



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD1908/2016

GAVIN SMITH and others named in the schedule
Applicant

COMMONWEALTH OF AUSTRALIA (DEPARTMENT OF DEFENCE)
Respondent

ORDER

JUDGE: JUSTICE JAGOT


DATE OF ORDER: 01 March 2017

WHERE MADE: Sydney

BY CONSENT, THE COURT ORDERS THAT:

1. The claim on behalf of the Seventh Applicant be discontinued with no order as to costs.
2. The Applicants have leave, pursuant to s 33K of the *Federal Court of Australia Act 1976* (Cth) to amend the description of group members in the form set out in the proposed Amended Statement of Claim.
3. The Applicants file and serve an Amended Statement of Claim in the form as set out in the proposed Amended Statement of Claim within one day after the making of these orders.
4. The references to the Statement of Claim in orders 3 and 4 made on 22 November 2016 be amended to refer to the Amended Statement of Claim.
5. Order 3 of the orders made on 22 November 2016 be amended to order the Respondent to file and serve a defence to the Amended Statement of Claim by 3 March 2017.

Date that entry is stamped: 1 March 2017


Registrar



Schedule

No: NSD1908/2016

Federal Court of Australia
District Registry: New South Wales
Division: General

Second Applicant	KIM SMITH
Third Applicant	ANN AND LINDSAY CLOUT SMSF PTY LTD ACN 154 516 006
Fourth Applicant	ANN CLOUT
Fifth Applicant	LINDSAY CLOUT
Sixth Applicant	JOHN ARTHUR HEWITT
Seventh Applicant	CHANTEL WALKER
Eighth Applicant	MARSHALLS TRANSPORT PTY LTD
Ninth Applicant	NICHOLAS MARSHALL
Tenth Applicant	MELISSA MARSHALL