

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 27 August 2021**

2018/00371447-001 / Summons: Richmond Valley Council v JLT Risk Solutions Pty Ltd

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

Order

1 The time by which the defendant is to file and serve an amended Commercial List Response is extended to 1 September 2021.

2 The plaintiff is to notify the defendant of the identities of councils who have provided written consent to become group members in this proceeding for the purposes of s 159(2)(c) of the Civil Procedure Act 2005 (NSW) along with a copy of the written consent.

3 The subpoenas served by the Defendant on 16 July 2021 to each of:

- a) Parkes Shire Council;
- b) Willoughby City Council;
- c) Gunnedah Shire Council;
- d) Lismore City Council;
- e) Port Macquarie-Hastings Council;
- f) Yass Valley Council;
- g) Kiama Municipal Council;
- h) Mid-Western Regional Council;
- i) Shellharbour City Council;
- j) Burwood Council;
- k) Kyogle Council; and
- l) Orange City Council,

be set aside.

4 No party may issue any further subpoena in this proceeding without leave from the Court.

5 The defendant is granted leave to issue subpoenas to each group member in this proceeding seeking categories of documents in the following terms:

(a) any document recording or constituting a request for tender by [recipient council] for its property and/or public liability and professional indemnity insurance or risk cover, or insurance broking services in relation to those lines of insurance, or a response to such a tender, during the Relevant Period;

(b) Any document recording or constituting any offer to [recipient council] for its property and/or public liability and professional indemnity insurance or risk cover, or insurance broking services in relation to those lines of insurance, during the Relevant Period;

(c) Any document recording [recipient council]'s determination as to whether to accept or reject any tender response or offer of the kind referred to in (a) or (b) during the Relevant Period.

Where:

Relevant Period means between 1 January 2009 to 3 December 2018.

6 The matter be listed for directions before her Honour Justice Williams on 3 September 2021.

7 Costs reserved.

Justice D Hammerschlag

Signed

Date