

Filed by email on
11 May 2020



Form 104 (version 5)
UCPR 51.10

SUMMONS SEEKING LEAVE TO APPEAL

COURT DETAILS

Court Supreme Court of New South Wales, Court of Appeal
Registry Sydney
Case number 2020/139924

TITLE OF PROCEEDINGS

Applicant **Marion Antoinette Wigmans**

First respondent **AMP Limited**
Number of respondents 3

PROCEEDINGS IN THE COURT BELOW

Title below Komlotex Pty Ltd & Anor v AMP Limited
Court below Supreme Court of New South Wales
Case number below 2018/310118
Date of hearing 30 April 2020
Material date 8 May 2020
Decision of Ward CJ in Eq

FILING DETAILS

Filed for **Marion Antoinette Wigmans, applicant**
Filed in relation to Whole decision below
Legal representative Damian Scattini
Quinn Emanuel Urquhart & Sullivan
Legal representative reference 08072-00003
Contact name and telephone Damian Scattini (02) 9146 3500
Contact email damianscattini@quinnemanuel.com

HEARING DETAILS

This summons seeking leave to appeal is listed for directions at 2.30pm on 11 May 2020

DETAILS OF APPLICATION FOR LEAVE TO APPEAL

- 1 This application for leave to appeal is brought under s101(2)(e) of the *Supreme Court Act 1970* (NSW).
- 2 The applicant has not filed a notice of intention to appeal.

ORDERS SOUGHT

- 1 Leave to appeal from the whole of the decision below.
- 2 This application be expedited.
- 3 This application be heard concurrently with argument on appeal.
- 4 Costs.

SIGNATURE OF LEGAL REPRESENTATIVE

This notice of appeal does not require a certificate under clause 4 of Schedule 2 to the Legal Profession Uniform Law Application Act 2014.

I have advised the applicant[s] that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature



Capacity Solicitor on record

Date of signature 8 May 2020

NOTICE TO RESPONDENT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence.

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 summons seeking leave to appeal very carefully. If you have any trouble understanding it or require assistance on how to respond to the summons seeking leave to appeal you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the summons seeking leave to appeal from:

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

A party opposing an application for leave to appeal must file and serve a response (see UCPR 51.13) within 28 days after the filing of this summons and the accompanying White Folder. If you do not file and serve a response, the summons may be disposed of in your absence and without further notice to you.

REGISTRY ADDRESS

| | |
|----------------|--|
| Street address | Supreme Court of New South Wales, Court of Appeal Law Courts Building Queen's Square Level 5, 184 Phillip Street Sydney NSW 2000 |
| Postal address | GPO Box 3 Sydney NSW 2001 |
| Telephone | 1300 679 272 |

PARTY DETAILS

A list of parties must be filed and served with this summons seeking leave to appeal.

[on separate page]

FURTHER DETAILS ABOUT APPLICANTS**Applicant**

Name Marion Antoinette Wigmans

Address



Legal representative for applicant

Name Damian Scattini

Practising certificate number 3028

Firm Quinn Emanuel Urquhart & Sullivan

Address

Level 15

111 Elizabeth Street
 Sydney NSW 2000

Telephone +61 2 9146 3500

Fax +61 2 9146 3600

Email damiandscattini@quinnemanuel.comElectronic service address damiandscattini@quinnemanuel.com

Name Damian Scattini

DETAILS ABOUT RESPONDENTS**First respondent**

Name AMP Limited

Address 33 Alfred Street
 Sydney NSW 2000

Second respondent

Name Komlotex Pty Limited

Address Level 21
 380 La Trobe Street
 Melbourne VIC 3000

Third respondent

| | | | |
|---------|--|------------|--------|
| Name | Fernbrook (Aust) Investments Pty Limited | | |
| Address | 129A | Gloucester | Avenue |
| | Hideaway Bay | QLD | 4800 |