

Filed: 3 December 2018 11:55 AM



Form 4A, 4B/ 84 Rule 6.2, 50.4, 50.12

SUMMONS

COURT DETAILS	
Court	Supreme Court of NSW
Division	Equity
List	Commercial
Registry	Supreme Court Sydney
Case number	2018/00371447
TITLE OF PROCEEDINGS	
First Plaintiff	Richmond Valley Council
	ABN 54145907009
First Defendant	JARDINE LLOYD THOMPSON PTY LTD
	ABN 69009098864
FILING DETAILS	
Filed for	Plaintiff[s]

Legal representative	Michelle Fox
Legal representative reference	
Telephone	02 9146 3500

HEARING DETAILS

Listed at Supreme Court Sydney on 1 February 2019 at 09:45 AM.

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Summons (e-Services), along with any other documents listed below, were filed by the Court.

Summons (UCPR 4A/4B/84/85) (Richmond v JLT Summons.pdf)

[attach.]

Form 4A (version 4) UCPR 6.2

SUMMONS

COURT DETAILS	
Court	Supreme Court of New South Wales
Division	Equity Division
List	Commercial List
Registry	Sydney
Case number	
TITLE OF PROCEEDINGS	
Plaintiff	Richmond Valley Council
Defendant	Jardine Lloyd Thompson Pty Ltd ABN 69 009 098 864
Defendant FILING DETAILS	
FILING DETAILS	ABN 69 009 098 864
FILING DETAILS Filed for	ABN 69 009 098 864 Richmond Valley Council, Plaintiff
FILING DETAILS Filed for	ABN 69 009 098 864 Richmond Valley Council, Plaintiff Michelle Fox
FILING DETAILS Filed for Legal representative	ABN 69 009 098 864 Richmond Valley Council, Plaintiff Michelle Fox Quinn Emanuel Urquhart & Sullivan

This summons is listed for an initial case conference at

TYPE OF CLAIM

Commercially misleading conduct

Insurance

RELIEF CLAIMED

On the grounds stated in the accompanying Commercial List Statement (**CLS**), the Plaintiff claims for itself and on behalf of Group Members:

- 1 Damages.
- 2 Further or alternatively, equitable compensation.
- 3 Further or alternatively, in the event the Plaintiff and Group Members so elect, an account of profits.
- 4 Pre-judgment and post-judgment interest.
- 5 Costs and interest on costs pursuant to s 101(4) of the *Civil Procedure Act 2005* (NSW).
- 6 Such further or other order as the Court considers appropriate.

REPRESENTATIVE PROCEEDING

Group Members

- 1 The Group Members to whom this proceeding relates to are those councils referred to in paragraph 2 of Part C of the CLS, being councils constituted by the *Local Government Act* 1993 (NSW):
 - (a) to which the Defendant provided insurance broking services at any time during the period from 1 January 2009 to 3 December 2018 (the **Relevant Period**);
 - (b) which, at any time during the Relevant Period, obtained Property and/or Public Liability and Professional Indemnity insurance through the "NSW Local Government (Jardine Lloyd Thompson) Mutual Liability Scheme"; and
 - (c) has consented in writing to being a group member in this proceeding.

Nature of claims and relief sought

- 2 The nature of the claims made by the Plaintiff on behalf of itself and Group Members are set out in Part A of the CLS.
- 3 The relief sought by the Plaintiff on behalf of itself and Group Members is set out above.

Common questions of law and fact

4 The questions of law or fact common to the claims of Group Members are set out in Part B of the CLS.

SIGNATURE OF LEGAL REPRESENTATIVE

I certify under clause 4 of Schedule 2 to the <u>Legal Profession Uniform Law Application Act</u> <u>2014</u> that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in these proceedings has reasonable prospects of success.

I have advised the plaintiff that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Muchila fo.

Capacity Date of signature

Solicitor on record 3 December 2018

NOTICE TO DEFENDANT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence. The judgment may be for the relief claimed in the summons and for the plaintiff's costs of bringing these proceedings.

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 very carefully. If you have any trouble understanding it or require assistance on how to respond to the summons 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 from:

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

Court forms are available on the UCPR website at www.ucprforms.justice.nsw.gov.au or at any NSW court registry.

REGISTRY ADDRESS

Street address

Postal address

Telephone

Law Courts Building, 184 Phillip Street, Sydney Supreme Court of NSW GPO Box 3 Sydney NSW 2001 1300 679 272

FURTHER DETAILS ABOUT PLAINTIFF

Plaintiff

NameRichmond Valley CouncilAddress10 Graham PlaceCasino NSW 2470

Legal representative for plaintiff

Name	Michelle Fox
Practising certificate number	46188
Firm	Quinn Emanuel Urquhart & Sullivan
Address	Level 15
	111 Elizabeth Street
	Sydney NSW 2000
Telephone	+61 2 9146 3500
Email	michellefox@quinnemanuel.com;
Electronic service address	michellefox@quinnemanuel.com;

DETAILS ABOUT DEFENDANT

Defendant

Name	Jardine Lloyd Thompson Pty Ltd ABN 69 009 098 864
Address	Level 37, Grosvenor Place
	225 George Street
	Sydney NSW 2000