

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 14 December 2020**

**2019/00101980-001 / Statement of Claim: GREENSHADES PASTORAL CO. PTY LTD v
Hardi Australia Pty Ltd**

This matter is listed for Directions (Commercial) on 26 February 2021 9:45 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

VERDICT ORDER OR DIRECTION

His Honour has considered the respective position papers and does not consider that it is appropriate to fix the matter for final hearing until the next occasion.

His Honour has made the Short Minutes of Order which he has initialled, dated today's date, and marked "A", and the Short Minutes of Order which he has initialled, dated today's date, and marked "B".

The matter is stood over for directions to 26 February 2021 and for the allocation of a hearing date if then appropriate. The parties should co-operate with a view to identifying mutually convenient dates in the second half of 2021.

Liberty to apply on three days' notice.

"A"

TERMS OF ORDER MADE BY THE COURT.

1. The Defendant is to have time for first access to documents returned in respect of the Subpoena for Production filed 1 October 2020 extended until 17 December 2020.
2. Save as provided for in order 1, there is to be no access to the documents returned in respect of that subpoena until further order.
3. Any further evidence in support of a claim for legal professional privilege (or an objection to the access orders sought) or any application in respect of that subpoena is to be filed by 23 December 2020.

"B"

TERMS OF ORDER MADE BY THE COURT

1. The timetable for this proceeding is entered in accordance with the timetable proposed in Annexure A to these orders or as is otherwise suitable to the Court.
2. Such further or other order as the Court deems fit.

Annexure A - proposed timetable

Common Questions

1. By 22 December 2020, the Defendant is to provide the Plaintiff with any comments regarding the proposed common questions submitted to it by the Plaintiff on 8 December 2020.

2. By 22 January 2021, the parties are to file with the Court:

(a) an agreed form of proposed common questions for the Court's consideration; or

(b) if the parties cannot agree, application(s) in respect of proposed common questions.

Disclosure

3. Any request for disclosure of categories of documents is to be notified by 24 December 2020.

4. The parties are to respond to any notice given in accordance with order 3 by 22 January 2021 of receipt of the notice.

5. Disclosure in respect of agreed categories is to be made by 19 February 2021 of the parties having agreed on those categories.

6. Any application for disclosure in respect of disputed categories is to be made within 14 days of receiving notice that the category is not agreed.

7. Any application filed in accordance with orders 2(b) and 6 are to be heard together.

9. The parties have liberty to restore this proceeding on 3 days notice.

Justice D Hammerschlag

Signed

Date