



21.10.22

Form 1 (version 4)  
UCPR [enter UCPR rule]

## CATEGORIES OF DOCUMENTS TO BE DISCOVERED BY THE PLAINTIFF

### COURT DETAILS

Court	Supreme Court of New South Wales
Division	Common Law
List	Common Law General
Registry	Sydney
Case number	2020/359004

### TITLE OF PROCEEDINGS

Plaintiff	<b>DANNY MARIELLE MOUSSA</b>
First Defendant	<b>CAMDEN COUNCIL</b>
Second Defendant	<b>CORNISH GROUP SPRING FARM PTY LTD ACN 120 837 381</b>
Third Defendant	<b>SMEC TESTING SERVICES PTY LTD (IN LIQUIDATION) ACN 101 164 792</b>
Fourth Defendant	<b>SMECTS HOLDINGS PTY LTD ACN 063 746 823</b>

### DETAILS

Filed for	<b>CORNISH GROUP SPRING FARM PTY LTD</b> , Second Defendant
Legal representative	Bharath Balasubramanian, Marsdens Law Group
Legal representative reference	435414
Contact name and telephone	Bharath Balasubramanian Tel. (02) 4626 5077
Contact email	bbalasubramanian@marsdens.net.au

### CATEGORIES OF DISCOVERY

1. All correspondence with any solicitor or conveyancer acting on the Plaintiff's behalf in relation to the purchase of the Property.
2. Any file maintained by a solicitor or conveyancer on the Plaintiff's behalf in relation to the purchase of the Property.
3. Any correspondence with any real estate agents, Firststyle Homes Pty Ltd or Anvest Holdings Pty Ltd in relation to the purchase of the Property.
4. All correspondence and contracts with any builder, engineer, certifier, Camden Council, the Mine Subsidence Board or any entity contracted to perform works on the Property, in relation to the dwelling constructed upon the Property or any other form of construction or earth works performed to the Property.

5. All documents, plans, diagrams, reports, letters, advices, opinions, or laboratory or other testing results referring to, and dealing with, advice, approval, testing or services provided by any builder, engineer, certifier, Camden Council and/or the Mine Subsidence Board in relation to the construction of, or rectification of, the dwelling constructed upon the Property.
6. All documents in relation to any additions or alterations to the dwelling constructed on the Property, including in relation to the construction of any outdoor entertainment or alfresco area.
7. All documents in relation to any rectification undertaken with respect to any part of the Property.
8. All correspondence with Tyrrells Property Inspections Pty Ltd in relation to any inspection or report undertaken by them with respect to the dwelling constructed upon the Property.
9. Any file maintained by Dr Kodsi for the period 2016 to date on the Plaintiff's behalf.
10. Any file maintained by Ms Paiche Hartley for the period 2016 to date on the Plaintiff's behalf.
11. The SCRs.
12. Any correspondence with any Group Member in relation to any alleged:
  - (a) Subsidence of land in any part of the Cornish Masterplan Area.
  - (b) Any building defects for any property situated within any part of the Cornish Masterplan Area.
  - (c) Any building defects to the dwelling on the Property.
13. All documents sent or received by the Plaintiff containing the term "sink farm" or referring expressly or impliedly to properties in the Spring Farm Area being unsound for building.
14. Any correspondence with any journalist and/or reporter in relation to any alleged:
  - (a) Subsidence of land in any part of the Cornish Masterplan Area.
  - (b) Any building defects for any property situated within any part of the Cornish Masterplan Area.
  - (c) Any building defects to the dwelling on the Property.

Note:

**Property:** means the land at Lot 4127 in DP 1195599 known as 37 Wagner Road, Spring Farm NSW 2570

**SCRs:** means that term as defined in the Further Amended Statement of Claim.

**Spring Farm Area:** means that phrase as defined in the Further Amended Statement of Claim.

**Unsound for building:** means that phrase as defined in the Further Amended Statement of Claim.

**Cornish Masterplan Area:** means that phrase as defined in the Further Amended Statement of Claim.

**Group Member:** means that phrase as defined in the Further Amended Statement of Claim.

**Confidentiality Regime**

The Second Defendant agrees to keep any documents produced pursuant to categories 9 and 10 confidential and access to any documents be limited to:

- a) The Second Defendant's legal representatives;
- b) Any experts engaged by the Second Defendant; and
- c) The directors of the Second Defendant.

