



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

No: NSD215/2019

THE OWNERS - STRATA PLAN 87231

Applicant

3A COMPOSITES GMBH and another named in the schedule

Respondents

ORDER

JUDGE: JUSTICE WIGNEY

DATE OF ORDER: 27 February 2020

WHERE MADE: Sydney

THE COURT NOTES THAT:

1. The proposed Further Amended Originating Application and proposed Amended Statement of Claim are to be filed as unmarked copies (that is, not marked up or containing track changes).

THE COURT ORDERS THAT:

1. Order 6 of the orders dated 13 December 2019 is vacated.
2. The Applicant be granted leave to file the proposed Further Amended Originating Application and proposed Amended Statement of Claim served on the Respondents on 14 February 2020, on or before 2 March 2020.
3. The Applicant pay the First Respondent's costs thrown away by reason of the Further Amended Originating Application and Amended Statement of Claim, such costs to include the costs of the First Respondent's interlocutory application filed on 25 October 2019 (**Common Questions Application**) up to 24 February 2020, and such costs to be payable forthwith and to be taxed if not agreed.
4. The Applicant pay the Second Respondent's costs thrown away by reason of the Further Amended Originating Application and Amended Statement of Claim, such costs to be payable forthwith and to be taxed if not agreed.



5. The date on which the amendments in the Amended Statement of Claim and the proposed Further Amended Originating Application (including any amendment to the group definition) will be deemed to have taken effect (for the purposes of determining limitation periods amongst other things) will be reserved for the initial trial.
6. The First and Second Respondents seek any further and better particulars of the Amended Statement of Claim on or before 16 March 2020.
7. The Applicant respond to the First and Second Respondents' request for further and better particulars on or before 30 March 2020.
8. The Applicant file and serve a Concise Statement on or before 30 March 2020.
9. The First and Second Respondents file a defence to the Amended Statement of Claim on or before 27 April 2020.
10. The Applicant file any reply on or before 11 May 2020.
11. The matter be listed for a case management hearing at 9.30am on 18 May 2020.
12. The First Respondent's Common Questions Application be adjourned for directions to 18 May 2020 at 9.30am.

Date that entry is stamped: 27 February 2020

Sia Lagos
Registrar



Schedule

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Second Respondent HALIFAX VOGEL GROUP PTY LIMITED