

# OUTCOME DETAILS

**Supreme Court - Civil  
at Supreme Court Sydney  
on 14 March 2022**

**2021/00088654-004 / Notice of Motion Civil - Roads and Maritime Services (now known as Transport for New South Wales) v Darren Mitchell**  
VERDICT, ORDER OR DIRECTION

Her Honour, Rees J, makes the following orders and directions in Chambers in accordance with the Short Minutes of Order as initialled by her Honour, dated today and placed with the papers:

## Amended Commercial List Statement

1. The plaintiffs have leave to file the document styled Amended Commercial List Statement, annexed to these orders and marked 'A', by close of business on 14 March 2022.
2. The first defendant is to file a Commercial List Response by 28 March 2022.
3. The plaintiffs to file any reply by 4 April 2022.
4. The hearing listed before Rees J on 14 March 2022 is vacated.
5. The proceedings are listed for case management hearing before the Commercial List Judge on 8 April 2022.

## Separate question

6. The plaintiffs' motion filed 14 December 2022 as to the hearing of a separate question is dismissed with costs.

## Security for costs

7. The first defendant has leave to file any further evidence in support of its motion for security for costs on or before 25 March 2022.
8. The plaintiffs have leave to file any further evidence in reply on the motion for security for costs on or before 8 April 2022.
9. The first defendant's motion filed 15 December 2022 as to security for costs is listed for case management in the Commercial List on 8 April 2022, at which time a date may be set down for its hearing.

## Summary dismissal

10. The first defendant's motion filed 15 February 2022 as to summary dismissal and strike-out of the Commercial List Statement filed 13 December 2022 is dismissed.

11. The plaintiffs are to pay the first defendant's costs of that motion.

**2021/00088654-002 / Notice of Motion Civil - Darren Mitchell v Roads and Maritime Services (now known as Transport for New South Wales)**  
VERDICT, ORDER OR DIRECTION

Her Honour, Rees J, makes the following orders and directions in Chambers in accordance with the Short Minutes of Order as initialled by her Honour, dated today and placed with the papers:

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1. The plaintiffs have leave to file the document styled Amended Commercial List Statement, annexed to these orders and marked 'A', by close of business on 14 March 2022.
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Summary dismissal

10. The first defendant's motion filed 15 February 2022 as to summary dismissal and strike-out of the Commercial List Statement filed 13 December 2022 is dismissed.
11. The plaintiffs are to pay the first defendant's costs of that motion.

**2021/00088654-003 / Notice of Motion Civil - Roads and Maritime Services (now known as Transport for New South Wales) v Darren Mitchell**

This matter is listed for Directions (Commercial) on 8 April 2022 9:45 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

VERDICT, ORDER OR DIRECTION

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#### Separate question

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#### Security for costs

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9. The first defendant's motion filed 15 December 2022 as to security for costs is listed for case management in the Commercial List on 8 April 2022, at which time a date may be set down for its hearing.

#### Summary dismissal

10. The first defendant's motion filed 15 February 2022 as to summary dismissal and strike-out of the Commercial List Statement filed 13 December 2022 is dismissed.
11. The plaintiffs are to pay the first defendant's costs of that motion.

Justice K Rees

Signed

Date