



Update for shareholders – Update on Singapore Court Hearing

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

ACN 147 393 735

(Alita)

We refer to previous announcements to Shareholders providing information on:

- the application for orders from the Court under section 444GA of the Corporations Act 2001 (**Act**) which was accordingly granted on 1 September 2021 (with amendments made on 7 September 2021) (**Australian Court Orders**);
- the Court hearing of OS 1018 on 23 November 2021 where the Singapore High Court granted recognition of the proceedings under the DOCA (including the Australian Court Orders) in Singapore (**Order 1**), subject to the limitation that there is no expatriation of any assets out of Singapore without leave of court, and the fixing of a pre-trial conference on 9 December 2021 with respect to Order 2 of OS 1018;
- the FAQs dated 5 December 2021; and
- the pre-trial conference for Order 2 of OS 1018 on 30 December 2021, 3:30pm.

The pre-trial conference for Order 2 of OS 1018 has been refixed from 30 December 2021 to 3 February 2022 at 3:30pm due to the following developments:

The Deed Administrators are requesting the Singapore High Court to address clarifications sought by SGX-ST in respect of Order 1, namely, proposed variations to clarify the terms of Order 1 and for the Court to consider whether, assuming the UNCITRAL Model on Cross-Border Insolvency does not apply, recognition is granted under the common law. A hearing for this has been fixed on 26 January 2022 at 2:30pm (**Clarification Application**). Any party who objects to the clarifications sought is directed by the Court to file an affidavit by 12 January 2022, 4pm (to be served by email followed by e-service) and the applicants are to file their reply affidavit, if any, by 18 January 2022, 4pm. In addition, submissions and bundles of authorities are to be exchanged and tendered to Court by 20 January 2022, 4pm.

Any shareholder who intends to file a reply affidavit and submissions with respect to the Clarification Application is required to notify the Deed Administrators' solicitors, Rajah & Tann Singapore LLP, by email to alitadoca2020@rajahtann.com immediately and in any case, by no later than 12 noon on 9 January 2022. For the avoidance of doubt, the Clarification Application is not a re-hearing of Order 1 or a hearing of Order 2.

If you have any further queries, these should be emailed to alita@mcgrathnicol.com or should be directed to the McGrathNicol Perth office at +61 8 6363 7600.

Dated: 7 January 2022

Yours faithfully

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

Rob Kirman

Deed Administrator