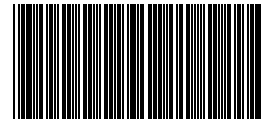




Filed: 27 September 2019 4:19 PM

Form 10
UCPR 9.1



D00016RW0D

FIRST CROSS-CLAIM CROSS-SUMMONS

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Commercial
Registry	Supreme Court Sydney
Case number	2019/00232749

TITLE OF PROCEEDINGS

First Plaintiff	Terry Williamson
First Defendant	SYDNEY OLYMPIC PARK AUTHORITY trading as Sydney Olympic Park Authority ABN 68010941405

TITLE OF THIS CROSS-CLAIM

First Cross-claimant	SYDNEY OLYMPIC PARK AUTHORITY trading as Sydney Olympic Park Authority ABN 68010941405
First Cross-defendant	Australia Avenue Developments Pty Ltd ACN 104573391
Second Cross-defendant	Ecove Group Pty Ltd
Number of cross-defendants	3 Refer to Party Details at rear for full list of parties

FILING DETAILS

Filed for	SYDNEY OLYMPIC PARK AUTHORITY trading as Sydney Olympic Park Authority, Cross Claimant 1
Filed in relation to	Plaintiff's claim
Legal representative	Sean Emmett O'Connor
Legal representative reference	
Telephone	02 8273 9826
Your reference	SOC 9000156 RAF

HEARING DETAILS

A Notice of Listing will be attached and served with this cross-summons.

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Cross Summons (e-Services), along with any other documents listed below, were filed by the Court.

Cross-summons (UCPR 10) (Cross Summons.pdf)

[attach.]

CROSS-SUMMONS

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
List	Commercial
Registry	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)

TITLE OF THIS CROSS-CLAIM

Cross-Claimant	Sydney Olympic Park Authority (ABN 68 010 941 405)
First Cross-Defendant	Australia Avenue Developments Pty Ltd (ACN 104 573 391)
Second Cross-Defendant	Ecove Group Pty Ltd (ACN 065 207 918)
Third Cross-Defendant	Icon Co (NSW) Pty Ltd (ACN 604 790 409)

FILING DETAILS

Filed for	Sydney Olympic Park Authority, Defendant
Legal representative	Sean O'Connor, Wotton + Kearney
Legal representative reference	SOC 9000156 RAF
Contact name and telephone	Robert Finnigan, 02 8273 9850
Contact email	Robert.finnigan@wottonkearney.com.au

HEARING DETAILS

This cross-summons is listed for a directions hearing on 4 October 2019.

RELIEF CLAIMED

- 1 A declaration that the cross-claimant (**SOPA**) is entitled to be indemnified by the first cross-defendant (**AAD**) in respect of any liability SOPA is found to owe to the plaintiffs or any Group Member
- 2 Further or in the alternative, a declaration that SOPA is entitled to be indemnified by the second cross-defendant (**Ecove**) in respect of any liability AAD is found to owe SOPA
- 3 Further or in the alternative, a declaration that AAD holds on trust for SOPA monies obtained pursuant to judgment on any cross-claim filed by AAD against the third cross-defendant (**Icon**) seeking relief in respect of the warranties and indemnities referred to in paragraphs 64 and 66 of the cross-claim filed by SOPA
- 4 Further or in the alternative, a declaration that SOPA is entitled to be indemnified by Icon in respect of any liability it is found to owe to the plaintiffs or any Group Member
- 5 Further or in the alternative, damages
- 6 Interest pursuant to section 100 of the *Civil Procedure Act 2005 (NSW)* (**CPA**)
- 7 Costs
- 8 Interest on costs pursuant to section 101 of the CPA
- 9 Such further or other orders as the Court thinks fit

SIGNATURE OF LEGAL REPRESENTATIVE

I certify under clause 4 of Schedule 2 to the *Legal Profession Uniform Law Application Act 2014* that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in this cross-summons has reasonable prospects of success.

I have advised the cross-claimant that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature



Capacity

Solicitor on record

Date of signature

27 September 2019

NOTICE TO CROSS-DEFENDANT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you. The court may also make orders for the payment of costs.

If you are a new party, or an existing party who has not already filed an originating process or appearance, before you can appear before the court you must file at the court an appearance in the approved form.

HOW TO RESPOND

Please read this cross-summons very carefully. If you have any trouble understanding it or require assistance on how to respond to the cross-summons you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the cross-summons from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.
- The court registry for limited procedural information.

Court forms are available on the UCPR website at www.ucprforms.justice.nsw.gov.au or at any NSW court registry.

REGISTRY ADDRESS

Street address	Supreme Court of NSW
Postal address	Law Courts Building Queens Square 184 Phillip Street Sydney NSW 2000
Telephone	(02) 9230 8111

PARTY DETAILS

A list of parties must be filed and served with this cross-summons.

PARTIES TO THIS CROSS-CLAIM**Cross-claimant**

Sydney Olympic Park Authority

Cross-defendants

Australia Avenue Developments Pty Ltd

Ecove Group Pty Ltd

Icon Co (NSW) Pty Ltd

DETAILS ABOUT CROSS-DEFENDANTS THAT ARE NEW PARTIES**First Cross-defendant**

Name	Australia Avenue Developments Pty Ltd		
Address	Level 14	Australia Square	
	264 – 278	George	Street
	SYDNEY	NSW	2000

Second Cross-defendant

Name	Ecove Group Pty Ltd		
Address	Level 14	Australia Square	
	264 – 278	George	Street
	SYDNEY	NSW	2000

Third Cross-defendant

Name	Icon Co (NSW) Pty Ltd		
Address	Level 23	Rialto Towers	
	525	Collins	Street
	MELBOURNE	VIC	3001