



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: 20 December 2017

WHERE MADE: Melbourne

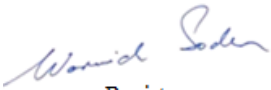
THE COURT ORDERS THAT:

1. The matter be listed for hearing on relief on a date to be fixed, on an estimate of one day.
2. By 4.00 pm on 25 January 2018, the respondent give discovery of the following categories of documents:
 - a. the profit and loss statements and balance sheets of the respondent for the 2014/2015, 2015/2016 and 2016/2017 financial years, whether consolidated for the Meriton Group or otherwise;
 - b. any report or other document evidencing or recording the total number of reservations made by guests at each of the thirteen properties of the respondent identified at paragraph 27 of the updated schedule to the concise statement dated 21 April 2017 (the **Meriton Properties**) during the period November 2014 to October 2015, noting that the production of a single document evidencing or recording that number or those numbers will be sufficient compliance with this paragraph;
 - c. any report or other document evidencing or recording the total number of guests who stayed at each of the Meriton Properties during the period November 2014 to October 2015, noting that the production of a single document evidencing or recording that number or those numbers will be sufficient compliance with this paragraph; and
 - d. a financial statement, report or other document evidencing or recording the total revenue derived by the respondent from reservations made at each of the Meriton Properties during the period November 2014 to October 2015.



3. By 4.00 pm on 25 January 2018, the applicant give discovery of the following categories of documents:
 - a. all and any complaint or complaints received by the applicant during the period November 2014 to December 2017 regarding:
 - i. the quality of service, or the compliance of the service with any prior description, whether on the TripAdvisor website or otherwise, provided by the respondent at any of the Meriton Properties during the period November 2014 to October 2015;
 - ii. the conduct of the respondent in relation to the TripAdvisor website; or
 - iii. these proceedings or the subject matter of these proceedings.
4. By 4.00 pm on 16 February 2018, the applicant file and serve any further affidavit material on which it intends to rely at the hearing on relief.
5. By 4.00 pm on 16 March 2018, the respondent file and serve any further affidavit material on which it intends to rely at the hearing on relief.
6. By 4.00 pm on 29 March 2018, the applicant file and serve its submissions on relief, together with a minute of proposed orders on relief.
7. By 4.00 pm on 13 April 2018, the respondent file and serve its submissions on relief, together with a minute of proposed orders on relief.
8. Costs be reserved.

Date that entry is stamped: 20 December 2017


Registrar