



Federal Court of Australia

District Registry: Australian Capital Territory

Division: Fair Work

No: ACD46/2018

No: ACD47/2018

No: ACD46/2018

SIMON ALEXANDER TURNER

Applicant

TESA MINING (NSW) PTY LIMITED (ACN 111 753 792) and others named in the schedule

First Respondent

No: ACD47/2018

SIMON ALEXANDER TURNER

Applicant

READY WORKFORCE (A DIVISION OF CHANDLER MACLEOD) PTY LTD (ACN 088 288 037) and others named in the schedule

First Respondent

ORDER

JUDGE: JUSTICE LEE

DATE OF ORDER: 30 October 2019

WHERE MADE: Sydney

THE COURT ORDERS THAT:

Amended Pleadings

1. On or before 8 November 2019, the applicant serve his proposed further amended statements of claim containing the amendments foreshadowed in the letters from Adero Law:
 - (a) dated 16 August 2019 in proceeding ACD46/2018; and
 - (b) dated 29 August 2019 in proceeding ACD47/2018.



2. On or before 29 November 2019, the respondents serve their proposed defences to the proposed further amended statements of claim.
3. On or before 6 December 2019, the applicant serve any proposed replies to the respondents' proposed defences.
4. The steps in orders 5 to 11 below be undertaken by reference to the proposed pleadings served in accordance with orders 1 to 3 above.

Merck Orders and List of Issues

5. On or before 1 November 2019, the applicant serve on the respondents a list of the issues of fact and law that he seeks to have determined at the initial trial (**List of Issues**).
6. On or before 22 November 2019, each respondent serve on the applicant any proposed amendments (including additions or deletions) to the List of Issues.
7. On or before 29 November 2019, the applicant serve on the respondents any further proposed amendments (including additions or deletions) to the List of Issues.
8. By 13 December 2019, counsel is to confer in order to agree Merck orders and the List of Issues.
9. In the event agreement is reached in respect of the Merck orders and the List of Issues, the agreed Merck orders and List of Issues are to be emailed by 16 December 2019 to the Associate to Justice Lee.
10. In the event agreement is not reached in respect of the Merck orders and the List of Issues, the parties' respective proposed Merck orders and Lists of Issues are to be emailed by 16 December 2019 to the Associate to Justice Lee.

Discovery

11. By 18 November 2019, the lawyers for the applicant and respondents confer to determine whether categories of discovery can be agreed.



Further case management hearing

12. The proceedings be listed for a further case management hearing at 9am on 23 December 2019.

Date that entry is stamped: 30 October 2019

Warrick Soden
Registrar



Schedule

Federal Court of Australia

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No: ACD46/2018

Second Respondent THE TESA GROUP PTY LTD (ACN 107 606 833)

Third Respondent MT ARTHUR COAL PTY LIMITED (ACN 000 181 902)

No: ACD47/2018

Second Respondent MT ARTHUR COAL PTY LIMITED (ACN 000 181 902)

Third Respondent CHANDLER MACLEOD GROUP LIMITED (ACN 090 555 052)