



# Wollongong Coal

ACN 111 244 896  
ABN 28 111 244 896

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27 April 2020

Ms Melissa Lim  
Listings Adviser  
Market Announcements Office  
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Level 4, 20 Bridge Street  
SYDNEY NSW 2000

ASX Code: WLC

## Schemes of Arrangements - Notice of Listing for Hearing of NSW Supreme Court Proceedings

Wollongong Coal Limited (ASX Code: WLC) (**Company**) refers to its previous ASX announcement dated 24 April 2020 where it advised that NSW Supreme Court Proceedings (In the matter of **Wollongong Coal Limited**, case no 2019 / 384003) (**Proceedings**), in respect of the creditor schemes of arrangement between each of the Company and Jindal Steel and Power (Australia) Pty Ltd (**Scheme Companies**) and the lenders under certain secured loan facilities (**Schemes Creditors**) approved by the NSW Supreme Court on 14 February 2020 in *Re Wollongong Coal Ltd and Jindal Steel & Coal Australia Pty Ltd* [2020] NSWSC 73 (**Schemes**), had listed for directions (**Directions Hearing**) in the NSW Supreme Court Corporations List on Monday 27 April 2020.

The Company gives notice that, at the Directions Hearing regarding the Scheme Companies' application (**Application**) in the Proceedings for further orders in respect to the Schemes, the NSW Supreme Court ordered (among other things) that the Scheme Companies' Application be listed for hearing (**Hearing**) by the **NSW Supreme Court** on **Wednesday 29 April 2020** at not before **10.30 am before Black J** and that the Hearing will take place by way of telephone.

At the Hearing, the Scheme Companies will seek orders pursuant to rr 1.12 and/or 36.17 of the *Uniform Civil Procedure Rules 2005* (NSW) and/or section 1322(4)(d) of the *Corporations Act 2001* (Cth) that the CP Satisfaction Long Stop Date in the Schemes be extended to 1 April 2020; and the Settlement Long Stop Date in the Schemes be extended to the date that is 7 days after the entry by the Court of the Court's orders made in respect of Application. The Scheme Companies will also seek an order that extensions sought operate retrospectively from the time the orders approving the Schemes on 14 February 2020 were made.



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The Schemes terminated automatically on 29 March 2020 due to certain Pre-Settlement Date Conditions Precedent not being satisfied or waived by that time, which were subsequently waived by letter dated 30 March 2020 by a requisite majority of creditors under clause 10.1(e) (*Consent and Confirmations*) of the Scheme Document. If granted, the effect of the orders sought in the Application would be to undo the termination of the Schemes.

The Company will make a further announcement regarding the outcome of the Hearing once it has taken place. In the meantime, persons dealing with the Company should continue to exercise caution in those dealings. No forecast is made of the outcome of the Hearing or Court Proceedings referred to above.

For further details including in respect of the Hearing, please contact the Company Secretary.

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