
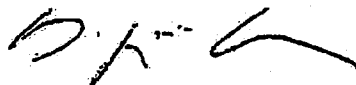


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3. In my affidavit sworn on 12 September 2005 ("my previous affidavit") I referred to proceedings in this Court numbered 7966 of 1995 ("the previous Woodleigh Heights action") and to my involvement in those proceedings.
 4. In the previous Woodleigh Heights proceedings the first named plaintiff, for the purpose of discovery, swore a "Further Affidavit of Documents" (a copy of which is item 66 listed in exhibit **SME 2 Volume 3**). The Further Affidavit of Documents was sworn by the first named plaintiff on 22 December 1998. The Third Schedule of that Further Affidavit of Documents lists at item 93 "Plans of Subdivision Tylden Road Property".
 5. I attended at the plaintiffs' solicitor's premises in Orange New South Wales on 4 and 5 February 1999 to inspect documents discovered by the plaintiffs. I did not have enough time on those two days to inspect all of the documents produced by the plaintiffs, but the documents I then inspected included a surveyor's plan of subdivision of Tylden Road. I do not recall that plan of subdivision being contained in a folder. According to notes that I made at the time that I inspected the documents, the surveyor's plan of subdivision for Tylden Road (my notes read "15 pg-orig-surveyors-Plan of S/D Tylden Road") was one of 25 items in a pile of documents, and on the top of that pile there was a piece of paper with the words "Kyneton Court D32/88" written in black.
 6. On 23, 24, 25 and 26 March 1999 I again attended at the plaintiffs' solicitor's premises at Orange and I photocopied all of the documents then produced by the plaintiffs for the purpose of discovery (save for a bundle of about eight old cheque book stubbs and about four folders of bank statements which I did not then photocopy). Amongst the documents that I then photocopied were several pages being plans of subdivision of the Tylden Road property. Now produced and shown to me and marked with the letters **SME 3** is a folder containing a true copy of the said plans of subdivision that I photocopied in Orange in March 1999, the pages in the folder **SME 3** being numbered 1 to 28.
 7. I have carefully examined the documents in folder **SME 3** and I have compared them to the documents in the exhibits GAT-7, GAT-8 and GAT-9 to the plaintiffs' affidavit.
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