



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

Respondent

ORDER

JUDGE: JUSTICE WIGNEY

DATE OF ORDER: 24 May 2022

WHERE MADE: Sydney

THE COURT ORDERS THAT:

Timetabling orders

1. Order 3 of the orders made by Wigney J on 16 December 2020 be varied such that, subject to further order, the matters to be determined at the initial trial will be:
 - a. the entirety of the applicant's and The Owners – Strata Plan 98297's respective cases; and
 - b. the entirety of the cross-claimant's case; and
 - c. the issues of fact and law as identified in the questions in Annexure A to the orders made by Wigney J on 16 December 2020.
2. By 5 December 2022, each of the first respondent and the second respondent is to file and serve any lay evidence by affidavit and expert reports which are intended to be relied upon at the initial trial.
3. In the event that either the first or second respondent, or both, are unable to fully comply with order 2, they are to file and serve an interlocutory application and supporting affidavit seeking an extension of time on or before 28 November 2022, with any such application returnable at the case management hearing on 12 December 2022.



4. The matter be listed for a further case management hearing on 12 December 2022 at 9.00am.

Mediation

5. Pursuant to s 53A(1) of the *Federal Court of Australia Act 1976* (Cth), the proceeding is referred to a two day mediation, which is to occur no later than 31 March 2023.
6. The mediation is to be conducted by a mediator agreed between the parties or, failing agreement by 29 July 2022, a mediator appointed by the Court (with the applicant and the respondents jointly each submitting the names of no more than two nominees to the chambers of Wigney J to facilitate such appointment being made).

Date that entry is stamped: 25 May 2022

Sia Lagos
Registrar



Schedule

No: NSD215/2019

Federal Court of Australia
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Second Respondent HALIFAX VOGEL GROUP PTY LIMITED

CROSS CLAIM

Cross-Claimant 3A COMPOSITES GMBH

Cross Respondent AW EDWARDS PTY LTD ACN 000 045 849

Second Cross Respondent FRANCIS-JONES MOREHEN THORP PTY LTD ACN 101 197 219

Third Cross Respondent TOLAND PTY LTD ACN 003 027 478

Fourth Cross Respondent HENDRY GROUP PTY LTD (ACN 006 693 232)

Fifth Cross Respondent AURECON LIMITED ACN 156 139 847

Sixth Cross Respondent ARUP PTY LTD ACN 000 966 165

Seventh Cross Respondent MARIANNE FOLEY

CROSS CLAIM

Cross-Claimant 3A COMPOSITES GMBH

Cross Respondent PRESTIGE APARTMENTS AUSTRALIA PTY LTD ACN 140 808 180

Second Cross Respondent MODERNISE INSTALLATIONS PTY LTD ACN 139 299 415

Third Cross Respondent VICTOR ROBERT BRYCE LAKE & ASSOCIATES PTY LTD ACN 060 744 729

Fourth Cross Respondent RAMANATHAN SHANMUGANANTHAN



Fifth Cross Respondent LAWTOW PTY LTD 085 480 691

Sixth Cross
Respondent RONNSTAR PTY LTD ACN 085 480 646