

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 23 October 2020**

2018/00371447-001 / Summons: Richmond Valley Council v JLT Risk Solutions Pty Ltd

This matter is listed for Hearing (Commercial List) on 11 October 2021 10:00 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 25 Days

His Honour has considered the respective position papers and affidavit material. At present his Honour is unable to accommodate a 25 day trial between 5 July and 6 August 2021. His Honour makes the following directions:

1. Given the relationship between these proceedings and those in Victoria, the matter is set down for hearing on an estimate of 25 days commencing on 11 October 2021. I make the Usual Order For Hearing. The Court Book need not be in electronic form. The Court Book is to consist of all documents intended to be relied upon by any party. They are to be chronologically sequenced as far as practicable, sequentially numbered and without tabs. They are to be in working ring binders, each of which is not to be filled beyond its capacity, and they are to be punched with two holes accurately. If there are email chains they are to be dismembered and placed in chronological sequence. Where the Usual Order for Hearing refers to working days, this means clear working days

2. I otherwise make the Short Minutes of Order which I've initialled, dated today's date, and placed with the papers.

Discovery and common questions

1. The return date of 30 October 2020 for the Plaintiff's motion in respect of discovery categories is vacated.

2. The parties are to exchange revised lists of discovery categories by 30 October 2020.

3. The parties are to provide responses to each other's revised lists of discovery categories by 6 November 2020.

4. The Plaintiff is to provide a list of common questions for determination at trial to the Defendant by 11 November 2020.

5. The Defendant is to provide a response to the list of common questions to the Plaintiff by 17 November 2020.

6. The parties are to confer and seek to reach an agreed position on the:

i) revised discovery categories; and

ii) list of common questions,

with supporting evidence by 30 November 2020.

7 The parties are to file and serve any motions in respect of the:

i) revised discovery categories; and

ii) list of common questions,

with supporting evidence by 30 November 2020.

8. The parties are to file and serve written submissions in respect of any notice of motion filed in accordance with order 7 by (or any existing notice of motion in respect of discovery) two days prior to the date of any hearing listed in accordance with order 9.

9. Any motions filed in accordance with order 7 (or any existing notice of motion in respect of discovery) be listed for hearing on a date assigned by the Court after the parties approach the Associate to the List Judge following the filing of those motions.

10. The parties are to provide discovery of any categories either agreed or ordered in tranches with the final tranche to be delivered no later than 5 March 2021.

Mediation

11. The matter be referred to mediation before a mediator (to be agreed between the parties by 5 November 2020), to occur on or before 18 December 2020.

12. The parties will share the cost of the mediator equally between them.

13. The parties shall inform the Court of the result of any mediation.

14. Liberty to apply on three days' notice.

Justice D Hammerschlag

Signed

Date