



29 May 2017

SUPREME COURT TRIAL UPDATE

NSL Consolidated Ltd ("NSL or Company") wishes to provide an update regarding the writ of summons received in relation to its 4 Coal EPC's held in Queensland.

As previously disclosed the Company received a writ of summons in relation to a Coal Acquisition Agreement dated 15 June 2011 with Birmanie Nominees Pty Ltd (the vendor under the agreement) relating to 4 coal EPCs in Queensland.

The writ alleges that NSL has failed to meet various obligations under the Coal Acquisition Agreement.

The trial commenced on 18 May 2017 and was listed to end on 26 May 2017. However, the trial was part-heard and has been listed for a further 3 days on 20, 21 and 23 June 2017.

Amongst the reasons for the trial being part-heard include the purported attempt by the plaintiff to deal with NSL's objections to the plaintiff's expert evidence (particularly in relation to the methodology of his assessments). Many of those objections were on the basis that the plaintiff's expert's reasoning with respect to certain statements of opinion in his report was not sufficiently articulated. See *Coal Hub Pty Ltd v NSL Consolidated Ltd* [No 3] [2017] WASC 144.

The Company remains of the view that the plaintiff is not entitled to the damages sought or to any other damages and continues to be very comfortable with its defence and the eventual trial outcome.

CONTACT:

Cedric Goode
NSL Consolidated
0400 408 477