

# STOCK EXCHANGE ANNOUNCEMENT



**25 August 2016**

## CONCLUSION OF COURT HEARINGS

**ASX code: CDB**

The hearing in the Supreme Court of New South Wales in the matter of Condor Blanco Mines Limited v Dominic Calabretta concluded on Friday 19 August.

As detailed in the attached Originating Process of 27 July 2016, Condor Blanco Mines Limited ("Condor", "the Company") brought this matter before the Court in order to determine the validity of Mr Calabretta's appointment as administrator of the Company.

A decision on the matter is expected within coming weeks.

**Joshua Farquhar**  
Executive Chairman

Tel: +61 (02) 8064 3624

**ORIGINATING PROCESS**

IN THE SUPREME COURT OF  
NEW SOUTH WALES  
SYDNEY REGISTRY  
EQUITY DIVISION  
CORPORATIONS LIST

No. *226585* of 2016.

**IN THE MATTER OF Condor Blanco Mines Ltd ACN 141 347 640**

FILED

27 JUL 2016

DE

**Condor Blanco Mines Ltd ACN 141 347 640**

**Plaintiff**

**Domenic Calabretta**

**Defendant**

**A. DETAILS OF APPLICATION**

This application is made under sections 447A, 447C, 447E and 1324 of the Corporations Act, and the Court's inherent power.

The application challenges the validity of the defendant's appointment as administrator of the Company, and seeks consequential or alternative relief. On the facts stated in the supporting affidavit, the Plaintiff claims:

1. **A DECLARATION** that the defendant's appointment on 4 July 2016 as administrator of Condor Blanco Mines Limited ACN 141 347 640 was invalid, void and of no effect.
2. **In the alternative, AN ORDER**, that the administration of the said company is to end.
3. **AN ORDER** restraining the Defendant from acting (or, alternatively, from continuing to act) as and from holding himself out to be administrator of the said company pursuant to the said appointment.
4. **Further or in the alternative to Order 2, Orders** pursuant to s. 447E(1) of the Corporations Act, preventing the defendant from permitting the former directors of the company and their associated entities and such other persons or entities as the Court shall by order prescribe, from voting at any meeting of creditors of the company.

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Mark Wilson  
W Advisers  
Solicitors  
Level 7, 39 Martin Place  
Sydney NSW 2000

Telephone: (02) 9234 0010

5. **AN ORDER** that the defendant do deliver up to the Company by its directors, such of the books, records, funds and other property of the company as have come into his or his servants or agents possession, including, without limitation to the foregoing, the following:
- (a) All documents and materials received by Mr Calabretta in his position as purported administrator, including (without limitation) all proofs of debts received, particulars which he has received in respect of any such claims, and all correspondence concerning such claims, and all statements, reports and questionnaires provided by former directors of the Company (including, but not limited to, completed ASIC forms 507 and any completed "Questionnaire for Directors and Officers");
  - (b) All expressions of interest in the re-capitalisation of the Company or sale of the business of the Company.
6. **AN ORDER** that the Defendant pays the Plaintiff's costs of the proceedings; and
7. Such further or other **ORDERS, DECLARATIONS or DIRECTIONS** as to the Court may seem fit.

Dated: 27 July 2016.



Mark Wilson  
Solicitor for the Plaintiff

This application will be heard by \_\_\_\_\_ in the Supreme Court of New South  
Wales, Law Courts Building, Queens Square, Sydney, at 12 am/pm on  
28 July, 2016.

**B. NOTICE TO THE DEFENDANT**

To: **Domenic Calabretta**  
of: Mackay Goodwin  
Suite 2, Level 8  
10 Bridge Street  
Sydney NSW 2000

If you or your legal practitioner do not appear before the Court at the time shown above, the application may be dealt with, and an order made, in your absence. As soon after that time as the business of the Court will allow, any of the following may happen:

- (a) the application may be heard and final relief given;
- (b) directions may be given for the future conduct of the proceeding;
- (c) any interlocutory application may be heard.

Before appearing before the Court, you must file a notice of appearance, in the prescribed form, in the Registry and serve a copy of it on the plaintiff.

Note: Unless the Court otherwise orders, a defendant that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.

**C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY**

Not applicable – deleted.

**D. FILING**

Date of filing:

This originating process is filed by Mark Wilson for the plaintiff.

**E. SERVICE**

The plaintiff's address for service is: Mark Wilson  
W Advisers  
Solicitors  
Level 7, 39 Martin Place  
Sydney NSW 2000  
Telephone: (02) 9234 0010

It is intended to serve a copy of this originating process on the Defendant and on any person listed below:

AUSTRALIAN SECURITIES AND INVESTMENT COMMISSION

GLEN PAUL DARBY

TIMOTHY JOHN STOPS

The time by which a copy of this originating process is to be served has been abridged by order made by

on

to