

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 17 April 2020**

**2018/00371447-006 / Notice of Motion Civil - Mutual Management Services Limited v
JARDINE LLOYD THOMPSON PTY LTD**

The Court makes the following orders (by consent):

Amendments to the subpoena

1. The defendant have leave to amend the subpoena filed 4 February 2020 and addressed to Mutual Management Services Limited in the form attached to these orders (Amended Subpoena).
2. The Amended Subpoena be returnable in the subpoena list on 30 April 2020.

Access

3. In the first instance access to documents produced pursuant to the Amended Subpoena will be limited to the legal representatives of the parties to the proceeding, any expert witness retained by the plaintiff, Mr Ellison, and Mr Donlevy who have first signed and provided to the solicitors for the subpoenaed party a confidentiality undertaking in the terms set out in the document at page 180 and following of exhibit GN-02 to Mr Narburgh's affidavit (subject to the words "experts retained for the purposes of this proceeding and any appeal from this proceeding" in paragraph 6 of the undertaking being read as limited to any expert witness retained by the plaintiff, Mr Ellison, and Mr Donlevy, with that limitation being subject to the exceptions and scope for potential expansion identified in paragraph 1 of the undertaking).

Costs

4. The notice of motion filed 28 February 2020 otherwise be dismissed, save for any question as to costs of the notice of motion.
5. By 4pm on 23 April 2020, the parties are to seek to reach agreement on the question of costs of the notice of motion filed 28 February 2020.
6. Failing such agreement within that time, by 4pm on 30 April 2020, each party is to file and serve written submissions, not exceeding 3 pages, as to what order for costs should be made in respect of the notice of motion and why such order should be made.
7. The parties agree to the court determining that dispute on those papers.

Justice J Stevenson

Signed

Date