

Lenz Nominees Pty. Ltd.,  
58 Canns Road  
Bedfordale, 6112  
22.3.04

A.C.C.C.  
P.O.Box 1199  
Dickson A.C.T 2602

ATTENTION TANIA MAYRHOFFER

FILE No:
DOC: <b>004/14-335</b>
MARS/PRISM: <b>19326</b>

Dear Tania,

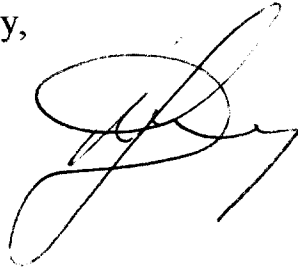
Please find enclosed Form "G" Exclusive dealing Notification and refers to section 61 of the enclosed lease document.

- 1) LENZ NOMINEES PTY LTD owns the tavern, the lease of which is the subject of this application.
- 2) LENZ NOMINEES PTY LTD owns the Brewery located on the same property as the tavern.
- 3) The Brewery is operated by a wholly owned subsidiary of Lenz Nominees Pty Ltd - Darling Range Brewing Co. Pty Ltd.
- 4) The tavern has retailed the Brewery's products exclusively since its opening together with the brewery in 1992.
- 5) The lease is offered by Lenz Nominees Pty.Ltd. to the lessee together with the exclusive right to sell the Brewery's products.
- 6) The Taverns trading reputation and Goodwill is based on the exclusive sale of the beer produced by the brewery.

- 7) The lessee has the choice of leasing other taverns, which do not sell the brewery's product or have associations with other breweries and other products.
- 8) Customers have the choice of frequenting other taverns in close proximity that market different products.
- 9) The Tavern specialises in boutique beer produced by the brewery because its product is superior to commercial beers and at a price below that of other boutique beer products.
- 10) The arrangement between the tavern and brewery provides the public with an alternative to other taverns because of its pub-brewery status.

Yours Sincerely,

Walter Lenz.

A handwritten signature in black ink, appearing to be 'W. Lenz', with a large, stylized loop at the end.

N91371

## Form G

Commonwealth of Australia  
Trade Practices Act 1974 --- Sub-section 93(1)  
**EXCLUSIVE DEALING  
NOTIFICATION**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with sub-section 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to in sub-section 47(2), (3), (4), (5), (6) or (7), or paragraph 47 (8) (a), (b) or (c) or (9) (a), (b), (c) or (d) of that Act in which the person giving notice engages or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICES ON BACK OF FORM)

1. (a) Name of person giving notice.....  
LENZ NOMINEES PTY LTD  
(See Direction 2 on the back of this form)  
(b) Short description of business carried on by that person.....  
TAVERN AND BREWERY OWNERS  
(c) Address in Australia for service of documents on that person.....  
58 CANNIS ROAD BEDFORDALE WEST AUSTRALIA  
6112
2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates.....  
50 LITRE KEGS OF DRAFT BEER  
(b) Description of the conduct or proposed conduct.....  
TAVERN TO SELL ONLY DRAFT BEER PRODUCED BY BREWERY  
(See Direction 4 on the back of this Form)
3. (a) Class or classes of persons to which the conduct relates.....  
LICENSEE OF TAVERN  
(b) Number of those persons--  
(i) At present time ..... ONE  
(ii) Estimated within the next year.....  
(c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses.....  
NEW LICENSEE YET TO BE DETERMINED
4. Names and address of person authorised by the person giving this notice to provide additional information in relation to this notice.....  
WALTER LENZ

Dated 22 - 3, 2004

Signed by/on behalf of the applicant giving notice

.....  
(Signature)

.....  
WALTER LENZ  
(Full Name)

.....  
DIRECTOR/SECRETARY  
(Description)

**Confidentiality granted for Draft Agreement**