

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL AND EQUITY DIVISION
COMMERCIAL LIST

No. 2097 of 2003

F. 5628

BETWEEN:

ANSETT AUSTRALIA LIMITED (ACN 004 209 410)
(subject to a Deed of Company Arrangement)

Plaintiff

- and -

FLIGHT CENTRE LIMITED (ACN 003 377 188)
and others (according to the Schedule attached)

Defendants

AND BETWEEN:

FLIGHT CENTRE LIMITED (ACN 003 377 188)
and others (according to the Schedule attached)

Plaintiffs by
Counterclaim

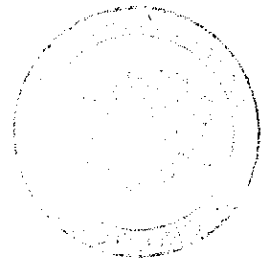
- and -

ANSETT AUSTRALIA LIMITED (ACN 004 209 410)
(subject to a Deed of Company Arrangement)

Defendant by
Counterclaim

COURT RECORD OF HEARING

| | |
|----------------------|--|
| JUDGE: | The Honourable Justice Byrne |
| DATE MADE: | 7 May 2004 |
| ORIGINATING PROCESS: | Writ |
| HOW OBTAINED: | On return of the order of the Honourable Justice Byrne made 7 April 2004 |
| ATTENDANCE: | Mr M. Garner of Counsel for the Plaintiff. Mr D. Batt of Counsel for the Defendant. |
| OTHER MATTERS: | Not applicable. |



THE COURT ORDERS BY CONSENT THAT:

1. Defendants have leave now for then to proceed with their counterclaim against the Plaintiff conditionally upon judgment in favour of the Defendant being stayed until further order.
2. The parties by 2 July 2004 confer for the purposes of seeking to reach agreement on the issues of quantum in this proceeding.
3. The parties jointly or, if agreement cannot be reached, each party by 16 July 2004 file and serve a memorandum as to:
 - a) the extent to which the parties have reached agreement on the issues of quantum in the proceeding;
 - b) the extent to which the parties have reached agreement on the statement of facts in the proceeding;
 - c) the manner in which the parties consider that evidence should be adduced as to any issues of quantum and fact which are unable to be agreed; and
 - d) future conduct of the proceeding generally.
4. The further hearing of the summons for directions is adjourned to 30 July 2004.
5. Costs are reserved.
6. There is liberty to apply.

DATE AUTHENTICATED: **13 May 2004**



PROTHONOTARY

SCHEDULE OF PARTIES

F. 5628

No. 2097 of 2003

B E T W E E N:

ANSETT AUSTRALIA LIMITED (ACN 004 209 410)
(subject to Deed of Company Arrangement)

Plaintiff

- and -

FLIGHT CENTRE LIMITED
(ACN 003 377 188)

Firstnamed Defendant

ITG PTY LTD (ACN 003 279 534)

Secondnamed Defendant

FREQUENT FLYERS PTY LTD
(ACN 058 864 645)

Thirdnamed Defendant

AND BETWEEN:

FLIGHT CENTRE LIMITED
(ACN 003 377 188)

Firstnamed Plaintiff by
Counterclaim

ITG PTY LTD
(ACN 003 279 534)

Secondnamed Plaintiff
by Counterclaim

FREQUENT FLYERS PTY LTD
(ACN 058 864 645)

Thirdnamed Plaintiff by
Counterclaim

- and -

ANSETT AUSTRALIA LIMITED
(ACN 004 209 410)
(subject to Deed of Company Arrangement)

Defendant by
Counterclaim

