

Beach Jones, J

NOTICE OF MOTION

COURT DETAILS

Court Supreme Court of New South Wales
Division Common Law
List Professional Negligence
Registry Sydney

FILED

21 MAR 2018



Case number 2017/270308
2017/279308



TITLE OF PROCEEDINGS

First plaintiff **Amy Rickhuss**
Number of plaintiffs **5**
First defendant **The Cosmetic Institute Pty Ltd
(ACN 153 061 155)**
Number of defendants **5**

FILING DETAILS

Filed for **The Cosmetic Institute Pty Ltd (ACN 153 061 155),
First Defendant, The Cosmetic Institute Parramatta Pty
Ltd (In Liq), Second Defendant, TCI Bondi Junction Pty
Ltd (ACN 165 531 895), Third Defendant and TCI
Southport Pty Ltd (ACN 605 603 423), Fourth Defendant**

Legal representative Simon Black, Barry.Nilsson. Lawyers
Legal representative reference **137196-1**
Contact name and telephone Thomas Byrne (02) 8651 0203
Contact email Thomas.byrne@bnlaw.com.au

PERSON AFFECTED BY ORDERS SOUGHT

All parties to the proceedings

HEARING DETAILS

This motion is listed at

23/3/18


ORDERS SOUGHT

- 1 Pursuant to s 166 of the *Civil Procedure Act 2005 (NSW)* the proceedings no longer continue under Part 10 of that Act.
- 2 Pursuant to Rule 14.28 of the *Uniform Civil Procedure Rules 2005 (NSW)*, the following paragraphs of the Statement of Claim dated 14 September 2017 be struck

out on the basis that no reasonable cause of action is disclosed or they are embarrassing:

- a. Paragraph 23(a), (b)(ii)-(v) and (x)-(xii), (c), (f)-(h), (j)-(n), (p)-(s), (v), (x)-(y);
 - b. Paragraphs 78 to 81;
 - c. Paragraphs 82 to 85;
 - d. Paragraphs 93 to 96;
 - e. Paragraphs 98 to 99.
- 3 In the alternative to orders 1 and 2, pursuant to Rule 42.21 of the *Uniform Civil Procedure Rules 2005* (NSW), the Plaintiffs provide security for costs to the Defendants.
 - 4 The Plaintiffs pay the Defendants costs of and incidental to this Motion.
 - 5 Such further or other orders as the Court considers appropriate and necessary.

SIGNATURE

Capacity	Solicitor for First to Fourth Defendants
Date of signature	21.3.18
Signature of legal representative	

NOTICE TO PERSON AFFECTED BY ORDERS SOUGHT

If you do not attend, the court may hear the motion and make orders, including orders for costs, in your absence.

REGISTRY ADDRESS

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