

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 3 March 2020**

**2019/00232749-001 / Summons: Terry Williamson v SYDNEY OLYMPIC PARK
AUTHORITY trading as Sydney Olympic Park Authority**

This matter is listed for Directions (Commercial) on 17 April 2020 9:45 AM before the
Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

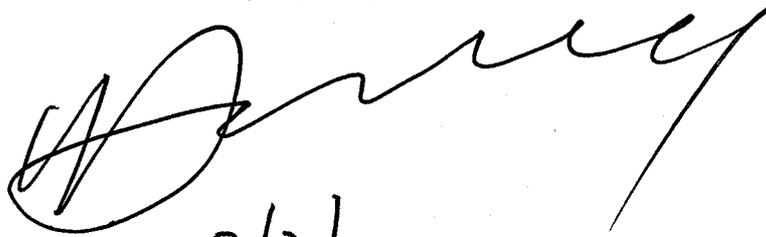
I make the orders in the document entitled Short Minutes of Order which I have initialled,
dated today's date and placed with the papers.

Justice D Hammerschlag

Signed

Date

HAMMERSCHLAG J



3/3/20
Form 44 (version 3)
UCPR 36.1A**DRAFT SHORT MINUTES OF ORDER****COURT DETAILS**

Court	Supreme Court of NSW
Division	Equity
List	Commercial
Registry	Supreme Court Sydney
Case number	2019/232749

TITLE OF PROCEEDINGS

First Plaintiff	Terry Walter Williamson
Second Plaintiff	Helen Therese Williamson
Defendant	Sydney Olympic Park Authority (ABN 68 010 941 405)

PREPARATION DETAILS

Prepared for	Terry Walter Williamson and Helen Therese Williamson, Plaintiffs
Legal representative	Chris Pagent, Corrs Chambers Westgarth
Legal representative reference	9145405
Contact name and telephone	Chris Pagent, (02) 9210 6162
Contact email	chris.pagent@corrs.com.au

TERMS OF ORDER MADE BY THE COURT

The Court makes the following orders:

Pleadings

- 1 Grant leave to Icon to file and serve any Fourth Cross Claim Summons and List Statement by 20 March 2020.
- 2 Grant leave to AAD and Ecove to file and serve any Fifth Cross Claim Summons and List Statement by 20 March 2020.
- 3 The time for Evolution to file and serve a list response to the Third Cross Claim List Statement filed by WSP be extended to 27 March 2020.
- 4 Grant leave to Evolution to file and serve any Sixth Cross Claim Cross Summons and List Statement by 10 April 2020.

Evidence

- 5 The time for the plaintiffs to serve all evidence in chief in relation to liability be extended to 27 March 2020.
- 6 The time for the defendant to notify all parties as to whether it intends to serve any evidence on liability be extended to 8 April 2020.

Opt Out

- 7 Pursuant to 162(1) of the *Civil Procedure Act 2005* (NSW), 22 May 2020 be fixed as the date by which a Group Member may opt out of this proceeding (**Opt Out Date**).
- 8 Pursuant to sections 175 and 176 of the *Civil Procedure Act*, the form and content of the Opt-out Notice in Schedule A be approved (**Notice**).
- 9 On or before 6 March 2020, the plaintiffs shall cause a certified translation of the Notice to be prepared in Simplified Chinese. Reference in these orders to "Notice" will hereinafter include a reference to both the English and Certified Simplified Chinese versions of the Notice.
- 10 On or before 6 March 2020, the defendant and first and second cross-defendants to the first cross-claim shall each provide a list to the plaintiffs of the lots it or its related entities owned in Strata Plan 97315 on 24 December 2018.
- 11 On or before 27 March 2020, the plaintiffs shall obtain the following information from the strata roll maintained in respect of Strata Plan 97315:
- a. the name of the holder of the estate in fee simple of each lot; and
 - b. the address for service of notices recorded in the strata roll in respect of each of each lot.
- 12 Pursuant to section 176(2) of the *Civil Procedure Act*, the Notice be given to Group Members according to the following procedure:
- a. On or before 10 April 2020, the plaintiffs shall cause, through their solicitors, a copy of the Notice to be sent to all Signed Group Members:
 - i. by email, where an email address for the Signed Group Member is available; or
 - ii. where no email address for the Signed Group Member is available, by pre-paid ordinary post to the address for service of notices as recorded in the strata roll maintained in respect of Strata Plan 97315 and obtained pursuant to order 11 of these orders.

