



No: QUD591/2015

Federal Court of Australia
District Registry: Queensland
Division: General

**GRAEME CLARKE AND MARION CLARKE IN THEIR CAPACITY AS
TRUSTEES OF THE G&M CLARKE SUPERANNUATION FUND**
Plaintiff

SANDHURST TRUSTEES LIMITED ACN 004 030 737
Defendant

ORDER

JUDGE: JUSTICE GREENWOOD

DATE OF ORDER: 23 November 2015

WHERE MADE: Sydney

THE COURT ORDERS BY CONSENT THAT:

1. The time under Order 3 of the Orders of 6 October 2015 for the plaintiff to give standard discovery be extended until 4.00pm on 27 November 2015.
2. The defendant give the second tranche of its standard discovery on or before 4:00pm on 27 November 2015, such discovery to exclude documents already discovered by the defendant pursuant to Order 1 of the Orders of the Court of 5 June 2014 in proceeding QUD 804 of 2013.
3. The time under Order 8 of the Orders of 6 October 2015 for the parties to endeavour to agree:
 - a. the time and date before which a group member may opt-out of this proceeding pursuant to s 33J(1) of the *Federal Court of Australia Act 1976* (Cth) (**the Act**);
 - b. the form and content of a draft opt-out notice for the purpose of s 33Y(2) of the Act;
 - c. draft orders with respect to the proposed manner and timing of the giving of the opt-out notice for the purpose of s 33Y(3) of the Act;be extended to 27 November 2015.



4. The time under Order 10 of the Orders of 6 October 2015 for the plaintiff to serve on the defendant any lay affidavit evidence on which they intend to rely be extended to 4:00pm on 23 November 2015.
5. The defendant serve on the plaintiff its lay affidavit evidence it intends to rely on by 22 December 2015.
6. The proceedings be listed for directions not before 2 February 2016 at 9:30am.
7. Liberty to apply on three days' notice.

Date that entry is stamped: 24 November 2015

Warrick Soden
Registrar