

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMERCIAL COURT

S CI 2014 03482

BETWEEN:

TIMBERCORP FINANCE PTY LTD (IN LIQUIDATION) (ACN 054 581 190)

Plaintiff

and

PETER GRUYTERS

Defendant

GENERAL FORM OF ORDER

JUDGE OF THE COURT: The Honourable Justice Judd

DATE MADE: 1 April 2015

ORIGINATING PROCESS: Writ filed 9 July 2014

HOW OBTAINED: Directions hearing

ATTENDANCE: D J Batt QC with C O Parkinson of counsel for the plaintiff
D Farrands with M Garrett of counsel for the defendant

OTHER MATTERS: Not Applicable

THE COURT ORDERS THAT:

1. Pursuant to rule 47.04 the following question in the proceeding be tried before the trial of the proceeding:

Is the defendant precluded from raising any and if so what defences pleaded by him in this proceeding by reason of his participation as a group member within the meaning of Part IVA of the Supreme Court Act 1986 (Vic) in proceeding S CI 9807 of 2009?

2. The plaintiff file and serve its reply by 8 April 2015.
3. The defendant file and serve his rejoinder by 10 April 2015.
4. By 4:00pm on 17 April 2015 the defendant file and serve any affidavits on which he intends to rely at the hearing of the preliminary question in Order 1.
5. By 4:00pm on 24 April 2015 the plaintiff file and serve any affidavits on which it intends to rely at the trial of that question and its written submissions.



6. By 4:00pm on 24 April 2015 the defendant file and serve his written submissions.
7. The trial of the question referred to in Order 1 above commence on 29 April 2015 on an estimate of two days before the Honourable Justice Robson.
8. Costs are reserved.

DATE AUTHENTICATED: **7 December 2015**

