

October 2, 2008

ASX /MEDIA RELEASE

The Company has been given Notice that Findlay & Co Stockbrokers (Underwriters) Pty Ltd (ACN 078 379 683) ("Findlay") has issued a Writ of Summons against the Company in the Supreme Court of Western Australia claiming:

- (a) Payment in the sum of \$4,493,921.55, either by way of cash or shares in the Company (which are quoted or tradeable on the ASX Limited) pursuant to clause 4.1 and Schedule 2, Item 1 of the Mandate Agreement made on or about 5 June 2007 between Findlay and the Company in relation to an off market Takeover Bid for full paid ordinary shares in Golden West Resources Ltd ("Bid").
- (b) Further, or alternatively, payment of expenses incurred by it for the purposes of or in relation to the Bid pursuant to clause 4.1 and Schedule 2, Item 5 of the Mandate Agreement.
- (c) Further, or alternatively, damages for breach or breaches by the Company of the Mandate Agreement.
- (d) Such further or other relief as the Court deems fit.
- (e) Interest on the sum of \$4,493,921.55 or such other sum as may be ordered, further or alternatively, damages from 18 June 2008 or such other date and at such rate as the Court deems fit pursuant to section 32 of the Supreme Court Act 1935 (WA) (as amended).
- (f) Costs.

The Company denies that it is under any liability to Findlay.

The Writ of Summons has not yet been served on the Company. If it is served the action will be defended.

Kevin J Robertson
Managing Director