

**[PLAINTIFF'S REVISED PROPOSED] SHORT MINUTES OF ORDER**

**(10 March 2020 version)**

**COURT DETAILS**

Court	Supreme Court of New South Wales
Division	Common Law
Registry	Sydney
Case number	2015/368036

**TITLE OF PROCEEDINGS**

Plaintiff	<b>Sharon Patricia Weber</b>
Defendant	<b>Greater Hume Shire Council</b>

**PREPARATION DETAILS**

Prepared for	<b>Sharon Patricia Weber</b> , Plaintiff
Legal representative	Brendan Pendergast, Maddens Lawyers
Legal representative reference	150406
Contact name and telephone	Kathryn Emeny, (03) 5560 2000
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**ORDERS**

- 1 The motion for relief in prayers 16, 17 and 18 of the plaintiff's notice of motion filed 27 February 2020 (**Costs Motion**) is adjourned for hearing at 9.30am on 1 May 2020.

*Confidentiality*

- 2 Order pursuant to section 7 of the *Court Suppression and Non-publication Orders Act* 2010, until further order, upon the grounds that such order is necessary to prevent prejudice to the proper administration of justice, the following paragraphs of the confidential affidavit of Kathryn Amy Emeny sworn on 5 March 2020, are to be suppressed and not published, namely, 33 and 34, 37 to 69 inclusive, 81 to 88 inclusive, 103, 118 to 120 inclusive, and 130 to 132 inclusive.
- 3 Order 2 is to apply throughout the Commonwealth of Australia.
- 4 Leave be granted to the plaintiff to rely on the affidavit in order 2 without service upon the defendant.

5 The requirement of notice to group members of the application for the provisional approval of the settlement of this proceeding pursuant to s 175(4) of the *Civil Procedure Act 2005 (Act)* be dispensed with.

Settlement Approval

6 Pursuant to section 173 of the Act, the Court provisionally approves:

- a. the settlement entered into between the plaintiff on behalf of all group members and the defendant set out in the document entitled '*Settlement Agreement*' executed as a deed by the parties on 5 March 2020 produced at Exhibit KAE-1 to the open affidavit of Kathryn Amy Emeny sworn on 5 March 2020; and
- b. the settlement distribution scheme (**Scheme**) which is Annexure A to this order.

7 Pursuant to section 179 of the Act, there be judgment in favour of the plaintiff in her capacity as representing the group members in the sum of \$16 million inclusive of all entitlement to interest.

8 Each party to the proceeding pay her and its own costs of the proceeding.

9 All existing costs orders in the proceeding be vacated.

10 Pursuant to s 179 of the Act, the persons affected and bound by orders 6 to 9 inclusive are the plaintiff, the group members and the defendant.

Notice of Settlement Approval

11 Pursuant to the Act, the content of the Notice of of Settlement (**Notice**) which is Annexure B to this order be approved.

12 Pursuant to s 176 of the Act, the plaintiff cause the Notice and a copy of the Scheme to be distributed according to the following procedure:

- a. for each group member registered with Maddens Lawyers (**Registered Group Member**) for whom Maddens Lawyers have an email address, by the plaintiff causing the Notice to be emailed to that person at the nominated e-mail address by 4.00pm on 13 March 2020;
- b. for all Registered Group Members, including those specified in order 12a, for whom Maddens Lawyers have a postal address, by the plaintiff causing the Notice to be posted to each person at the nominated postal address by 4.00pm on 13 March 2020.

13 Liberty to apply.

- 14 The costs of today be costs in the proceeding.
- 15 The proceedings be stood over for final approval to 9.30am on 1 May 2020.
- 16 The directions hearing fixed before the Registrar on 10 March 2020 be vacated.