

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 24 September 2021**

2021/00088654-001 / Statement of Claim: Darren Mitchell v Roads and Maritime Services (now known as Transport for New South Wales)

His Honour has considered the parties' position papers and has made the directions proposed by the plaintiffs, as those directions accommodate the proposed amendment to the Statement of Claim and otherwise appear to accommodate the objects all parties seek to achieve.

Orders made in accordance with the Short Minutes of Order, initialled by Stevenson J, dated today and placed with the papers.

SHORT MINUTES OF ORDER

1. The Plaintiffs are to provide the Defendants with a copy of any draft Second Further Amended Statement of Claim by Friday 8 October 2021.
2. The Defendants are to inform the Plaintiffs whether or not they consent to the proposed Second Further Amended Statement of Claim and to provide the Plaintiffs with a copy of their draft amended defences by Friday 15 October 2021.
3. The Defendants are to provide the Plaintiffs and the Second Defendant with its comments on their draft Opt-Out Notice by Friday 15 October 2021.
4. The Plaintiffs are to inform the Defendants whether or not they consents to the draft amended defences by Friday 22 October 2021.
5. If the Defendants consent to the draft Second Further Amended Statement of Claim, the Plaintiffs have leave to file it by Tuesday 26 October 2021.
6. If the Plaintiffs consent to the draft amended defences, the Defendants have leave to file them by Tuesday 26 October 2021.
7. If a party does not consent to any other party filing an amended pleading, the party wishing to amend its pleading is to file a notice of motion seeking leave to file its amended pleading by Tuesday 2 November 2021.
8. Any motion filed pursuant to order 7 is to be listed for directions before the Commercial List Judge on Friday 5 November 2021.
9. If the parties have not agreed on a form of the draft Opt-Out Notice by Tuesday 2 November 2021, the parties are to provide their competing versions of the draft Opt-Out Notice to the chambers of the Commercial List Judge by 12pm on Thursday 4 November 2021.
10. The Matter listed for further case conference on Friday 5 November 2021.

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This matter is listed for Directions (Commercial) on 5 November 2021 9:45 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

Justice J Stevenson

Signed

Date