

Important information for investors in Mahogany Capital

Investors in Mahogany Capital should note the following important information in relation to the proceedings launched by Perpetual Trustee Co against Bank of New York Trustee Co in the United Kingdom on 14 May 2009.

Questions and answers

1. Why is Perpetual taking this action against Bank of New York Trustee Co?

Perpetual is taking this action to seek to enforce its rights for the benefit of its investors in Mahogany Capital, which includes councils, charities, super funds and individuals. We believe the action will achieve the best result for investors in Mahogany Capital.

1. Why is Perpetual taking the action overseas?

The assets are situated in England and the legal documentation is governed by English law. Perpetual considers England to be the most appropriate country in which to commence these proceedings.

2. What is likely return investors can expect to receive on their investment and when are they likely to see it?

It is difficult at this point to estimate a likely return to investors. This will ultimately depend on the success of the legal proceedings, and subsequently the value of the property at the time it is recovered and the timing of the recovery process, which may take some time to complete.

Perpetual Trustee Co is hopeful the action will provide some clarity around the timing and amount of any return.

3. Who is funding the proceedings?

Perpetual is currently meeting any costs not covered by Mahogany Capital. As trustee, we are entitled to be reimbursed from the proceeds of any recovered property.

4. Where can I get more information on this matter?

Perpetual Trustee Co has issued a press release which is available on the [News and Media Centre](#) on our website.

While the matter is before the courts, we are not in a position to make any further comment. We will ensure investors are kept updated on any developments in this matter and will be sending a letter to investors next week providing more detailed information on the proceedings.

If you have queries about your decision to invest in Mahogany, please contact your investment or other professional advisors.