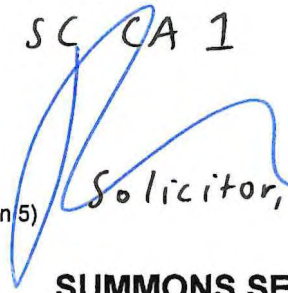


I certify that the Applicant's Summons Seeking Leave to Appeal is suitable for publication with para. 27 of Practice Note SC CA 1

Form 104 (version 5)
UCPR 51.10

 Solicitor, Murphy's Lawyers, for the Applicants.

SUMMONS SEEKING LEAVE TO APPEAL

COURT DETAILS

Court Supreme Court of New South Wales, Court of Appeal
Registry Sydney
Case number

TITLE OF PROCEEDINGS

First applicant Trent Smith
Second applicant Claudia Smith

First respondent Robert H Jones Investments Pty Ltd

PROCEEDINGS IN THE COURT BELOW

Title below Robert H Jones Investments Pty Ltd v Trent Smith & Anor
Court below District Court of New South Wales
Case number below 2022/171851
Dates of hearing 8-12, 16-17, 29 April 2024, 15 April 2025
Material date 14 March 2025 (Primary Judgment) and 15 May 2025 (Judgment on Notice of Motion to Vary Costs Order)
Decision of Waugh SC DCJ

FILING DETAILS

Filed for Trent and Claudi Smith, appellants
Filed in relation to Judgment on Quantum and Costs
Legal representative Bryan Wrench, Murphy's Lawyers Inc
Contact name and telephone Bryan Wrench, 0414 525 401
Contact email bryan@murphyslawyers.com.au

HEARING DETAILS

This summons seeking leave to appeal is listed for directions at

DETAILS OF APPLICATION FOR LEAVE TO APPEAL

- 1 This application for leave to appeal is brought under s 127(1) *District Court Act 1973* (NSW).
- 2 The appellant has filed and served a notice of intention to appeal, which was served on the prospective respondent on 11 April 2025.
- 3 The appellant seeks leave to appeal from the judgment below on quantum and costs (J) and judgment on the refusal to vary the costs order.

ORDERS SOUGHT

1 Leave to appeal from the whole of the decision below.

#SIGNATURE OF LEGAL REPRESENTATIVE

I certify under clause 4 of Schedule 2 to the Legal Profession Uniform Law Application Act 2014 that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the defence to the claim for damages in these proceedings has reasonable prospects of success.

I have advised the applicants that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity

Date of signature

Solicitor on Record

14/8/25

NOTICE TO RESPONDENT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence.

Before you can appear before the court, you must file at the court an appearance in the approved form.

HOW TO RESPOND

Please read this summons seeking leave to appeal very carefully. If you have any trouble understanding it or require assistance on how to respond to the summons seeking leave to appeal you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the summons seeking leave to appeal from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.
- The court registry for limited procedural information.

A party opposing an application for leave to appeal must file and serve a response (see UCPR 51.13) within 28 days after the filing of this summons and the accompanying White Folder. If you do not file and serve a response, the summons may be disposed of in your absence and without further notice to you.

REGISTRY ADDRESS

Street address	Supreme Court of New South Wales, Court of Appeal Law Courts Building Queen's Square Level 5, 184 Phillip Street Sydney NSW 2000
Postal address	GPO Box 3 Sydney NSW 2001
Telephone	1300 679 272

PARTY DETAILS

A list of parties must be filed and served with this summons seeking leave to appeal.