

OPAL TOWERS

SUPREME COURT OF NEW SOUTH WALES

ASSOCIATE'S RECORD OF PROCEEDINGS

FILE NUMBER: 2019/232749

NAME OF MATTER: Terry Walter Williamson v Sydney Olympic Park Authority
trading as Sydney Olympic Park Authority

DATE: 8 July 2022

CORAM: Black J

AJOURNMENT: Date: To be advised – date after 10 October 2022

Listed for: (mention/direction/hearing etc) Motion

Before: (Coram) Black J

Filed in Court for

VERDICT, ORDER OR DIRECTION:

Hearing of Notice of Motion filed 28 June 2022.

Ex tempore judgment delivered on non-publication order.

Black J makes orders (as amended) in accordance with the Short Minutes of Order initialled by him and placed in the file.

The Court makes the following orders:

1. Pursuant to s 183 of the Civil Procedure Act 2005 (NSW) and/or ss 7 and 8(1)(a) of the Court Suppression and Non-publication Orders Act 2010 (NSW), until 16 December 2022, in order to prevent prejudice to the proper administration of justice, the Court orders that Confidential Exhibit "CJP-1" to the affidavit of Christopher John Pagent made on 27 June 2022 and Annexure A to the Plaintiffs' Notice of Motion dated 27 June 2022 are not to be disclosed (by publication or otherwise other than by leave of the Court) to any person or entity, except to:
 - (a) the judge case-managing and/or hearing the settlement approval application or any appeal therefrom;
 - (b) the Plaintiffs and their legal representatives;
 - (c) Group Members (as defined in the plaintiffs' Summons dated 25 July 2019) other than those who have opted-out of the proceedings as at the date of these orders;
 - (d) Augusta Pool 1 UK Limited; and

- (e) the defendants and their legal representatives.
- 2. Liberty to apply in respect of any extension of this order on 2 business days' notice.

Ex tempore judgment delivered on notice to class members.

Black J makes the following further orders:

1. The form and content of the notice as tendered as confidential exhibit CJP-1 (in unredacted form) and exhibit A1 (in redacted form), as amended in the course of the hearing, be approved for the purposes of ss 175 and 176 of the Civil Procedure Act 2005 (NSW) as the notice that must be given under s 175(4) of the Act, to group members who:
 - a. Fall within the definition in [6] of the Further Amended Commercial List Statement filed on 9 March 2022; and
 - b. Have not opted-out of proceedings 2019/232749.
2. Note that it is proposed that the hearing of the motion seeking orders for approval of the settlement be listed on the first available date on or after 10 October 2022
3. Direct the plaintiffs, after consulting with the relevant defendants, to provide amended directions, taking account of the hearing date and identifying the senior counsel to be appointed as contradictor to the Associate to Black by 4pm on 15 July 2022 with a view to those orders being made in chambers.