Field Code Changed

- b. On or before 10 April 2020, the plaintiffs shall cause, through their solicitors, a copy of the Notice to be sent to all Non-signed Group Members by pre-paid ordinary post to the Non-signed Group Members' address for service of notices as recorded in the strata roll maintained in respect of Strata Plan 97315 and obtained pursuant to order 11 of these orders.
- c. On or before 10 April 2020, the plaintiffs shall cause, through their solicitors, a copy of the Notice to be sent to The Owners – Strata Plan 97315 by pre-paid ordinary post to the following address:

The Owners – Strata Plan 97315
 1 Brushbox Street
 Sydney Olympic Park NSW 2127

- 13 The Registrar of the Supreme Court of New South Wales shall cause a copy of the Notice to be displayed on the Supreme Court website from 10 April 2020 until the final disposition of this proceeding.
- 14 Pursuant to ss 162(2) and 183 of the *Civil Procedure Act*, any Group Member wishing to opt out of the proceeding must, before the Opt Out Date, file a completed 'Opt-out Notice' in the form set out in Annexure A to Schedule A to these orders (or in the form of the certified translation of the Out-out Notice prepared in accordance with order 9 of these orders) in the Registry of the Supreme Court of New South Wales and serve a copy on the solicitors for the plaintiff (being Corrs Chambers Westgarth).
- 15 If, on or before the Opt Out Date, the solicitors for any party receive a notice purporting to be an opt out notice referable to this proceeding, the solicitors shall file that notice with the Registry of the Supreme Court of New South Wales, within 3 days after receipt, and the notice shall be treated as an opt out notice received by the Court at the time it was received by the solicitors.
- 16 The costs of, and incidental to, the procedure set out in orders 9 and orders ~~115~~ to ~~126~~ above (including, without limitation, costs incurred in addressing enquiries by Group Members and members of the public in relation to the Notice) shall be paid in the first instance by the plaintiffs but shall be costs in the cause.
- 17 The solicitors for the parties to the proceeding have leave to inspect the Court file and copy any opt out notices filed.
- 18 The proceedings be listed for further directions on 17 April 2020.
- 19 Liberty to apply on three days' notice

Definitions

AAD means Australia Avenue Developments Pty Ltd, the First Cross Defendant to the First Cross Claim.

Ecove means Ecove Group Pty Ltd, the Second Cross Defendant to the First Cross Claim.

Icon means Icon Co (NSW) Pty Ltd, the Third Cross Defendant to the First Cross Claim, the Cross Claimant to the Second Cross Claim and the Second Cross Defendant to the Third Cross Claim.

WSP means WSP Structures Pty Ltd, the First Cross Defendant to the Second Cross Claim and Cross Claimant to the Third Cross Claim.

Signed Group Members means Group Members who have signed a retainer agreement with Corrs Chambers Westgarth in relation to this proceeding.

Group Members has the meaning given to it in paragraph 6 of the Commercial List Statement.

Non-signed Group Members means Group Members who have not signed a retainer agreement with Corrs Chambers Westgarth in relation to in this proceeding.

SEAL AND SIGNATURE

Court seal
Signature
Capacity
Date made or given
Date entered

NOTICE

Subject to limited exceptions, no variation of a judgment or order can occur except on application made within 14 days after entry of the judgment or order.

Field Code Changed

First Cross Defendant to the Third Cross Claim, Evolution Precast Systems Pty Ltd (ABN 17 608 136 518) consents.

Signature of legal representative

Capacity

Solicitor for the First Cross Defendant to the Third Cross Claim

Date of signature

