

EnviroMission

EnviroMission Limited

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COMPANY ANNOUNCEMENTS DIVISION

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Service Attempted on EnviroMission Limited in US Civil Suit

EnviroMission Limited (EnviroMission) advises it has been joined to an amended civil suit that was initially brought against SolarMission Technologies Inc (SolarMission) in the United States District Court for the Northern District of Nevada (Nevada being the place of incorporation of SolarMission).

Mr Roger Davey, EnviroMission's Chief Executive Officer, has also been named as a defendant; however no summons had been served on Mr Davey at the time of this release.

Significant doubt exists that the attempted service conforms with US and Australian law. EnviroMission is taking counsel from legal advisors in the US and Australia for the legal effect of the attempted service; Nevada legal counsel has advised EnviroMission it has a very strong claim to successfully assert it is not subject to the jurisdiction of the Nevada court and should be immediately dismissed from the case.

In the event jurisdiction and process to service a summons meets the rules of civil procedure, EnviroMission's legal counsel will seek to have all matters dismissed along with SolarMission; failing success for a motion to dismiss, EnviroMission will aggressively defend the complaint and explore the extent of possible counterclaims that may be filed against the plaintiff for actions taken against EnviroMission that may also be actionable by its shareholders.

EnviroMission and SolarMission were engaged in publicly disclosed merger negotiations that were mutually terminated due to an unresolved legal matter involving SolarMission with the same plaintiff.

Following extensive due diligence (including a forensic search of the SolarMission share registry) and in accordance with Australian and United States' laws, EnviroMission made an offer to individual, eligible, SolarMission common security holders seeking at least majority control of SolarMission. EnviroMission secured close to 60% of the common shares of SolarMission and was confirmed as the major shareholder of SolarMission after EnviroMission's shareholders approved the issue of EnviroMission shares to complete the terms of the share purchase agreement at the 2008 Annual General Meeting (19 December).

EnviroMission is now the majority shareholder of SolarMission; the complaint is brought by a minority SolarMission shareholder of special restricted shares, Daya Ranjit Senanayake, citizen and resident of Sri Lanka and an individual acting on behalf of himself and derivatively on behalf of *defendant* SolarMission Technologies, Inc.

"Whilst this matter is frustrating in respect to the waste of time and resources necessary to its response, EnviroMission will seek relief for the damages suffered from being joined to the litigation.

"Solar Tower commercialization is EnviroMission's core business and there is no doubt in my mind that this action is unwarranted, unmerited and is taken without regard to the facts or the rights of EnviroMission and could be viewed as a measure of the plaintiff's awareness of EnviroMission's prospects for success" Mr Roger Davey said in regard to the Senanayake v SolarMission Technologies Inc *et al* complaint.

"Regardless if EnviroMission is dismissed from this particular lawsuit, the company will now carefully evaluate the merits of pursuing claims against Mr. Senanayake in other, more convenient forums" Mr Davey said.

Ends.



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