



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD1908/2016

GAVIN SMITH and others named in the schedule
Applicant

DEPARTMENT OF DEFENCE and another named in the schedule
Respondent

ORDER

JUDGE: JUSTICE LEE

DATE OF ORDER: 11 June 2019

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Order 3 of the orders dated 6 June 2019 be further varied as follows:
 - a. 3. The parties and their lawyers are not to attend the Joint Expert Conference and, save for the communications referred to in 3A and 3B below, must not have any communication with the Chemistry Experts from the date of this order until after submission to the Court of the joint report (with the intention that all logistical arrangements as to notification of the details of the Chemistry joint expert conference are to be made by the Facilitator).
 - b. 3A. The parties and their lawyers may send a copy of these orders to the Chemistry Experts, drawing their attention to order 3 and notifying them that all communications in relation to the arrangements for the Chemistry joint expert conference will come from the Facilitator and not from the parties' lawyers.
 - c. 3B. The respondent and its lawyers may communicate with Professor Cousins in relation to the report referred to in order 8(a) of the orders dated 6 June 2019.

Date that entry is stamped: 12 June 2019



Warrick Soden
Registrar



Schedule

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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
Eighth Applicant	MARSHALLS TRANSPORT PTY LTD
Ninth Applicant	NICHOLAS MARSHALL
Tenth Applicant	MELISSA MARSHALL
Second Respondent	COMMONWEALTH OF AUSTRALIA (DEPARTMENT OF DEFENCE)