

**CREIGHTON v AUSTRALIAN EXECUTOR TRUSTEES LIMITED
SMITH & ANOR v AUSTRALIAN EXECUTOR TRUSTEES LIMITED**

NSW Supreme Court, Equity Division, Case Nos. 2015/306222 & 2015/171592

SHORT MINUTES OF ORDER ON CROSS-CLAIMS

The Court orders that:

1. In the Creighton proceeding, the defendant (AET) has leave to file and serve a cross-claim in the form annexed and marked "A" to its notice of motion filed 30 May 2016.
2. In the Smith proceeding, AET has leave to file and serve a cross-claim in the form annexed and marked "A" to its notice of motion filed 30 May 2016.
3. The cross-defendants file any defences to the cross-claims on or before 4 July 2016.
4. AET file any reply to any such defences on or before 18 July 2016.
5. AET file its lay and expert evidence in chief on the cross-claims on or before 5 September 2016.
6. The cross-defendants file and serve any lay and expert evidence in answer on the cross-claims on or before 31 October 2016.
7. AET file and serve any lay and expert evidence in reply on the cross-claims on or before 28 November 2016.
8. The cross-claims be provisionally listed for hearing with the balance of the proceedings commencing on 30 January 2017, with the intention that evidence and submissions on the cross-claims be heard following the conclusion of evidence and submissions on the plaintiffs' claims in the proceedings.
9. The cross-claims be stood over for further directions before Ball J on 4 August 2016 at 9.30am.
10. Liberty to apply on three days' notice.