

# EnviroMission

EnviroMission Limited  
ACN: 094 963 238  
3 Raglan Street  
South Melbourne, Victoria 3205  
T +61 3 9693 5666  
F +61 3 9699 7566  
E communications@enviromission.com.au

COMPANY ANNOUNCEMENTS DIVISION  
For Immediate Release  
Thursday 28 May, 2009

ASX Code: EVM  
US OTC Code: EVOMY

C  
O  
M  
P  
A  
N  
Y  
  
A  
N  
N  
O  
U  
N  
C  
E  
M  
E  
N  
T

## PLAINTIFF'S ATTORNEY WITHDRAWS PLAINTIFF CAUTIONED

Further to EnviroMission's May 14 announcement 'Plaintiff Attorney Files Motion to Withdraw - Counsel Conflict Raises Doubts', EnviroMission confirms the plaintiff's counsel, Gunderson Law Firm, was granted leave to withdraw as legal counsel for the plaintiff, Daya Ranjit Senanayake, on the basis of irreconcilable conflict dating back to January 2009.

The magistrate hearing Gunderson's motion cautioned the plaintiff, Mr. Senanayake appearing via telephone, to secure new legal counsel by June 22, requiring new counsel or Mr Senanayake to file replies to the outstanding motions to dismiss, including those filed by EnviroMission, by July 6. A hearing will then be set to allow for oral arguments on the motions.

A notice of Attorney's Lien was filed in the same court by Senanayake's (now) former attorney, Mark Gunderson, claiming unpaid attorney's fees, costs and accruing interest totaling US\$54,932.28 (approx AUD\$73,500) against the plaintiff (Senanayake).

"Senanayake's legal woes have impacted our concerns around many aspects of the probity of this litigant, including his ability to meet any financial obligations that may arise from his litigation, including his attorney costs and the security sought in a Motion for Security filed by the defendants with the Nevada court.

"The Motion for Security that was set to be heard on June 1 is now pending, awaiting a judge's decision, whilst Senanayake has been granted a continuance to allow him until June 22 to secure alternative legal representation now his attorney has been allowed to withdraw as counsel.

"EnviroMission joined the defendants' Motion for Security to seek some sense of a guarantee that Senanayake could, at the very least, meet the eligible costs of a successful defense.

"The Attorney's Lien now raises serious doubts around Senanayake's ability to even meet the costs of his own litigation" EnviroMission's Chief Executive, Roger Davey, said in outlining concerns about the plaintiff.

"This whole matter is extremely frustrating" Mr Davey said, adding that "civil actions, however baseless, require a defense that generally comes at great cost and this is made all the more frustrating when there is no certainty that the costs of a successful defense can even be met by a plaintiff!"

Securities forensics continue to confirm EnviroMission's defense strategy in this litigation to possibly also inform civil and criminal proceedings possibly being sought against this plaintiff in a number of jurisdictions; not the least being EnviroMission's intention to seek costs for the extensive and far reaching forensics exercise involved in discovery of information central to this case that had been excluded to the detriment of the defense.

Ends.

Kim Forte  
Communications Manager  
EnviroMission Limited  
+61414690356