Segregated Accounts or otherwise must be not unreasonably incurred or of an unreasonable amount.
- 2 For the purposes of the proceeding, on any assessment or taxation of costs, the following costs shall be treated as unreasonably incurred or are of an unreasonable amount:
 - (a) travel costs, unless it is a disbursement of no more than \$200 in total;
 - (b) accommodation costs;
 - (c) photocopying or printing costs of more than \$0.20 per page;

Filed on behalf of: The plaintiffs
Prepared by:
Norton Rose Australia
RACV Tower, 485 Bourke Street
MELBOURNE VIC 3000

Solicitor's Code: 370
DX: 445 Melbourne
Tel: (03) 8686 6000
Fax: (03) 8686 6505
Ref: 2756016
Attention: Allan Kawalsky

- (d) fees of more than one senior counsel, and in respect of that senior counsel, fees in excess of \$6,000 per day (excluding GST) or pro-rated if part of a day;
- (e) fees of more than two junior counsel, and in respect of such junior counsel, fees for each junior counsel in excess of \$3,700 per day (excluding GST) or pro-rated if part of a day;
- (f) solicitor's fees in excess of the lesser of:
 - (i) the usual hourly rates of the solicitors working on the matter; or
 - (ii) solicitor's fees of:
 - (A) in the case of a partner—\$685 (excluding GST) per hour;
 - (B) in the case of a senior associate—\$570 (excluding GST) per hour;
 - (C) in the case of an employed solicitor above the level of an articled clerk—\$420 (excluding GST) per hour; and
 - (D) in the case of an articled clerk—\$250 (excluding GST) per hour.
- (g) fees for solicitors acting as Melbourne agents for any firm located outside Melbourne, but only to the extent that work is duplicated between the Melbourne solicitors and the firm located outside of Melbourne; and
- (h) expert witness fees, unless the court approves leave to engage an expert witness.

3 Costs are not payable unless and until the costs are agreed by the plaintiffs, assessed or taxed.