

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 7 February 2020**

2017/00294069-001 / Statement of Claim: Haliburton Charles David Findlay v DSHE Holdings Ltd (receivers and managers appointed)(in liquidation)

This matter is listed for Argument on 20 February 2020 9:30 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

This matter is listed for Pre-Trial Directions on 21 February 2020 9:00 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

The following hearing dates are vacated:

18 Feb 2020 09:00 AM

Reason: By Consent

HH makes orders in terms of paragraph 1 of the short minutes of order initialled and dated today's date.

HH makes orders in terms of paragraphs 4 to 6 of the short minutes of order initialled and dated today's date.

HH directs that the parties serve and provide to HH's Associate by 4.00pm on 18 February 2020 a short outline of written submissions and any evidence on which they intend to rely in relation to the question whether the plaintiffs in the Bank and the Company cases should be entitled to rely on evidence purportedly served in reply in relation to damages.

HH directs that any party interested in the issue of whether the plaintiffs in the Bank case should provide additional discovery to Messrs Potts and Abboud serve and provide to HH's Associate a brief outline of written submissions and any evidence on which they intend to rely by 4.00pm on 18 February 2020.

HH lists the matter for argument in relation to evidence purportedly served in reply on the questions of damages and discovery in the Bank case to 20 February 2020 at 9.30am.

HH vacates the directions listed on 18 February 2020 and stands over for directions to 21 February 2020.

Paragraph 1 of Short Minutes of Order

1. By 10 February 2020, the plaintiffs in all actions are to serve a schedule listing the (previously served) data extracts (by reference to document number, description and source) upon which they intend to rely at the final hearing.

Paragraphs 4 to 6 of Short Minutes of Order

4. Pursuant to section 175 of the Civil Procedure Act 2005 (NSW) (Act) notice be given to group members of the outcome of the mediation (Website Mediation Outcome Notice).

5. The form and content of the Website Mediation Outcome Notice) attached as Annexure A respectively be approved for the purposes of Section 176(1) of the Act.

6. The Notice approved pursuant to orders 4 to 5 above may be amended by the Class Action Plaintiffs before they are posted, displayed or published in order to correct any non-substantive error.

Annexure A

Website Mediation Outcome Notice

Proposed Text to be placed on the Dick Smith Class Action Website – dshclaim.com.au

Dick Smith Class Actions – Mediation Outcome

On 30 and 31 January 2020 the reconvened mediation in the Dick Smith Class Actions took place. The mediation did not result in an agreement to settle the Dick Smith Class actions.

The confidentiality arrangements that apply to a mediation are such that we are unable to discuss what occurred in the mediation.

The trial of the Dick Smith Class Actions is due to commence on 9 March 2020, and is scheduled to run for 12 weeks.

Justice M Ball

Signed

Date