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18 August 2006

Scott Gregson  
General Manager Adjudication  
Australian Competition & Consumer Commission  
470 Northbourne Avenue  
Dickson ACT 2602

Dear Mr Gregson,

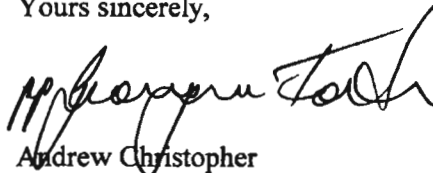
**Nestle Australia Ltd exclusive dealing notification**

We refer to the letter from Mallesons Stephen Jaques to the Commission dated 29 May 2006 purporting to amend the minutes of the pre-decision conference held on 11 May 2006.

Both ourselves and our client, ALDI Stores, wish to note for the public record that we do not agree with the amendments made by Nestle Australia Limited (**Nestle**) to the minutes of the pre-decision conference and that we do not consider Nestle's annotated version of the minutes to constitute an accurate record of the conference.

We understand that the official record of the conference remains the Commission's minutes and that Nestle's proposed amendments have not been accepted by the Commission as forming part of that record.

Yours sincerely,

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