

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
COMMON LAW DIVISION  
MAJOR TORTS LIST

No. 9575 of 2004

**BETWEEN:**

GUNNS LIMITED and others  
(according to the schedule attached) Plaintiffs

- and -

ALEXANDER MARR and others  
(according to the schedule attached) Defendants

**GENERAL FORM OF ORDER**

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JUDGE: The Honourable Justice Bongiorno

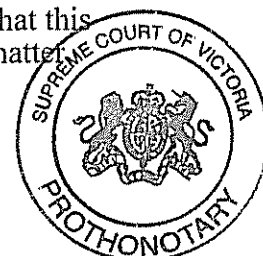
DATE MADE: 28 August 2006

ORIGINATING PROCESS: Writ

HOW OBTAINED: On return of the Order of Justice Bongiorno made 8 December 2005.

ATTENDANCE: S. Howells, M. Irving, B. Ross of Counsel for the Plaintiffs.  
P. Bornstein of Counsel for the Firstnamed, Thirdnamed, Fourthnamed, and Fifthnamed Defendants.  
D. Beach Senior Counsel with S. O'Meara of Counsel for the Secondnamed and Sixthnamed Defendants.  
M. Dreyfuss one of her Majesty's Counsel with M. Gronow and C. Thomson of Counsel for the Seventhnamed, Eighthnamed, Ninthnamed, Fourteenthnamed, Fifteenthnamed, Sixteenthnamed and Seventeenthnamed Defendants.  
B. Walters Senior Counsel with N. Russell of Counsel for the Twentiethnamed Defendant.  
T. Mitchell of Counsel for the Twelfthnamed Defendant.  
L. Maher of Counsel for the Tenthnamed and Eleventhnamed Defendants.  
N. Murdoch for the Thirteenth and Eighteenth Defendants.  
J. Burnside one of her Majesty's Counsel with J. Benson of Counsel for the Nineteenth Defendant.

OTHER MATTERS: This matter coming on to be heard before the Court on 9 - 10 March 2006 and 14 March 2006, and the Court having, on 14 March 2006, directed that this matter should stand for judgment and this matter standing for judgment this day accordingly.



THE COURT ORDERS THAT:

1. Version 3 of the Plaintiff's statement of claim, filed 15 August 2005, be struck out.
2. This proceeding be stayed until further order, such order to be sought on application by the Plaintiff's, in the first instance without notice to the Defendants.
3. That in the event that the Plaintiff do not make such an application by 19 October 2006, the Defendants have leave to make application for such relief, including relief as to the costs of this proceeding.
4. The question of the costs of this application be stood over until 2:15pm on 9 October 2006.

DATE AUTHENTICATED: **21 September 2006**

TL 21/9/06



SCHEDULE OF PARTIES

No. 9575 of 2004

**BETWEEN:**

GUNNS LIMITED	Firstnamed Plaintiff
ROBIN SIMONS	Secondnamed Plaintiff
HEATHER SIMONS	Thirdnamed Plaintiff
- and -	
ALEXANDER MARR	Firstnamed Defendant
GEOFFREY LAW	Secondnamed Defendant
RUSSELL HANSON	Thirdnamed Defendant
LEANNE MINSHULL	Fourthnamed Defendant
HEIDI DOUGLAS	Fifthnamed Defendant
THE WILDERNESS SOCIETY INC.	Sixthnamed Defendant
ADAM BURLING	Seventhnamed Defendant
LOUISE MORRIS	Eighthnamed Defendant
SIMON BROWN	Ninthnamed Defendant
ROBERT BROWN	Tenthnamed Defendant
MARGARET PUTT	Eleventhnamed Defendant
HELEN GEE	Twelfthnamed Defendant
BEN MORROW	Thirteenthnamed Defendant
LOU GERAGHTY	Fourteenthnamed Defendant
NEIL FUNNELL	Fifteenthnamed Defendant
BRIAN DIMMICK	Sixteenthnamed Defendant
HUON VALLEY ENVIRONMENT CENTRE INC.	Seventeenthnamed Defendant
PETER PULLINGER	Eighteenthnamed Defendant
FRANK NICKLASON	Nineteenthnamed Defendant
DOCTORS FOR NATIVE FORESTS INC.	Twentiethnamed Defendant

