



Federal Court of Australia  
District Registry: Western Australia  
Division: Fair Work

No: WAD542/2016

**FRANK SHEEHAN**  
Applicant

**THIESS PTY LTD**  
Respondent

### **CONSENT ORDER**

**JUDGE:** JUSTICE COLVIN

**DATE OF ORDER:** 20 August 2018

**WHERE MADE:** Perth

#### **BY CONSENT THE COURT ORDERS THAT:**

1. Order 3 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  3. By 24 August 2018, the parties provide to the Court:
    - (a) the agreed documents prepared in accordance with order 2 above; or
    - (b) in the event the parties are unable to reach agreement as to the contents of any of the documents to be prepared in accordance with order 2 above, one version of the draft agreed document with the extent of the disagreement identified in mark-up together with brief submissions (no more than three pages) explaining the reasons for the disagreement.
2. Order 4 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  4. By 21 September 2018, the applicant file and serve any evidence, including affidavit evidence, upon which it proposes to rely.



3. Order 5 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  5. By 19 October 2018, the respondent file and serve any evidence, including affidavit evidence, upon which it proposes to rely in answer to the applicant's claim.
4. Order 6 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  6. By 2 November 2018, the applicant file and serve any evidence in reply to the evidence served in accordance with order 5 above.
5. Order 7 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  7. By 4.00 pm on 16 November 2018, the applicant file and serve submissions.
6. Order 8 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  8. By 4.00 pm on 30 November 2018, the respondent file and serve submissions.
7. Order 9 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  9. By 4.00pm on 7 December 2018, the applicant file and serve any submissions in reply.
8. Order 10 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  10. By 21 December 2018, the parties deliver to the Court a Court Book which:
    - (a) as Part A contains the final version only of the pleadings relied upon by the parties, the final versions of the Agreed Background Facts and the Issues Document;
    - (b) as Part B contains the final versions of the submissions of each party (updated to contain cross references to Part C of the Court Book to the extent a document is the subject of reference);
    - (c) as Part C contains, in chronological order, one paginated copy only of the documents for tender notified by each party (being only documents




to which a party proposes to refer to in submissions) and, in this regard, if only part of a document is to be relied upon, only part of the document should be reproduced; and

(d) as Part D contains any of the lay affidavit material proposed to be relied upon by any party (without any annexures or exhibits) and, to the extent the affidavits refer to any document, a cross reference to Part C of the Court Book.

9. Order 11 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  11. By 1 February 2019, each party notify each other party of the objections which the notifying party has to material contained in Parts C and D of the Court Book and, in respect of each objection, the grounds of the objection.
10. Order 12 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  12. By 8 February 2019, counsel briefed by each party confer and endeavour to resolve all objections.
11. Order 13 of the orders made by this Honourable Court on 28 March 2018 be varied to read as follows:
  13. By 4.00 pm on 15 February 2019, the applicant file and serve a Consolidated List of Objections that contains a list of those objections that are pressed and, in respect of each such objection, the grounds of the objection and the response to those grounds provided by the counter-party.
12. Orders 14 to 16 of the orders made by this Honourable Court on 28 March 2018 remain unchanged.
13. There shall be liberty to apply on 48 hours notice.

Date that entry is stamped: 20 August 2018

  
Registrar