



## RELEASE TO AUSTRALIAN SECURITIES EXCHANGE (“ASX”)

13 JULY 2009

### NEW FUNDING AGREEMENT UNIT HOLDERS OF PREMIUM INCOME FUND V MFS DIRECTORS & KPMG PARTNERS

1. The Board of Directors of IMF (Australia) Limited announces that it proposes to fund claims that certain unit holders in Wellington Investment Management Ltd (formerly MFS Investment Management Ltd (MFSIM)), being the Responsible Entity for the Premium Income Fund, have against:
  - (a) Directors of MFSIM; and
  - (b) Partners of KPMG as auditors of MFSIM’s Compliance Plan
2. The claims relate to alleged breaches by the MFS Directors and KPMG partners of the Corporations Act in 2005, 2006 and 2007.
3. All unit holders who held units as at 29 January 2008 are eligible to participate in the claim which IMF will fund subject to due diligence and a level of unit holder participation acceptable to IMF.
4. The claim is currently envisaged to be in the form of a representative proceeding for all of those unit holders who held units at 29 January 2008 and who sign a litigation funding agreement with IMF.
5. IMF will include the claim value in its quarterly Case Investment Reports as they are published.

A handwritten signature in black ink, appearing to read 'Diane Jones', enclosed within a hand-drawn oval.

**Diane Jones**  
Chief Operating Officer