

# OUTCOME DETAILS

**Supreme Court - Civil  
at Supreme Court Sydney  
on 3 September 2021**

**2018/00371447-001 / Summons: Richmond Valley Council v JLT Risk Solutions Pty Ltd**  
The Court orders by consent that:

Witnesses

1. By no later than 3 September 2021, each party shall file and serve a folder of all affidavits, statements and reports to be relied upon at trial with an index setting out in alphabetical order:
  - a. the name of the deponent or maker of the statement or report;
  - b. the date of the affidavit, statement or report; and
  - c. a short statement identifying the role of the deponent or the maker of the statement or report.
2. By no later than 10 September 2021, the parties give notice to each other of the witnesses they require for cross examination.
3. By no later than 24 September 2021, each party shall, by notice in writing to each other party, state whether he or she proposes to object to the whole or any part of any affidavit or statement of evidence and the grounds for the objections.
4. The parties are to discuss and as far as possible agree on any objections to the affidavits or statements referred to at order 1 above. A schedule of any disputed objections is to be filed no later than 8 October 2021. The Trial Judge will rule on any remaining objections.

Electronic Court Book

5. By no later than 17 September 2021, the plaintiff is to serve on the defendant an index in chronological order of:
  - a. all documents referred to in any affidavit or statement proposed to be relied upon by the plaintiff at trial; and
  - b. any documents not referred to in any affidavit or expert report that the plaintiff proposes should be included in the Electronic Court Book, (Electronic Court Book Index).
6. By no later than 24 September 2021, the defendant is to serve on the plaintiff a marked-up version of the Electronic Court Book Index, including:

- a. any additional documents referred to in any affidavit or statement proposed to be relied upon by the defendant at trial;  
and
- b. any additional documents not referred to in any affidavit or expert report that the defendant proposes should be included in the Electronic Court Book.

7. By no later than 29 September 2021, each party shall advise each other party in writing:

- a. which of the specified additional documents may be included in the Electronic Court Book by consent;
- b. whether the authenticity of any document, and if so which, is disputed; and
- c. insofar as any document may not be included in the Electronic Court Book by consent the grounds for the objection to its inclusion.

8. By no later than 1 October 2021, the plaintiff must provide to the Electronic Trial Service Provider:

- a. all documents referred to in any affidavit or expert report;
- b. all documents notified for inclusion in accordance with paragraphs 5b and 6b of these orders; and
- c. an index, which will indicate documents the tender of which is agreed and, in relation to the documents as to which there is no agreement, which documents they are and whether lodged on behalf of the plaintiff or on behalf of any other party to the proceedings and, if so, which party.

Submissions, authorities, chronology

9. By 29 September 2021, the plaintiff shall file and serve a short outline of submissions limited to 30 pages; a statement of the real issues for determination; a list of authorities; and a chronology of relevant events.

10. By 6 October 2021, the defendant shall file and serve a short outline of submissions limited to 30 pages; a statement of the real issues for determination; a list of authorities; and a chronology of relevant events.

Trial Plan

11. By 24 September 2021, the parties file and serve an agreed trial plan.

## DEFINED TERMS

In these orders:

Electronic Trial Service Provider means Epiq Systems Australia Pty Ltd, engaged by the parties to provide electronic trial services in this proceeding.

Justice K Williams

Signed

Date