

Owners Corporation Proceedings (2020/175890)

Black J makes orders (as amended) in accordance with the Short Minutes of Order initialled by him and placed in the file.

THE COURT MAKES THE FOLLOWING ORDERS:

1. The proceedings against the Second Defendant be dismissed with no order as to costs.
2. Any existing cost orders be vacated.
3. The plaintiff has leave to file an Amended Summons and Second Further Amended List Statement with the alleged defect issues to be reduced to non-structural issues, as agreed between the Plaintiff and the First Defendant, by 4pm on 28 June 2022.
4. The proceedings be relisted for directions, with a view to a reference of remaining issues, at 9.15am on 14 July 2022.

Developer Proceedings (2019/64406)

Black J makes the following orders (T9):

1. The proceedings and all cross-claims be dismissed with no order as to costs.
2. Any existing costs orders be vacated.
3. Note that each active party consents to the dismissal of the proceedings and the cross-claims in them.

Class Action Proceedings (2019/232749) – Notice of Motion filed by WSP (020)

Ex tempore judgment delivered on Notice of Motion filed 20 July 2022. Orders made amending Annexure A of the Notice of Motion to provide Item 17 is directed to AAD/ECOVE's opening submissions in their redacted version, and omit Item 25.

Black J makes the following order:

1. WSP Structures Pty Ltd, and any legal representatives of WSP Structures Pty Ltd, be permitted to use the documents identified in Annexure A to this Notice of Motion, as amended, and any information contained in them, for the purposes of Federal Court of Australia proceedings commenced by WSP Structures Pty Ltd and numbered NSD212/2022.

Black J makes the following further order:

2. Direct WSP Structures Pty Ltd prior to tendering any of documents 15-19, 22-24 and 26-27 in Annexure A in the Federal Court proceedings, to give two business days' notice to all other parties in these proceedings of their intention to do so.
3. Stand over the Notice of Motion generally, and reserve liberty to WSP Structures Pty Ltd to apply, on one business day's notice, to Black J, in respect of any further application for leave to use AAD/ECOVE's unredacted opening submissions or Mr Halligan's report in the Federal Court Proceedings.