

10 July 2017

ASX Release

Kidman Resources Limited  
ABN 88 143 526 096

## Judgment in Kidman's favour over Earl Grey lithium rights challenge

**Corporate Details:**

ASX Code: KDR

**Issued capital:**

333.3M ordinary shares  
47.45 listed options (KDRO)

**Substantial Shareholders:**

Capri Holdings (9.75%)  
Western Areas (5.2%)  
Acorn Capital (5.88%)

**Directors:**

**Non-Executive Chairman:**

Peter Lester

**Managing Director:**

Martin Donohue

**Non-Executive Director:**

Brad Evans

**Chief Financial Officer (CFO):**

Jason Eveleigh

**Company Secretaries:**

Justin Mouchacca  
Melanie Leydin

**Contact Details:**

Kidman Resources Limited  
Level 7,  
24-28 Collins Street  
Melbourne  
Victoria 3000  
Australia

Tel: +61 (0)3 9671 3801

Fax: +61 (0)3 9671 3523

Email:  
info@kidmanresources.com.au

Website:  
www.kidmanresources.com.au

Kidman Resources Limited (ASX: KDR) is pleased to advise that it has successfully defended the ownership of lithium rights to its Mt Holland project, including the Earl Grey deposit, with Supreme Court Justice Kenneth Martin handing down a judgment on Friday against the plaintiff, Marindi Metals Ltd (ASX: MZN).

The finding follows the three-day trial held from 29 to 31 May 2017 in the Supreme Court of Western Australia, when the Court dealt with the issue of whether any agreement existed with Marindi over the lithium rights to Mt Holland.

Kidman was represented by Grant Donaldson SC, instructed jointly by Maddocks and by Gilbert + Tobin, who successfully defended Marindi's claims, which were based on an exchange of emails and text messages.

In his reasons for judgment, Justice Martin found that there was a need for a binding and enforceable heads of agreement to be first signed off between these parties as a condition precedent to the companies perfecting a binding agreement.

Justice Martin also agreed with Kidman's characterisation of the early draft agreement as at best "an agreement to agree", in reference to the draft clauses within the draft exchanged and that the delineation of the mining rights that Marindi was to hold was uncertain.

The draft agreement was not executed, and Justice Martin also noted "were it necessary to decide, I would deny specific performance to Marindi, upon a basis of what was a seriously prejudicial and unjust delay to Kidman" – a reference to the timeline of the claimed agreement and legal action being filed.

Kidman Managing Director Martin Donohue said, on behalf of all shareholders, he was very pleased to have this matter resolved in the Company's favour and thanked the Court for dealing with it in a timely manner.

"I would also like to thank all involved in preparing and delivering our defence to this opportunistic attempt by Marindi to gain control of the highly promising Earl Grey lithium deposit," Mr Donohue said.

"We can now focus the attention of our entire leadership team on the fast-tracked development of Earl Grey, and other projects within our portfolio, for the benefit of all shareholders."

The Company has continued to progress development work on Earl Grey, located on Western Australia's Forrestania Greenstone Belt, where a Maiden Mineral Resource of 128 million tonnes at 1.44% Li<sub>2</sub>O for 1.84 million tonnes of lithium oxide has been defined and a Pre-Feasibility Study is well advanced.

**For the full reasons supporting Justice Martin's decision to dismiss Marindi's case, please see the link below:**

[http://decisions.justice.wa.gov.au/Supreme/supdcsn.nsf/PDFJudgments-WebVw/2017WASC0189/\\$FILE/2017WASC0189.pdf](http://decisions.justice.wa.gov.au/Supreme/supdcsn.nsf/PDFJudgments-WebVw/2017WASC0189/$FILE/2017WASC0189.pdf)

**Media Contact:  
Cannings Purple**

Warrick Hazeldine  
0417 944 616

[whazeldine@canningspurple.com.a](mailto:whazeldine@canningspurple.com.au)

Michael Cairnduff  
0406 775 241

[mcairnduff@canningspurple.com.au](mailto:mcairnduff@canningspurple.com.au)