

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 15 May 2020**

**2018/00353304-001 / Summons: Ashita Tomi Pty Ltd as trustee for Esskay Super Fund
v RCR TOMLINSON LTD trading as RCR Tomlinson Ltd**

This matter is listed for Directions (Commercial) on 6 November 2020 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 has ruled that the plaintiff should complete their evidence before the defendants are required to go into evidence. In a case such as the present, it is not appropriate to require the defendants to go into evidence before they know what evidence they must meet. His Honour has made the following orders and directions:

1. The first defendant is to provide discovery of the categories of document set out in Annexure B to the agreed Document Plan (being Annexure A to the Orders) in the following tranches:

(a) Categories 2,3,4,5(a), and 7 on or before 29 May 2020, save for documents in those categories that are also within the categories referred to in order 1(b) below;

(b) Categories 1,5(b) and 6 on or before 6 July 2020.

2. The plaintiffs are to serve any expert evidence upon which intends to rely by 23 October 2020.

3. Matter is stood over for directions to 6 November 2020.

4. Liberty to apply on 3 days' notice.

Justice D Hammerschlag

Signed

Date