

Sean Butler

From: John Reynolds <JReynolds@jacmac.com.au>
Sent: Wednesday, 28 March 2012 6:12 PM
To: Sean Butler
Subject: FW: National Hotel & Lighthouse Beach Resort

FYI

From: John Reynolds
Sent: Wednesday, 28 March 2012 6:09 PM
To: 'leith.ayres@minterellison.com'
Cc: 'richard.johnson@minterellison.com'; 'jon.karolczak@minterellison.com'; 'ian.francis@twcs.com.au'; 'mark.engelebert@twcs.com.au'; 'david.gilbert@bankwest.com.au'; Eva Lin
Subject: National Hotel & Lighthouse Beach Resort

Dear Leith

We refer to your letter of 23 March 2012 responding to our letter of 8 March 2012, following our without prejudice meeting on 29 February 2012.

In paragraph 10 of your letter you stated that the Bank would write to us separately in relation to our request for your clients to provide copies of all of their communications with Mr Benari in his capacity as a director of Lighthouse Beach Holdings or a partner of National Hotel Partnership since January 2011 which were not openly copied to Mr Butler. We have heard nothing from the Bank. Given that it is now almost 3 weeks since our request was made we would be grateful if you could follow up with the Bank as a matter of urgency.

We also note that in respect of our request the Receivers and Managers have simply asserted that *"they will not provide (and are under no obligation to) provide"* the relevant material even though Mr Butler is a director and shareholder with Mr Benari in Lighthouse Beach Holdings and his company is a partner with Mr Benari in the National Hotel Partnership. We press our request and invite your clients to set out any justification for their position.

You will appreciate in the circumstances our clients reserves all of their rights in relation to the delay in providing this material.

Kind regards

John Reynolds | Senior Consultant
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