

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 15 May 2019**

**2018/00371447-003 / Notice of Motion Civil - JARDINE LLOYD THOMPSON PTY LTD v
Richmond Valley Council**

I make the orders in the document entitled Short Minutes of Order which I have initialled, dated today's date and placed with the papers.

Short Minutes of Order

1. The Plaintiff is granted leave to amend its Commercial List Statement (Amended Commercial List Statement) and Summons (Amended Summons) filed on 3 December 2018 by:

(a) deleting the words appearing at paragraph 2(c) of Part C of the Plaintiff's Commercial List Statement and paragraph 1(c) of the Summons and replacing those words with: "which has, as at the date of filing the Amended Commercial List Statement, consented in writing to being a group member in this proceeding";

(b) in respect of the Amended Commercial List Statement only, the word "accompanying" appearing at paragraph 27 of Part C of the Plaintiff's Commercial List Statement is to be deleted and replaced with the word "Amended", so that that paragraph reads "Richmond Valley claims the relief set out in the Amended Summons for itself and on behalf of each of the Group Members"; and

(c) in respect of the Amended Summons only, the words appearing under "Relief Claimed" are to be amended as follows: "On the grounds stated in the Amended Commercial List Statement (CLS), the Plaintiff claims for itself and on behalf of Group Members..."

2. The Plaintiff is to file and serve the Amended Commercial List Statement and Amended Summons, by 16 May 2019.

3. The amendments referred to in order 1 above are to take effect from the date of amendment, being the date on which the relevant documents are filed.

4. Pursuant to section 163(4) of the Civil Procedure Act, the Plaintiff is to notify group members who have consented in writing as at the date on which the Plaintiff files and serves the Amended Commercial List Statement and Amended Summons of the amendments referred to in order 1 above by email in the form appearing at Annexure A to these orders.

5. The Defendant's Notice 5. of Motion filed on 1 April 2019 is dismissed.

6. The Defendant's costs of and incidental to the Notice of Motion filed on 1 April 2019 are the Defendant's costs in the cause.

Annexure A

JLT CLASS ACTION

NOTICE TO GROUP MEMBERS

1. This notice is sent to you by order of the Supreme Court of New South Wales (Court).
2. This notice relates to the NSW Supreme Court class action proceeding: Richmond Valley Council v Jardine Lloyd Thompson Pty Ltd (case no. 2018/00371447) (Class Action). You have consented in writing to be a group member in the Class Action.
3. The purpose of this notice is to inform you that the definition of group members in Richmond Valley's Summons and Commercial List Statement has been amended (Amendment). A copy of the relevant Court orders permitting the Amendment is enclosed.
4. The Amendment took effect on 16 May 2019.

Effect of Amendment

5. If you provided consent to being a group member before the commencement of the Class Action on 3 December 2019, the Amendment does not affect you or any of your existing rights in relation to the Class Action. You remain a group member in the Class Action.
6. If you provided consent to being a group member at any time after the commencement of the Class Action on 3 December 2019 but before 16 May 2019, you became a group member of the proceeding on 16 May 2019.

If you would like more information concerning this notice, you may contact the solicitors for the plaintiff, Quinn Emanuel on (02) 9146 3541 or by email at: CouncilsClassAction@quinnemanuel.com.

2018/00371447-001 / Summons: Richmond Valley Council v JARDINE LLOYD THOMPSON PTY LTD

I make the orders in the document entitled Short Minutes of Order which I have initialled, dated today's date and placed with the papers.

Short Minutes of Order

1. The Plaintiff is granted leave to amend its Commercial List Statement (Amended Commercial List Statement) and Summons (Amended Summons) filed on 3 December 2018 by:
 - (a) deleting the words appearing at paragraph 2(c) of Part C of the Plaintiff's Commercial List Statement and paragraph 1(c) of the Summons and replacing those words with: "which has, as at the date of filing the Amended Commercial List Statement, consented in writing to being a group member in this proceeding";
 - (b) in respect of the Amended Commercial List Statement only, the word "accompanying" appearing at paragraph 27 of Part C of the Plaintiff's Commercial List Statement is to be deleted and replaced with the word "Amended", so that that paragraph reads "Richmond

Valley claims the relief set out in the Amended Summons for itself and on behalf of each of the Group Members”; and

(c) in respect of the Amended Summons only, the words appearing under "Relief Claimed" are to be amended as follows: "On the grounds stated in the Amended Commercial List Statement (CLS), the Plaintiff claims for itself and on behalf of Group Members..."

2. The Plaintiff is to file and serve the Amended Commercial List Statement and Amended Summons, by 16 May 2019.
3. The amendments referred to in order 1 above are to take effect from the date of amendment, being the date on which the relevant documents are filed.
4. Pursuant to section 163(4) of the Civil Procedure Act, the Plaintiff is to notify group members who have consented in writing as at the date on which the Plaintiff files and serves the Amended Commercial List Statement and Amended Summons of the amendments referred to in order 1 above by email in the form appearing at Annexure A to these orders.
5. The Defendant's Notice 5. of Motion filed on 1 April 2019 is dismissed.
6. The Defendant's costs of and incidental to the Notice of Motion filed on 1 April 2019 are the Defendant's costs in the cause.

Annexure A

NEW SOUTH WALES SUPREME COURT PROCEEDINGS NO: 2018/00371447
RICHMOND VALLEY COUNCIL V JARDINE LLOYD THOMPSON PTY LTD

JLT CLASS ACTION

NOTICE TO GROUP MEMBERS

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The following hearing dates are vacated:

16 May 2019 10:00 AM

Reason: By Consent

Other Reason:

Justice D Hammerschlag

Signed

Date