

**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 November 2022

CORAM: Black J

ADJOURNMENT: Date: 15 November 2022 @ 8.30am (3 hours)  
Listed for: (mention/direction/hearing etc) Motion  
Before: (Coram) Black J

Filed in Court for Augusta Pool: Notice of Motion dated 10 November 2022; Affidavit of Neill Brennan dated 25 October 2022; Affidavit of Robert Warner dated 9 November 2022

**VERDICT, ORDER OR DIRECTION:**

- Black J grants leave to file in Court Notice of Motion dated 10 November 2022 filed by Augusta Pool 1 UK Ltd.

Hearing of paragraphs 1 and 2 of Notice of Motion filed by Augusta Pool 1 UK Ltd. Declines to make order 1; but make order 2 that Augusta Pool One UK Ltd be joined as a respondent to the Plaintiffs' notice of motion filed 7 October 2022.

Black J makes the following order in respect of previous suppression orders made:

1. ORDER that the orders under the Court Suppression and Non-Publication Act made on 11 October 2022 be varied in respect of Order 9(d) so that they are limited to the Settlement Sum (as defined) appearing in confidential exhibit CJP5 to the affidavit of Mr Pagent made on 7 October 2022; in respect of order 10(a) they are revoked; in respect of 10(b) they are limited to the Counsel's opinion found at pages 1-29 of confidential exhibit CJP-3 to Mr Pagent's affidavit; and in respect of exhibit C1, containing references to the Funding Commission percentage and the Funding Commission plus ATE cost percentage, they are revoked.

Hearing of paragraph 3 of Notice of Motion filed by Augusta Pool 1 UK Ltd on 11 November 2022.

- Black J grants leave to file in Court affidavits of Neill Brennan dated 25 October 2022 and copy affidavit of Robert Warner dated 9 November 2022.

Ex tempore judgment delivered on suppression orders.

Black J makes the following order:

1. Suppression order in respect of the evidence on which AP1 relies, in the form of paragraph 3 of the Plaintiffs' Notice of Motion filed on 11 November 2022, limited in respect of paragraph 3(a) to paragraphs 35(d), 39(b)-(c), (the numerical figures), 43 (from the second sentence), 44, 46(b), 52 (the statements attributed to Mr Pagent and the Plaintiffs), 53, 54 (the first to fifth lines) of the affidavit of Neill Brennan dated 25 October 2022 and, in paragraph (b), pp 75-99 and 100-110 of Confidential Exhibit NB-1 and delete paragraphs 3(c)-(d).

Hearing of Notice of Motion filed 7 October 2022 adjourned to 8.30am on Tuesday 15 November 2022.

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