

NOTICE OF MOTION

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Common Law
List	General
Registry	Sydney
Case number	16/45027

TITLE OF PROCEEDINGS

Plaintiff	Clayton William Searle
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Defendant	Commonwealth of Australia
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FILING DETAILS

Person seeking orders	Clayton William Searle, defendant
Filed in relation to	Plaintiff's claim
Legal representative	Stewart Alan Levitt, Levitt Robinson Solicitors
Legal representative reference	SAL:BRI: 140673
Contact name and telephone	Brett Imlay, 08 9286 3133
Contact email	bimlay@levittrobinson.com

PERSON AFFECTED BY ORDERS SOUGHT

The Defendant

HEARING DETAILS

[on separate page]

ORDERS SOUGHT

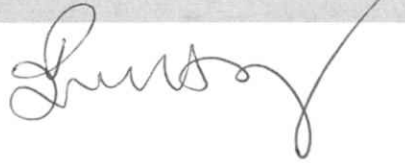
- 1 That pursuant to s 177(1)(b) of the Civil Procedure Act 2005, the common question *“Whether the Training Contract [between the plaintiff and the defendant] and the Group Member Contracts (being training contracts between the Group Members and the defendant) were a nullity or invalid or otherwise unenforceable?”*, be answered *“No”*.
- 2 That leave pursuant to ss 168 and 169 of the Civil Procedure Act 2005 be granted to the following group members to appear in the proceedings for the purpose of having their individual claims determined:
 - (a) Patrick Burnett;
 - (b) Beau Denton;
 - (c) Benjamin Sparks;
 - (d) Stephen Trappett;
 - (e) Michael Quinn;
 - (f) Mostynn Williams;
 - (g) Elliot Gregory;
 - (h) Matthew Lyons;
 - (i) Jordan Widz; and
 - (j) Jared Wajwoda.
- 3 An order pursuant to UCPR 21.2(1)(a) that the defendant provide discovery of the personnel files of the group members named in paragraph 1 of these orders, within 28 days
- 4 To the extent required, an order pursuant to UCPR 42.7(2) that the costs of the proceedings at first instance that are the subject of paragraph 7 of the orders of the Court of Appeal made on 31 May 2019, be payable forthwith.

5 That the costs of the motion be paid by the Defendant.

6 Such further or other order as the Court deems fit.

SIGNATURE

Signature of legal representative



Capacity

Stewart Alan Levitt
By his Special Counsel, Brett Imlay

Date of signature

9 April 2020

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

Law Courts Building
184 Phillip St
Sydney NSW 2000