

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: 11 October 2022

CORAM: Black J

ADJOURNMENT: Date: 11 November 2022 @ 10am

Listed for: Motion (part heard)

Before: Black J

VERDICT, ORDER OR DIRECTION:

Hearing of Notice of Motion filed 7 October 2022.

Black J makes orders (as amended) in accordance with paragraphs 9 and 10 of the Short Minutes of Order initialled by him and placed in the file.

Confidentiality

- 9 Pursuant to s 183 of the Act and/or ss 7 and 8(1)(a) of the Court Suppression and Non-Publication Orders Act 2010 (NSW), until 30 September 2027, in order to prevent prejudice to the proper administration of justice, the Court orders that:
- a. Paragraphs [12] (from the second sentence), [109]-[111] of the affidavit of Christopher John Pagent made on 7 October 2022;
 - b. Confidential Exhibit "CJP-2" to the affidavit of Christopher John Pagent made on 7 October 2022;
 - c. Confidential Exhibit "CJP-4" to the affidavit of Christopher John Pagent made on 7 October 2022 limited to the definition of "Settlement Sum" at page 6 and references to the amount of the settlement sum in the Exhibit generally; and the whole of pages 51-127 of the Exhibit; and
 - d. Confidential Exhibit "CJP-5" to the affidavit of Christopher John Pagent made on 7 October 2022;
- are not to be disclosed (by publication or otherwise other than by leave of the Court) to any person or entity, except to:
- e. the judge case-managing and/or hearing this notice of motion or any appeal therefrom;
 - f. the plaintiffs and their legal representatives;

- g. 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;
 - h. the Funder and its legal representatives;
 - i. defendants and their legal representatives;
 - j. the Court appointed contradictor (Ruth Higgins SC); and
 - k. the Court appointed cost assessor (Roland Matters).
- 10 Pursuant to s183 of the Act and/or ss 7 and 8(1)(a) of the Court Suppression and Non-Publication Orders Act 2010 (NSW), until 30 September 2027, in order to prevent prejudice to the proper administration of justice, the Court orders that:
- a. Paragraphs [77]-[85] and [92]-[93] of the affidavit of Christopher John Pagent made on 7 October 2022;
 - b. Pages 1 to 83 and pages 102 to 250 of Confidential Exhibit "CJP-3" to the affidavit of Christopher John Pagent made on 7 October 2022;
- are not to be disclosed (by publication or otherwise other than by leave of the Court) to any person or entity, except to:
- c. the judge case-managing and/or hearing this notice of motion or any appeal therefrom;
 - d. the plaintiffs and their legal representatives; and
 - e. the Funder and their legal representatives; and
 - f. Dr Higgins, as contradictor in this application.

Black J makes the following further directions:

1. Grant leave to Augusta Pool One UK Ltd be heard and reserve the ability for it to apply to be joined as a party to the motion.
2. Direct Augusta Pool One UK Ltd to serve and send to the Associate to Black J all evidence on which it relies and submissions by 4pm on 25 October 2022
3. Direct the Plaintiffs and the Contradictor to serve and send to the associate to Black J any evidence on which they rely in response and any submissions by 4pm on 2 November 2022.
4. Direct any other party that seeks to rely on evidence or submissions to serve and send those submissions to the associate to Black J by 4pm on 8 November 2022.
5. List the matter for the continuance of the motion at not before 10am on 11 November 2022.
6. Liberty to apply on 2 business days' notice specifying the relief sought.

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