



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 31 JANUARY 2024**

IT IS ORDERED that:

Substantive Application

Statement of Issues, Facts and Contentions

1. The Plaintiff file a statement of issues, facts, and contentions by 7 February 2024.
2. Any Interested Party file a responsive statement of issues, facts, and contentions by 28 February 2024.

Lay evidence

3. The Plaintiff file any further evidence by 16 February 2024.
4. Any Interested Party shall file and serve any supporting affidavits and shall serve any further documents that they intend to tender at the Final Hearing by 15 March 2024.
5. The Plaintiff file and serve any affidavits in reply by 22 March 2024.

Expert evidence

6. The Interested Parties have leave to file and serve any responsive expert evidence as to the viability of the Schemes by 22 March 2024.
7. The parties' respective experts shall confer and shall prepare a joint expert report identifying areas of agreement and disagreement (if any), with reasons for any such disagreement, by 3 April 2024.

Court book

8. The Plaintiff file with the Court a book of documents containing legible copies of all of the documents to be tendered at the Final Hearing by the parties and shall serve a copy of the book of documents on each of the Interested Parties by 28 March 2024.

9. The plaintiff file with the Court a book of documents containing legible copies of any expert reports and, if relevant, any joint expert report and shall serve a copy of the book of documents on each of the Interested Parties on 5 April 2024.
10. Each party advise each other party in writing which of the documents in the book of documents referred to in order 8 of these orders may be tendered by consent, and whether the authenticity of any of the remaining documents is disputed and shall give reasons in writing as to why consent to tender the remaining documents is withheld by 12:00pm on 4 April 2024.

Submissions

11. The Plaintiff file and serve their outline of submissions by 12:00pm on 5 April 2024.
12. The Interested Parties file and serve their outline of submissions by 12:00pm on 8 April 2024.

Final hearing

13. A final hearing be listed for two days on 10 and 11 April 2024 (Final Hearing).
14. The Plaintiff is to advertise confirmation of the Final Hearing date for this proceeding by taking the following steps on a date(s) not less than 7 days prior to the Final Hearing date, or any date to which the Final Hearing of this application is adjourned:
 - (a) advertise this proceeding by causing a notice substantially in the form of "Annexure A" to these orders to be posted on the website maintained by the Plaintiff at www.sandalwoodproperties.com.au;
 - (b) advertise this proceeding by causing an advertisement substantially in the form of "Annexure B" to these orders in the following newspapers:
 - (i) The Australian;
 - (ii) the West Australian; and
 - (iii) any other newspaper the Plaintiff considers appropriate; and
 - (c) send, by email (or absent an email address, by post), a copy of the communication substantively in the form of "Annexure C" to these orders to the investors of the Schemes.

Summary Judgment

15. The Plaintiff file any application for summary judgment (Application) including any affidavits in support of the Application and submissions in support of the Application by 16 February 2024.
16. Any Interested Parties file and serve any affidavits and submissions in opposition to the Application by 23 February 2024.
17. The Application be listed for hearing at a special appointment on 27 February 2024 at 9.30am (AWST).

Liberty to Apply

18. The Plaintiff and any other Interested Party have liberty to apply on 48 hours' written notice.

Costs

19. The costs of today be in the cause.

BY THE COURT

THE HONOURABLE JUSTICE J HILL



ANNEXURE A

[To be issued on the Plaintiff's website]

Sandalwood Properties Ltd (ACN 093 330 977) as Responsible Entity of the Schemes

- 1 The Plaintiff refers to the previous announcement dated 22 December 2023. Since that time, the Plaintiff has attended a further directions hearing on 31 January 2024 at which time the Court made programming orders in relation to the filing of further materials by the Plaintiff and any Interested Parties in the proceedings and listed the matter for final hearing.
- 2 The Plaintiff advises that the final hearing is scheduled for 10 and 11 April 2024.
- 3 The Plaintiff reminds you that the Expert Report is available for download from the Plaintiff's website: www.sandalwoodproperties.com.au.
- 4 It is highly recommended that you regularly review this website, as the Plaintiff intends to upload additional relevant documents to it, including orders made by the Court. A copy of the Expert Report can also be emailed to you upon request, free of charge.

Your rights as an investor

- 5 If you have any concerns, objections or questions in relation to the application, please contact the Plaintiff as soon as possible by calling (08) 9723 7372 or by emailing projects@sandalwoodproperties.com.au.

ANNEXURE B

[Newspaper announcement 2]

Sandalwood Properties Ltd (ACN 093 330 977) as Responsible Entity of the Schemes

Court approval is being sought by the Plaintiff to wind up the following managed investment schemes:

- 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).

The final hearing has been scheduled for 10 and 11 April 2024.

For further information, please visit the Plaintiff's website:

www.sandalwoodproperties.com.au.

ANNEXURE C

[INSERT DATE]

Sandalwood Properties Ltd (ACN 093 330 977) as Responsible Entity of the Schemes

- 1 We are writing to you as an investor of one or more of the following managed investment schemes:
 - 1.1 TFS SANDALWOOD PROJECT 2007 (ARSN 123 883 830).
 - 1.2 TFS SANDALWOOD PROJECT 2008 (ARSN 128 710 261).
 - 1.3 TFS SANDALWOOD PROJECT 2009 (ARSN 135 373 938).
 - 1.4 TFS SANDALWOOD PROJECT 2010 (ARSN 142 774 132).
 - 1.5 TFS SANDALWOOD PROJECT 2011 (ARSN 150 211 171).
 - 1.6 TFS SANDALWOOD PROJECT 2012 (ARSN 157 880 263).
 - 1.7 TFS SANDALWOOD PROJECT 2013 (ARSN 161 604 806).
 - 1.8 TFS SANDALWOOD PROJECT 2014 (ARSN 167 882 493).
 - 1.9 TFS SANDALWOOD PROJECT 2015 (ARSN 604 615 232).
 - 1.10 TFS INDIAN SANDALWOOD PROJECT 2016 – RETAIL INVESTMENT OFFER (ARSN 610 346 864),

(together, **Schemes**).
- 2 Please read this communication as it contains important information about the proposed winding up of the above Schemes.

Final Hearing

- 3 The Plaintiff refers to the previous announcement dated 22 December 2023. Since that time, the Plaintiff has attended a further directions hearing on 31 January 2024 at which time the Court made programming orders in relation to the filing of further materials by the Plaintiff and any Interested Parties in the proceedings and listed the matter for final hearing.

4 The Plaintiff advises that the final hearing is scheduled for 10 and 11 April 2024.

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Your rights as an investor

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SCHEDULE

- 1 TFS SANDALWOOD PROJECT 2007 (ARSN 123 883 830).
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- 3 TFS SANDALWOOD PROJECT 2009 (ARSN 135 373 938).
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- 10 TFS INDIAN SANDALWOOD PROJECT 2016 – RETAIL
INVESTMENT OFFER (ARSN 610 346 864).