

**FILE NO:** 2011/187125  
**PARTIES:** Einpwy AMOM v State NSW  
**DATE:** 1/11/2016

**Justice Garling makes the following orders as per the Short Minutes of Order sought by the parties:**

1. His Honour notes the comments in paragraph 1 and 2 of Short Minutes of Order signed by the parties and dated 18/10/201.
2. His Honour makes the orders in accordance with paragraph 3, 4, 6 and 7 of the Short Minutes of Order which he has initialled and placed with the papers.
3. His Honour stands over the making of Order 5, which is to be dealt with on the papers.
4. His Honour directs that the defendant is to make any further submissions it wishes to make on or before 15/11/20156.
5. His Honour grants leave to the plaintiff to make any submissions it wishes to make in reply on or before 22/11/2016.

**Short Minutes of Order as sought by the parties are as follows:**

1. Administration of the Settlement Distribution Scheme approved by this Court on 2 March 2016 has been completed.
2. All funds paid into and earned on the Reserve Fund and Settlement Distribution Fund have been paid out in accordance with the Scheme.

By consent:

3. The proceeding be dismissed with no order as to costs.
4. All previous orders as to costs in this proceeding be vacated.
5. Group Members as defined in the Third Further Amended Statement of Claim be barred from making or pursuing any claim arising out of the subject matter of this proceeding.
6. The following exhibits to the affidavit of Ben Slade affirmed on 18 October 2016 be received as confidential exhibits and placed on the Court file in a sealed envelope marked "Confidential: not to be opened without leave of a Judge of the Supreme Court of NSW":
  - a. Exhibit BS9-1;
  - b. Exhibit BS9-2;
  - c. Exhibit BS9-3; and
  - d. Exhibit BS9-4.
7. The following exhibits to the affidavit of Camillia Pandolfini affirmed on 18 October 2016 be received as confidential exhibits and placed on the Court file in a sealed envelope marked "Confidential: not to be opened without leave of a Judge of the Supreme Court of NSW":
  - a. Exhibit CP5-3;
  - b. Exhibit CP5-4;
  - c. Exhibit CP5-5;
  - d. Exhibit CP5-6;
  - e. Exhibit CP5-7;
  - f. Exhibit CP5-8; and

g. Exhibit CP5-9.