



Healthscope

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ASX ANNOUNCEMENT

Symbion Health Break Fee Litigation

The NSW Court of Appeal handed down its judgment today in relation to Healthscope Ltd's break fee proceedings against Symbion Health Ltd (now a subsidiary of Primary Health Care Ltd). The Court of Appeal upheld the decision of the judge at first instance. Healthscope's appeal was dismissed with costs.

Healthscope had claimed a \$19.575 million break fee payable following its unsuccessful acquisition of the diagnostic businesses of Symbion Health Ltd in 2007.

An amount of \$13.8 million, representing Healthscope's share of the anticipated break fee plus interest to 30 June 2008, was previously booked by Healthscope as a receivable. As a consequence of the Court of Appeal decision, this balance sheet item will be written off as a non-recurring item in the results for the year ending 30 June 2009.

Ingrid Player
Company Secretary