



Federal Court of Australia

District Registry: Victoria

Division: Fair Work

No: VID147/2016

DIRECTOR OF THE FAIR WORK BUILDING INDUSTRY INSPECTORATE

Applicant

ROBERT ELLEN and others named in the schedule

Respondent

ORDER

JUDGE: JUSTICE TRACEY

DATE OF ORDER: 01 April 2016

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Substituted service under rule 10.24 of the Federal Court Rules 2011 (Cth) (Federal Court Rules) be executed upon the fourth respondent by sending the text message set out below to mobile number 0435 866 850 commencing "Dear Mr Luke Bonacci":

"Dear [insert name],

Proceeding VID 147 of 2016 has been commenced against you in the Federal Court of Australia by the Director of the Fair Work Building Industry Inspectorate alleging contraventions of the *Fair Work Act 2009* (Cth). It has been ordered by the Federal Court of Australia that service of the Originating Application and Statement of Claim in the proceeding be effected on you by this notice. If you wish to defend this action, you must file a notice of appearance. A copy of the Originating Application and Statement of Claim can be provided to you upon your request by calling (08) 9426 8275.

(Template Text Message)

2. Substituted service under rule 10.24 of the Federal Court Rules be executed upon the nineteenth respondent by sending a copy of each of the Originating Application and Statement of Claim in Matter No. VID 147 of 2016 (Originating Documents) by pre-



paid post in an envelope addressed to Mr Heinemann at his work address at "O & M Operations and Maintenance Australia Pty Ltd, 2b Swan Road, Morwell, Victoria 3840" which is marked for the attention of "Jarrod Heinemann."

3. Substituted service under rule 10.24 of the Federal Court Rules be executed upon the twenty-fourth respondent by sending a copy of the Originating Documents by pre-paid post in an envelope addressed to Mr Leonard at his work address at "CB&I Constructors Pty Ltd, 16A Garretts Road, Longford, Victoria 3851" which is marked for the attention of "Jason Leonard".
4. Substituted service under rule 10.24 of the Federal Court Rules be executed upon the twenty-seventh respondent by sending the Template Text Message to mobile number 0400 952 484 commencing "Dear Mr Joshua Madex".
5. Substituted service under rule 10.24 of the Federal Court Rules be executed upon the twenty-eighth respondent by sending a copy of the Originating Documents by pre-paid post in an envelope addressed to Mr Martin at his work address at "CB&I Constructors Pty Ltd, 16A Garretts Road, Longford, Victoria 3851" which is marked for the attention of "Christopher Martin".
6. Substituted service under rule 10.24 of the Federal Court Rules be executed upon the forty-fourth respondent by sending the Template Text Message to mobile number 0403 965 688 commencing "Dear Mr Stuart Taylor".
7. Substituted service under rule 10.24 of the Federal Court Rules be executed upon the forty-fifth respondent by sending a copy of the Originating Documents by pre-paid post in an envelope addressed to Mr Walsh at "13 Gillie Street, Morwell, Victoria 3840" which is marked for the attention of "Steven Walsh".
8. Substituted service under rule 10.24 of the Federal Court Rules be executed upon the forty-ninth respondent by:
 - a. sending a copy of each of the Originating Documents by pre-paid post in an envelope addressed to Mr McKinnon at "50 Bruce Street, Heyfield, Victoria 3858" which is marked for the attention of "Michael McKinnon"; and
 - b. sending the Template Text Message to mobile number 0409 483 218 commencing "Dear Mr Michael McKinnon".
9. Pursuant to r 28.03 of the *Federal Court Rules*, the proceeding be referred to mediation by a Registrar of the Court. The mediation be conducted after 30 May



2016. In the event that the matter does not settle at the conclusion of the initial mediation, the Registrar conduct a case management conference immediately following the mediation to consider the most economic and efficient means of bringing the proceedings to trial and of conducting the trial, at which conference the Registrar may give further directions. The mediator is to report the result of the mediation / case management conference to the Court as soon as possible after the mediation.

10. The respondents not be required to file their defences until the completion of the mediation.
11. There be no order as to costs.
12. There be liberty to apply on 48 hours' notice.

Date that entry is stamped: 1 April 2016

Warrick Soden
Registrar



Schedule

No: VID147/2016

Federal Court of Australia
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Second Respondent	GIUSEPPE ALBANESE
Third Respondent	TONY BARNFIELD
Fourth Respondent	LUKE BONACCI
Fifth Respondent	ROBERT BONACCI
Sixth Respondent	KEVIN CALDOW
Seventh Respondent	TIMOTHY CLANCY
Eighth Respondent	DAVID COCHRANE
Ninth Respondent	TAYLOR COLLINS
Tenth Respondent	LACHLAN CRUICKSHANK
Eleventh Respondent	SCOTT DALY
Twelfth Respondent	ANDREW DIXON
Thirteenth Respondent	RONNIE DOUCH
Fourteenth Respondent	BRETT GALLATLY
Fifteenth Respondent	DARREN GOODALL
Sixteenth Respondent	IAN HARDING
Seventeenth Respondent	CRAIGE HARRIS
Eighteenth Respondent	JASON HEENAN
Nineteenth Respondent	JARROD HEINEMANN
Twentieth Respondent	PAUL HORAN
Twenty First Respondent	AARON HORN



Twenty Second Respondent	DAVID JOINER
Twenty Third Respondent	GARY LAMONT
Twenty Fourth Respondent	JASON LEONARD
Twenty Fifth Respondent	ROSS LONGMORE
Twenty Sixth Respondent	JUSTIN LUXFORD
Twenty Seventh Respondent	JOSHUA MADEX
Twenty Eighth Respondent	CHRISTOPHER MARTIN
Twenty Ninth Respondent	MICHAEL MAYZE
Thirtieth Respondent	STEWART MCLURE
Thirty First Respondent	LEO MARTINO
Thirty Second Respondent	DONNY MUDITA
Thirty Third Respondent	DREW PAYNE
Thirty Fourth Respondent	DAVID PITKETHLY
Thirty Fifth Respondent	LIVIO PIZZOL
Thirty Sixth Respondent	CHRISTOPHER SAWYER
Thirty Seventh Respondent	LLOYD SCHAECHER
Thirty Eighth Respondent	ROBERT SHERRY



Thirty Ninth Respondent	ROBERT SLOAN
Fortieth Respondent	BRADLEY STEWART
Forty First Respondent	SCOTT SYME
Forty Second Respondent	JOSHUA STUBBE
Forty Third Respondent	MITCHELL TATTERSON
Forty Fourth Respondent	STUART TAYLOR
Forty Fifth Respondent	STEVEN WALSH
Forty Sixth Respondent	DALE BARTLETT
Forty Seventh Respondent	ZEBULON JONES
Forty Eighth Respondent	CAMM MCKINNON
Forty Ninth Respondent	MICHAEL MCKINNON
Fiftieth Respondent	JEFFREY ROSSITER
Fifty First Respondent	LEIGH TAPPENDEN
Fifty Second Respondent	JOHN WEBB