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ASX Announcement

APPLICATION BY NOBLE GROUP TO THE HIGH COURT

Noble Group Limited (**Noble**) filed an application with the High Court of Australia on 12 May 2009 seeking to have the decision of the Review Panel of the Takeovers Panel delivered on 29 April 2009 set aside. Whitehaven Coal Limited (**ASX: WHC**) is a party to Noble's application. Other parties to Noble's application are the individual members of the Review Panel (in their capacity as members of that panel), Gloucester Coal Ltd and ASIC.

Whitehaven Coal is currently reviewing this application. Further announcements on Noble's application will be announced in due course.

Austen Perrin
Company Secretary