

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 27/10/2020 10:28:34 AM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
File Number: NSD464/2020
File Title: APPLICATION IN THE MATTER OF VIRGIN AUSTRALIA HOLDINGS LTD (ADMINISTRATORS APPOINTED) ACN 100 686 226 & ORS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Dated: 27/10/2020 2:32:44 PM AEDT

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Affidavit

Federal Court of Australia
District Registry: New South Wales
Division: Commercial and Corporations List

No. NSD464 of 2020

IN THE MATTER OF VIRGIN AUSTRALIA HOLDINGS LTD (SUBJECT TO DEED OF COMPANY ARRANGEMENT) ACN 100 686 226 & ORS

VAUGHAN STRAWBRIDGE, SALVATORE ALGERI, JOHN GREIG AND RICHARD HUGHES, IN THEIR CAPACITIES AS JOINT AND SEVERAL DEED ADMINISTRATORS OF VIRGIN AUSTRALIA HOLDINGS LTD (SUBJECT TO DEED OF COMPANY ARRANGEMENT)

First Plaintiffs / First Applicants

VIRGIN AUSTRALIA HOLDINGS LTD (SUBJECT TO DEED OF COMPANY ARRANGEMENT)

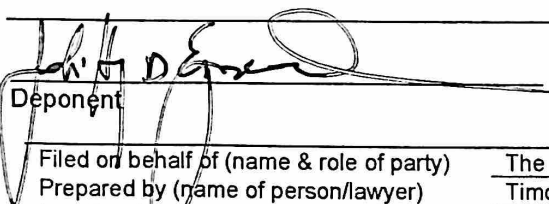
ACN 100 686 226

Second Plaintiff / Second Applicant

Affidavit of: John-Henry Eversgerd
Address: Level 15, 50 Pitt Street, Sydney NSW 2000
Occupation: Valuation Specialist
Date: 26 October 2020

Contents

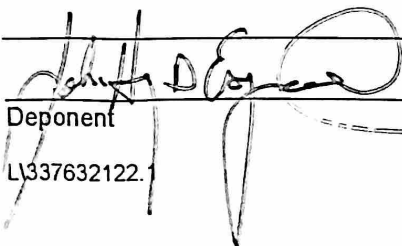
Document number	Details	Paragraph	Page
1	Affidavit of John-Henry Eversgerd sworn on 26 October 2020.	1	2
2	Exhibit "JHE-1", being a bundle of documents exhibited to the affidavit.	3	2


Deponent _____
Witness _____
Filed on behalf of (name & role of party) The Plaintiffs
Prepared by (name of person/lawyer) Timothy James Sackar
Law firm (if applicable) Clayton Utz
Tel +61 2 9353 4000 Fax +61 2 8220 6700
Email jrobertson@claytonutz.com
Address for service Level 15, 1 Bligh Street, Sydney NSW 2000
(include state and postcode)

[Version 3 form approved 02/05/2019]

I, John-Henry Eversgerd, of FTI Consulting (Australia) Pty Limited, Level 15, 50 Pitt Street, Sydney NSW 2000, Valuation Specialist, say on oath:

1. I am a Senior Managing Director of the professional services firm trading as FTI Consulting (FTI). FTI provides services relating to: economic consulting, including valuations; corporate restructuring and insolvency; forensic accounting and litigation consulting; and technology.
2. I hold a Chartered Financial Analyst designation of the CFA Institute and am an Accredited Senior Appraiser in Business Valuations of the American Society of Appraisers.
3. Exhibited to me at the time of swearing this affidavit is a bundle of documents to which I make reference in this affidavit marked "JHE-1" (**Exhibit JHE-1**). A reference to a Tab in this affidavit is to a tab in Exhibit JHE-1, unless otherwise stated.
4. FTI has been instructed by Clayton Utz to prepare an expert report in this proceeding (**Report**). I was a senior member of the team at FTI that prepared and reviewed the Report.
5. Exhibited at **Tab 1** of **Exhibit JHE-1** is a copy of the Report.
6. For the purposes of preparing the Report, I was provided with a copy of the Federal Court of Australia's Expert Evidence Practice Note (GPN-EXPT) (**Practice Note**), including Annexure A, being the Harmonised Expert Witness Code of Conduct (**Expert Witness Code**). Copies of the Practice Note and Expert Witness Code are exhibited at **Tabs 2 - 3** of **Exhibit JHE-1**, respectively.
7. I acknowledge that I have read and complied with the Practice Note and the Expert Witness Code and I agree to be bound by the Practice Note and Expert Witness Code. The Report was prepared in accordance with the Practice Note and Expert Witness Code.
8. The facts and opinions expressed in the Report are true and correct to the best of my knowledge, information and belief. In preparing the Report, the team at FTI (under my supervision) has made all enquiries that it believes are desirable and appropriate and no matters of significance that are regarded as relevant have, to my knowledge, been withheld from the Court.

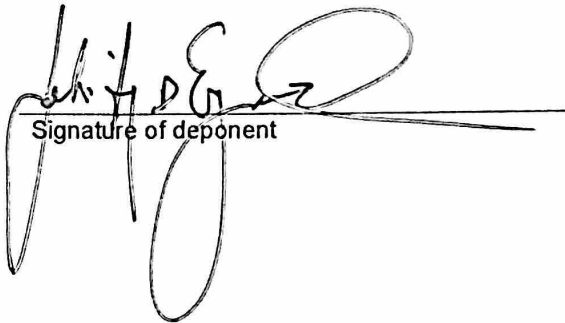

 Deponent
 L1337632122.1

 Witness

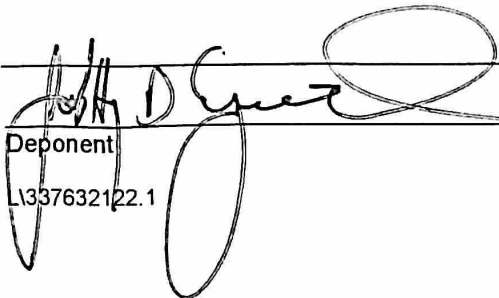
Swearing of this affidavit

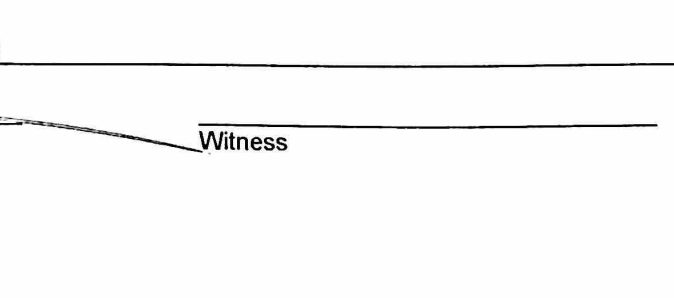
- 9. I have not been able to swear this affidavit in proper form at the time that I have signed it due to the measures I have taken to minimise the spread of COVID-19.
- 10. I have been informed by Jillian Kate Robertson, as the proposed witness to this affidavit, and believe, that the relaxation of formality with respect to the unsworn nature of this affidavit does not diminish the need for me to satisfy myself that the contents of this affidavit are true and correct. I have satisfied myself that that is the case.
- 11. I will formally swear this affidavit when circumstances allow and will instruct Clayton Utz to file the sworn version with the Court.

Sworn by the deponent
 at Sydney
 in New South Wales
 on 26 October 2020
 Before me:

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) 
) Signature of deponent

 Signature of witness,
 Jillian Kate Robertson, solicitor

 _____
 Deponent

 _____
 Witness

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