

11 FEBRUARY 2020

## SHAREHOLDER UPDATE – VACATION OF HEARING ON 11 FEBRUARY 2020

We refer to the previous announcements made to the ASX and SGXNet in relation to the application for relief under section 444GA of the *Corporations Act 2001* (Cth) ('**Section 444GA Application**') which has been filed by the Deed Administrators in the Supreme Court of Western Australia ('**Court**') (proceeding number COR 251 of 2019) and which contemplates the transfer of 100% of the shares in Alita Resources Limited (Subject to Deed of Company Arrangement) ('**Alita**') to the proponent of the Deed of Company Arrangement for nil consideration.

We also refer to the announcement dated 30 January 2020 which (amongst other things) included the timetable for the Section 444GA Application ('**Timetable**') and advised shareholders that if they wished to enter an appearance and formally participate in the Court proceeding, they could file an appearance and serve it on the Deed Administrators by no later than 4.00pm (AWST) on 6 February 2020.

The Timetable included a further directions hearing before the Court on 11 February 2020 ('**Directions Hearing**'). The purpose of the Directions Hearing was to allow the Court a further opportunity to address any procedural matters which may have arisen as a result of additional shareholders formally filing an appearance by 4.00pm (AWST) on 6 February 2020. As no further shareholders have entered an appearance and a timetable has already been established for shareholders to file and serve evidence and submissions, the Deed Administrators and the shareholders who are formally participating in the Court proceeding (as a result of entering an appearance by 4.00pm (AWST) on 6 February 2020) have agreed to vacate the Directions Hearing. A copy of the orders made by the Court are attached.

The Timetable is otherwise unaffected and remains on foot, as set out below.

Date	Milestone
4.00pm (AWST) 28 February 2020	Any parties who have entered appearances are to file and serve their evidence and submissions in opposition to the Section 444GA Application
4.00pm (AWST) 3 March 2020	The Deed Administrators are to file and serve any further evidence and submissions
2.15pm (AWST) 4 March 2020	Final Hearing of the Section 444GA Application

Shareholders may still provide the Deed Administrators with their views in relation to the Section 444GA Application and have those views brought to the attention of the Court. If you wish to do so, please provide your views in writing by way of email to [alita@kordamentha.com](mailto:alita@kordamentha.com) no later than 5 business days before the Final Hearing (i.e. by no later than 24 February 2020) so the Deed Administrators can provide your views to the Court, for the judge's attention.

**If you have any concerns, objections or questions in relation to the Section 444GA Application, please contact the Deed Administrators as soon as possible by calling +618 9220 9333 or by emailing [alita@kordamentha.com](mailto:alita@kordamentha.com).**

Richard Tucker

Deed Administrator

**Alita Resources Ltd (Subject to Deed of Company Arrangement)**



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/251/2019

EX PARTE:

**Richard Scott TUCKER as joint and several  
administr ALITA RESOURCES LIMITED  
(SUBJECT TO DEED OF COMPANY  
ARRANGEMENT) (ACN 147 393 735) and Ors**

Plaintiffs

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**CONSENT ORDER  
ACTING MASTER WHITBY  
DATE: 10 February 2020**

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**PURSUANT TO THE RULES OF THE SUPREME COURT 1971 (WA) ORDER  
43 RULE 16, AND BY THE CONSENT OF THE PARTIES recorded in a  
memorandum of proposed consent orders filed 10 February 2020, IT IS  
ORDERED THAT:**

1. The hearing on 11 February 2020 be vacated.
2. There be no order as to costs.

BY THE COURT

ACTING MASTER N WHITBY