



IN THE SUPREME COURT OF WESTERN AUSTRALIA

COR/200/2023

EX PARTE:
SANDALWOOD PROPERTIES LTD (ACN
093 330 977)

First Plaintiff

**ORDERS OF JUSTICE HILL
MADE ON 29 JANUARY 2024**

IT IS ORDERED THAT:

1. Subject to order 2 below, the plaintiff provide any requesting investor in a scheme the subject of these proceedings (Grower) with copies of any document filed in these proceedings apart from documents to which access is restricted by legislation or a court order.
2. The plaintiff shall not provide Growers, or their legal representatives, with any of the documents referred to in order 1 until such time as the Grower provides the plaintiff with an executed undertaking in the form annexed to these orders.
3. The Growers, and their legal representatives, must not provide copies of any of the documents received pursuant to order 1 to any other person unless that person has also provided the plaintiff with an executed undertaking in the form annexed to these orders.

BY THE COURT

THE HONOURABLE JUSTICE J HILL

Annexure 1

Undertaking

I hereby undertake in relation to the documents filed in Supreme Court of Western Australia proceedings COR 200 of 2023 (**Proceedings**) (together, the **Confidential Information**) that until such time as this undertaking should be varied, amended or otherwise discharged by order of the Court:

- 1 I acknowledge that the Confidential Information is subject to the *Harman* undertaking. I confirm that I understand my obligations in relation to that undertaking.
- 2 I will use the Confidential Information only for the purposes of the Proceedings.
- 3 I will keep the Confidential Information or any notes, records, memoranda or other documents (including but not limited to any electronic versions thereof) created by me incorporating or referring to, or derived directly or indirectly from, the Confidential Information, in a manner which will preserve the confidentiality of the Confidential Information at all times.
- 4 I will not provide or disclose the Confidential Information to any other person other than to a person who has provided an undertaking pursuant to [Order 3 of the Orders of Justice Hill made 29 January 2024], or as required by law.
- 5 I will only make copies of documents containing the Confidential Information to the minimum extent possible and will keep any copies of the Confidential Information in a manner which will preserve the confidentiality of the Confidential Information at all times.

6 I will promptly notify the plaintiff's solicitors if I become aware of any unauthorised use or disclosure of the Confidential Information.

Signed by
in
the presence of:

Signature of witness

Full name of witness

Date

Signature

Date

SCHEDULE

- 1 TFS SANDALWOOD PROJECT 2007 (ARSN 123 883 830).
- 2 TFS SANDALWOOD PROJECT 2008 (ARSN 128 710 261).
- 3 TFS SANDALWOOD PROJECT 2009 (ARSN 135 373 938).
- 4 TFS SANDALWOOD PROJECT 2010 (ARSN 142 774 132).
- 5 TFS SANDALWOOD PROJECT 2011 (ARSN 150 211 171).
- 6 TFS SANDALWOOD PROJECT 2012 (ARSN 157 880 263).
- 7 TFS SANDALWOOD PROJECT 2013 (ARSN 161 604 806).
- 8 TFS SANDALWOOD PROJECT 2014 (ARSN 167 882 493).
- 9 TFS SANDALWOOD PROJECT 2015 (ARSN 604 615 232).
- 10 TFS INDIAN SANDALWOOD PROJECT 2016 – RETAIL
INVESTMENT OFFER (ARSN 610 346 864).