

## FIFTH CROSS-SUMMONS

### COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
List	Commercial
Registry	Sydney
Case number	2019/232749

### TITLE OF PROCEEDINGS

First Plaintiff	<b>Terry Walter Williamson</b>
Second Plaintiff	<b>Helen Therese Williamson</b>
Defendant	<b>Sydney Olympic Park Authority (ABN 68 010 941 405)</b>

### TITLE OF THIS CROSS-CLAIM

Cross - Claimant	<b>Australia Avenue Developments Pty Limited</b> ABN 46 104 573 391
Second Cross Claimant	<b>Ecove Group Pty Ltd</b> ACN 065 207 918
First Cross-Defendant	<b>Icon Co (NSW) Pty Ltd</b> ABN 16 604 790 409
Second Cross-Defendant	<b>Kajima Australia Pty Ltd</b> ACN 604 351 966
Third Cross-Defendant	<b>Icon Co Pty Limited</b> ACN 604 136 683

### FILING DETAILS

Filed for	<b>Australia Avenue Developments Pty Ltd, First Cross-Claimant, Ecove Group Pty Ltd, Second_Cross-Claimant</b>
Legal representative	David Jury HWL Ebsworth Lawyers Level 14, Australia Square 264-278 George Street Sydney NSW 2000
Legal representative reference	DJ:917604
Contact name and telephone	David Jury (02) 9334 8678
Contact email	djury@hwle.com.au

**RELIEF CLAIMED**

- 1 A declaration that the first cross-claimant (**AAD**) is entitled to be indemnified by the first cross-defendant (**Icon**) in respect of any liability AAD is found to owe to SOPA.
- 2 Further or in the alternative, a declaration that AAD is entitled to be indemnified by the second cross-defendant (**Kajima**) and/or the third cross-defendant (**Icon Co**) in respect of any liability Icon is found to owe AAD.
- 3 Further or in the alternative, a declaration that the second cross-claimant (**Ecove**) is entitled to be indemnified by Icon in respect of any liability it is found to owe to SOPA.
- 4 Further and in the alternative, damages.
- 5 Interest pursuant to section 100 of the Civil Procedure Act 2005 (NSW) (**CPA**).
- 6 Costs.
- 7 Interest on costs pursuant to section 101 of the CPA.
- 8 Such other order as the Court thinks fit.

**SIGNATURE OF LEGAL REPRESENTATIVE**

I certify under clause 4 of Schedule 2 to the Legal Profession Uniform Law Application Act 2014 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 this cross-summons has reasonable prospects of success.

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

Signature

Capacity

Date of signature

Solicitor

27 April 2020

**NOTICE TO CROSS-DEFENDANT**

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you. The court may also make orders for the payment of costs.

If you are a new party, or an existing party who has not already filed an originating process or appearance, 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 cross-summons very carefully. If you have any trouble understanding it or require assistance on how to respond to the cross-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 cross-summons from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at [www.lawaccess.nsw.gov.au](http://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](http://www.ucprforms.justice.nsw.gov.au) or at any NSW court registry.

## REGISTRY ADDRESS

Street address	Supreme Court of NSW, Law Courts Building, Queens Square, 184 Phillip Street, Sydney NSW 2000
Postal address	Supreme Court of NSW, GPO Box 3, Sydney NSW 2001
Telephone	1300 679 272

**PARTY DETAILS**

A list of parties must be filed and served with this cross-summons.

**PARTIES TO THIS CROSS-CLAIM****Cross-claimants**

Australia Avenue Developments Pty Limited,  
first cross-claimant

Ecove Group Pty Ltd, second cross-claimant

**Cross-defendants**

Icon Co (NSW) Pty Ltd, first cross- defendant

Kajima Australia Pty Ltd, second cross-  
defendant

Icon Co Pty Limited, third cross-defendant