

# OUTCOME DETAILS

**Supreme Court - Civil  
at Supreme Court Sydney  
on 12 December 2018**

**2018/00076580-001 / Summons: Giabal Pty Ltd v Gunns Plantations Limited (in Liquidation)**

This matter is listed for Directions (Commercial) on 19 July 2019 9:45 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

HH makes orders in terms of short minutes of order as amended, initialled and dated today's date.

Short Minutes of Order

Terms of Order made by the Court by consent

Plaintiff's Evidence

1. By 22 February 2019, the Plaintiffs are to advise the other parties as to:

1.1 the areas of expertise in respect of which they propose to rely on expert evidence; and

1.2 the general nature and extent of that expert evidence and the issues in the proceeding it will go to.

2. By 31 May 2019, the Plaintiffs are to serve any lay evidence and expert evidence upon which they intend to rely at the initial trial.

Provision of further information about Group Members

3. By 10 May 2019, the solicitors for the Plaintiffs are to provide the other parties with the following information (to the extent held) regarding Group Members:

3.1 the name of each Group Member;

3.2 the relevant Gunns Woodlot Schemes, being in issue in this proceeding, in which each Group Member is said to have participated and/or invested;

3.3 the quantum of the investment in each Gunns Woodlot Scheme by each Group Member; and

3.4 the loss claimed to have been suffered by each Group Member and how that loss is said to be calculated.

Identification of common questions

4. The parties are to confer with a view to identifying with precision and agreeing by 14 June 2019 the common questions of fact and law for determination at the initial trial.

5. If common questions cannot be agreed pursuant to order 4 above, the matter is to be relisted.

#### Mediation

6. The claims in the proceedings be referred to mediation, with the identity of the mediator to be agreed by all parties (or failing agreement, by the Court from a list of individuals proposed by the parties) by 10 May 2019 and the mediation to take place by 28 June 2019.

#### Further discovery

7. Any motion seeking further discovery of documents by the Plaintiffs is to be filed and served by 12 July 2019.

8. Any motion filed in accordance with Order 7, and the Notice of Motion of the First and Second Defendants filed 20 November 2018 insofar as further documents are sought from the Plaintiff, are to be listed for hearing on a date to be fixed.

#### Evidence relied upon by Defendants and other parties to Cross-Claim

9. By 27 September 2019, the Defendants serve any lay evidence and expert evidence upon which they intend to rely at the initial trial.

10. By 27 September 2019, the Cross-Claimants serve any lay evidence and expert evidence upon which they intend to rely in support of their cross-claim at the initial trial.

#### Other

11. The proceedings be listed for directions on 19 July 2019, or such later date as is convenient to the Court.

12. Liberty to apply on 3 days' notice.

Justice M Ball

Signed

Date