



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID325/2018

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

PROJECT MANAGEMENT (AUST) PTY LTD (151 902 126) and others named in the
schedule

Defendant

ORDER

JUDGE: JUSTICE MIDDLETON

DATE OF ORDER: 20 April 2018

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

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- 1 An order pursuant to section 37AF of the *Federal Court of Australia Act 1976* that to preserve confidentiality over the confidential reports made under section 533 of the *Corporations Act 2001 (Cth)*, the documents at tabs 5, 6 and 7 to Exhibit NJM-1 to the affidavit of Nicholas John Martin sworn on 19 March 2018 be kept confidential and not be disclosed to any persons without the express written consent of all parties, or by order of the Court.

The Plaintiff's claim against the First, Second, Third, Fourth and Fifth Defendants

- 2 The Plaintiff file and serve its concise statement setting out the relief it seeks against the First to Fifth Defendants by 4:00 pm on 4 May 2018.
- 3 The First Defendant file and serve a concise statement by 4:00 pm on 18 May 2018 which:
 - (a) states which matters alleged in the Plaintiff's concise statement are admitted;



- (b) states which matters in the Plaintiff's concise statement that are not admitted or are denied and in respect of each such matter in turn, the basis upon which such matters are not admitted or denied;
- (c) states which matters alleged in the Plaintiff's concise statement are admitted and the precise terms on which such admission is made;
- (d) in light of the answers given in respect of subparagraphs (a) – (c) above, states with precision the issues that are perceived to be remaining in the case; and
- (e) in light of the matters referred to in subparagraphs (a) - (d) above, states with precision any alternative relief that it is submitted the Court should grant.

4 The First Defendant file and serve any affidavits in opposition to the Plaintiff's claim by 4:00pm on 25 May 2018.

5 The Plaintiff file and serve any affidavits in reply by 4:00pm on 8 June 2018.

6 The Plaintiff file and serve any written submissions by 4:00pm on 8 June 2018.

7 The First Defendant file and serve any written submissions by 4:00pm on 15 June 2018.

8 The Plaintiff's claim against the First, Second, Third, Fourth and Fifth Defendants be fixed for a trial on a date to be fixed after 22 June 2018 on an estimate of 2 days.

The Plaintiff's claim against the Sixth and Seventh Defendants

9 The Plaintiff file and serve its concise statement setting out the relief it seeks against the Sixth and Seventh Defendants by 4:00pm on 27 April 2018.

10 The Sixth and Seventh Defendants file and serve a concise statement by 4:00pm on 18 May 2018 which:

- (a) states which matters alleged in the Plaintiff's concise statement are admitted;
- (b) states which matters in the Plaintiff's concise statement that are not admitted or are denied and in respect of each such matter in turn, the basis upon which such matters are not admitted or denied;



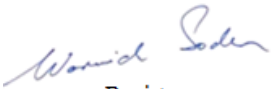
- (c) states which matters alleged in the Plaintiff's concise statement in respect of which liability is admitted and the precise terms on which such admission is made;
- (d) in light of the answers given in respect of subparagraphs (a) – (c) above, states with precision the issues that are perceived to be remaining in the case; and
- (e) in light of the matters referred to in subparagraphs (a) - (d) above, states with precision the relief that it is submitted the Court should grant in respect of admitted liability.

11 The Plaintiff's claim against the Sixth and Seventh Defendants be listed for a case management hearing at 10:15 on 8 June 2018.

Orders in the proceeding generally

- 12 Liberty to apply.
- 13 Costs reserved.

Date that entry is stamped: 23 April 2018


Registrar



Schedule

No: VID325/2018

Federal Court of Australia
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Division: General

Second Defendant	BROOKFIELD RIVERSIDE PTY LTD (ACN 159 111 047)
Third Defendant	BILKURRA WEST PTY LTD (ACN 169 059 143)
Fourth Defendant	BILKURRA SOUTH PTY LTD (ACN 602 374 390)
Fifth Defendant	GILLIES ROAD PTY LTD (ACN 163 866 724)
Sixth Defendant	MICHAEL STEFAN GROCHOWSKI
Seventh Defendant	IAN EDWARD STEPHENS