



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID1360/2016

**AUSTRALIAN COMPETITION AND CONSUMER COMMISSION**

Applicant

**MERITON PROPERTY SERVICES PTY LTD (ACN 115 511 281)**

Respondent

**ORDER**

**JUDGE:** JUSTICE MOSHINSKY

**DATE OF ORDER:** 15 May 2017

**WHERE MADE:** Sydney

**THE COURT ORDERS BY CONSENT THAT:**

1. By 4.00 pm on 19 May 2017, the parties serve any updated tender list of documents, not otherwise annexed or exhibited to any affidavit, that it intends to tender at the hearing on liability.
2. By 4.00 pm on 26 May 2017, the applicant file and serve a copy of the court book comprising the parties' pleadings, filed affidavits (including annexures) and documents referred to in the parties' tender lists.
3. By 4.00 pm on 26 May 2017, the parties are to agree to an estimated timetable for the hearing of the trial (including the allocation of time for oral submissions and each witness they intend to cross-examine).
4. By 4.00 pm on 30 May 2017, the parties exchange lists of any objections (in electronic word version) to the evidence sought to be adduced by the other party on the question of liability.
5. Paragraph 6 of the order made on 19 April 2017 be varied to extend the time by which the applicant must file any reply evidence to 4.00 pm on 31 May 2017.
6. By 4.00 pm on 31 May 2017, the applicant file and serve its outline of opening submissions on the question of liability of no more than 10 pages.
7. By 4.00 pm on 1 June 2017, the parties serve responses to all the objections, if any, by the other party to its evidence on the question of liability (by annotating the lists of objections referred to in paragraph 4 of these orders).



8. By 4.00 pm on 2 June 2017, the respondent file and serve its outline of opening submissions on the question of liability of no more than 10 pages.
9. By 4.00 pm on 2 June 2017, the parties (by their Counsel) are to confer with a view to resolving by agreement any objections notified pursuant to paragraph 4 of these orders and which remain following the responses referred to in paragraph 7 of these orders. To the extent that any objections remain unresolved, the parties are to prepare a note setting out these matters and send it to Justice Moshinsky's chambers.
10. Liberty to apply.
11. Costs be reserved.

Date that entry is stamped: 15 May 2017

*Warrick Soden*  
Registrar