

## OUTCOME DETAILS

**Supreme Court - Civil  
at Supreme Court Sydney  
on 9 February 2018**

### **2017/00347082-002 / Notice of Motion Civil - Nakali Pty Limited v SURFSTITCH GROUP LIMITED**

Orders made in accordance with the par s 1 to 4 of the Plaintiff's Short Minutes of Order and pars 10 to 13 of McConnell's Short Minutes of Order, initialled by Stevenson J, dated today and placed with the papers.

#### PLAINTIFF SHORT MINUTES OF ORDER:

1. Pursuant to s 440D of the Corporations Act 2001 (Cth) ("the Act"), the plaintiff be granted leave to proceed in respect of its application for orders 2, 3 and 4 below.
2. Pursuant to ss 247A(1), 486, and ss 90-15 and 90-20 of Schedule 2 of the Act, the plaintiff, its legal representatives, any service provider retained by them, and employees of its litigation funder Vannin Capital Operations ("Vannin"), in each case so long as the person has signed an undertaking in the form set out in Schedule B to the plaintiff's notice of motion filed 22 November 2017, be authorised to inspect and make copies of the books of the defendant referred to in items 7-10 of Schedule A to the notice of motion, on a date to be agreed.
3. The notice of motion otherwise be stood over to a date to be fixed, upon any party giving 3 days' notice.
4. Liberty to any party to apply upon 3 days' notice.

#### McCONNELL SHORT MINUTES OF ORDER:

10. Any further application by the plaintiff for access to documents, and evidence in support of any such application, be filed and served by 9 March 2018 and returnable 23 March 2018 at 9.30am before his Honour Justice Stevenson.
11. Any subpoenas to be issued and served by 9 March 2018.
12. The proceedings be listed for further directions before Justice Stevenson at 9.30am on 23 March 2018.
13. The parties have liberty to apply on 48 hours' notice.

### **2017/00347082-001 / Summons: Nakali Pty Limited v SURFSTITCH GROUP LIMITED**

This matter is listed for Directions on 23 March 2018 9:30 AM before the Supreme Court - Civil at Supreme Court Sydney.

Justice J Stevenson

Signed

Date