

24 March 2010

TO THE UNITHOLDERS

Trio Capital Limited
Formerly known as Astarra Capital Limited
ACN 001 277 256
(ADMINISTRATORS APPOINTED)(Trio)

Dear Unit Holders

Following the information we provided to Unit Holders dated 18, 22 and 26 February, 1 March 2010 and 18 March 2010, we now provide a further update.

1. **Application for remuneration and expenses of the Administrators**

1.1. On 5 March 2010 the Supreme Court of New South Wales (Supreme Court) made certain orders in respect of the application for the Administrators' Remuneration and Expenses filed by the Administrators referred to in our information provided to Unit Holders on 18 February 2010. Please contact our Sydney office of PPB on 02 8116 3000 or email us at tricapital@ppb.com.au if you would like a copy of these orders.

2. **Asttar Wholesale Portfolio Service, Asttar Portfolio Service (formerly Astarra Diversified No. 4 Pool), Astarra Overseas Equities Pool, Astarra Strategic Fund (formerly Alpha Strategic Fund), ARP Growth Fund (collectively the Schemes)**

2.1. On 19 March 2010, the Supreme Court made the following orders:

- a The Schemes be wound up without prejudice to the rights of unitholders to contend they are entitled to rectify the register if necessary at the relevant time.
- b Within 1 month of the making of the orders, meetings be convened of unitholders in the Schemes (to be held within 2 month of the date on which these orders are made) for the purpose of informing unitholders as to the status of the winding up of the Schemes and to consult with unitholders as to the future progress of the winding up.
- c That the reasonable costs and expenses of the winding up of each Scheme be paid out of the assets of that Scheme.
- d That notice of the orders be given by letter to each unit holder in each Scheme.

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PPB Pty Ltd trading as PPB,
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Liability limited by a scheme
approved under Professional
Standards Legislation.

PPB Pty Limited trades
as trustee of a trust.
Its liability is limited to
the value of the assets
available in the trust.
It has associated but
independent entities and
partnerships. No liability of
any of the independent
entities or partnerships
shall attach to the
group as a whole or any
members of the group.



- e That the costs of the application to wind up the Schemes be split proportionately between the Schemes.
- f The Supreme Court will publish a written judgment. A link will be made available to that written judgment on the PPB website as soon as it is available.

3. Astarra Strategic Fund (ASF)

- 3.1. An issue has arisen in relation to the number of units recorded as being held by ACT Super Management Pty Ltd (ACT Super) as acting trustee of a number of superannuation funds in the register of the ASF. On 19 March 2010 leave was given by the Supreme Court to file an interlocutory process dated 19 March 2010 in the Supreme Court relating to this issue. This interlocutory process is listed on 29 March 2010 in the Supreme Court for the purpose of determining whether Asgard Capital Management Pty Ltd should be appointed to represent all of the unitholders in the ASF other than ACT Super for the purpose of the hearing of the interlocutory process.
- 3.2. Please contact our Sydney office of PPB on 02 8116 3000 or email us at triocapital@ppb.com.au if you would like a copy of these documents.

4. Examinations

- 4.1. On 15 January 2010, upon the application of the Joint Administrators, the Supreme Court made orders that Shawn Richard and Eugene Liu be required to attend the Supreme Court on 23 and 24 March 2010 to be examined on the examinable affairs of the Trio companies. The examinations have now been postponed to 13, 14 and 15 July 2010 to enable the Administrators to conduct further investigations relevant to the examinations. Unit Holders will be kept informed of developments on the examinations.

5. Orders for Production and Subpoenae

- 5.1. As part of the ongoing investigations by the Joint Administrators into the affairs of Trio, including the proposed examinations referred to in paragraph 4 above and the application to wind up the schemes referred to in paragraph 2 above, documents were sought by way of orders for production and subpoenae outlined below.
- 5.2. Orders for production were served on Shawn Richard, Eugene Liu and Astarra Asset Management Pty Limited (In Liquidation).
- 5.3. Subpoenae were served on ASIC. The GCSL Group of Companies, Jack Flader and Marty Cohen (Interested Parties) objected to the ASIC subpoenae and made an application to the Supreme Court seeking to set the subpoenae aside. The following orders were made by the Supreme Court on 19 March 2010 in relation to the application to set aside the subpoenae:
 - g An application be made to the Registrar allowing an Order for Production to be served on ASIC by 5 April 2010.
 - h In the event that the Interested Parties seek to object to the Order for Production on ASIC, they are to file a Notice of Motion, or amend the Notice of Motion filed on 12 March 2010, by 12 April 2010.

- i The Interested Parties file evidence in support of the Notice of Motion by 12 April 2010 with evidence to be filed in reply by 19 April 2010.
- j The Interested Parties file Submissions in support of the Notice of Motion by 23 April 2010 with Submissions to be filed in reply by 30 April 2010.
- k The Notice of Motion be listed for hearing on 10 May 2010 at 2pm in the Supreme Court.

Unit Holders will be kept informed of developments on the production of documents sought by the Joint Administrators.

Yours faithfully



Neil Singleton
Joint Administrator