



Shareholder Update

**Alita Resources Limited (Subject to Deed of Company Arrangement) (Receivers and Managers Appointed)
ACN 147 393 735
(Alita)**

We refer to the Deed Administrators' and Receivers and Managers' previous announcements to shareholders dated 31 August 2023, 1 September 2023, 4 September 2023 and 6 September 2023 providing information on the Parent DOCA, the Proceedings and the Implementation Agreement.

Capitalised terms have the meaning given in our previous announcement unless otherwise stated.

Update on the Proceedings

As stated in our previous announcement, the Proceedings were listed before the Honourable Justice Hill today, 13 September 2023 to hear the Plaintiffs' application for the interim restraints to continue until the conclusion of the trial, Austroid's application to consolidate the Proceedings with COR 19 of 2023 and any application for joinder made by any third party.

On 6 September 2023, Canaccord filed an interlocutory application seeking to be joined as a defendant to the Proceedings, alternatively to be given unconditional leave to be heard in the Proceedings.

On 11 September 2023, MRL filed an interlocutory application seeking leave to be heard as an interested party in the Proceedings.

Following agreement between the parties, Justice Hill vacated the hearing listed today and made orders adjourning the hearing until 10am on Thursday, 21 September 2023 and extending the time for:

- the Defendants and any third parties to file and serve any affidavits and submissions in respect of the Plaintiffs' application for interlocutory injunctive relief, and any applications seeking relief in the Proceedings, until 10am on 18 September 2023; and
- the Plaintiffs to file and serve any responsive material, until 4pm on 19 September 2023.

Justice Hill also made orders extending the interim restraints to 4pm on 21 September 2023.

A copy of the orders is attached to this announcement.

Austroid's application for consolidation of the Proceedings with COR 19 of 2023 has been withdrawn by consent.

Contact details for McGrathNicol are as follows: by email alita@mcgrathnicol.com or via telephone to McGrathNicol's Perth office at +61 8 6363 7600.

Contact details for KordaMentha are as follows: by email alita@kordamentha.com or via telephone to KordaMentha's Perth office at +61 8 9220 9333.

For all media enquiries, please call Nick Owens +61 421 977 062 (for the Deed Administrators) or Mike Smith +61 411 055 306 (for the Receivers).

Dated: 13 September 2023

Yours faithfully

Alita Resources Limited (Receivers & Managers Appointed) (Subject to Deed of Company Arrangement)

Rob Kirman
Deed Administrator



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/134/2023

BETWEEN:

**ROBERT MICHAEL KIRMAN AND
ROBERT CONRY BRAUER AS JOINT AND
SEVERAL DEED ADMINISTRATORS OF
ALITA RESOURCES LIMITED (ACN 147 393
735) (RECEIVERS AND MAN -and-**

First Plaintiff

**ALITA RESOURCES LIMITED (ACN 147 393
735) (RECEIVERS AND MANAGERS
APPOINTED) (SUBJECT TO DEED OF
COMPANY ARRANGEMENT) (ACN 147 393
735)**

Second Plaintiff

AND

**AUSTROID CORPORATION (A COMPANY
INCORPORATED IN THE UNITED STATES
OF AMERICA WITH BUSINESS
IDENTIFICATION NO NV20201866500 -and-**

First Defendant

**RICHARD SCOTT TUCKER AND JOHN
ALLAN BUMBAK IN THEIR CAPACITY AS
JOINT AND SEVERAL RECEIVERS AND
MANAGERS OF ALITA RESOURCES
LIMITED -and-**

Second Defendant

**TAWANA RESOURCES PTY LTD (ACN 085
166 721) -and-**

Third Defendant

**LITHCO NO.2 PTY LTD (ACN 612 726 922) -
and-**

Fourth Defendant

YIHE CLEANTECH MATERIAL LTD

Fifth Defendant

**ORDERS OF JUSTICE HILL
MADE ON 12 SEPTEMBER 2023**

Pursuant to Order 43 rule 16, and by consent IT IS ORDERED THAT:

1. In respect of the orders of the Honourable Justice Hill made on 5 September 2023 (Orders), the time for compliance with:
 - (a) Order 2 be extended to 10:00am on Monday, 18 September 2023; and
 - (b) Order 3 be extended to 4:00pm on Tuesday, 19 September 2023.
2. In respect of the Order 5 of the Orders, on the undertaking as to damages of the Plaintiffs and Mineral Resources Limited, the restraints listed in each of (a)-(f) are extended until 4:00pm on 21 September 2023, or further order.
3. The hearing be adjourned until 10:00 am on 21 September 2023.
4. The costs of this minute be in the cause.

BY THE COURT

THE HONOURABLE JUSTICE J HILL





IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/134/2023

BETWEEN:

**ROBERT MICHAEL KIRMAN AND ROBERT
CONRY BRAUER AS JOINT AND SEVERAL
DEED ADMINISTRATORS OF ALITA
RESOURCES LIMITED (ACN 147 393 735)
(RECEIVERS AND MAN and Anor**

Plaintiffs

AND

**AUSTROID CORPORATION (A COMPANY
INCORPORATED IN THE UNITED STATES
OF AMERICA WITH BUSINESS
IDENTIFICATION NO NV20201866500 and Ors**

Defendants

**ORDERS OF JUSTICE HILL
MADE ON 13 SEPTEMBER 2023**

**Pursuant to Order 43 rule 16 of the Rules of the Supreme Court 1971 (WA), IT
IS ORDERED that:**

1. The First Defendant have leave to withdraw its application by Chamber Summons dated 5 September 2023 to consolidate this action with COR 19 of 2023 (Application).
2. The First Defendant's Application be withdrawn.
3. The First Defendant pay the parties' costs occasioned by the withdrawal of the Application, to be taxed if not agreed.

BY THE COURT

THE HONOURABLE JUSTICE J HILL