

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION
JUDICIAL REVIEW AND APPEALS LIST

S ECI 202XX 00000

BETWEEN:

[XXX]

Plaintiff

- and -

[XXX]

Defendant

ORDER

JUDICIAL OFFICER: Judicial Registrar

DATE MADE:

ORIGINATING PROCESS: Originating motion for judicial review pursuant to Order 56 of the *Supreme Court (General Civil Procedure) Rules 2015* (“the Rules”) filed on *Click to insert date*.

HOW OBTAINED: Application by summons for directions pursuant to r 56.04(3) of the Rules filed on *Click to insert date*.

ATTENDANCE:

OTHER MATTERS:

- A. The purpose of paragraph 13 of this order is to provide the Court with a single combined list and folder of authorities in electronic form. In accordance with Practice Note SC Gen 3, authorities are to be from authorised reports where available and in RTF or searchable PDF format. Subject to any contrary direction by the trial judge, authorities themselves are not to be filed or served in hard copy.
- B. On *Click to insert date* the plaintiff filed an affidavit under r 56.01(5) of the Rules together with the exhibits to that affidavit.
- C. Orders 13 to 18 have been made on the Court’s own motion, to facilitate remote hearings and the use of electronic resources during Court hearings.
- D. *[Where made by consent:]* The order is made “on the papers” pursuant to r 59.07 of the Rules. The Court was satisfied that the parties who are to be bound consent to

the terms of this order and all relevant correspondence has been placed on the Court file.

- E. This order is signed by the Judicial Registrar pursuant to r 60.02(1)(b) of the Rules.

THE COURT ORDERS [BY CONSENT] THAT:

Amendment *[if applicable]*

1. The plaintiff have leave to file and serve an amended originating motion on or before *Click to insert date*.

Appearance

2. The time for the defendant to file and serve a notice of appearance as required by r 8.04 of the Rules is extended to *Click to insert date*.

Certificates under the *Civil Procedure Act 2010* *[if not already filed]*

3. The plaintiff file and serve an Overarching Obligations Certificate and a Proper Basis Certificate pursuant to ss 41 and 42 of the *Civil Procedure Act 2010*, on or before *Click to insert date*.

Extension of time *[if applicable]*

4. Any application for an extension of time under r 56.02 of the Rules shall be made by summons supported by affidavit to be filed on or before *Click to insert date*.
5. Subject to further order, any such application for an extension of time be listed for hearing together with the trial of the proceeding.

Hearing

6. The plaintiff file and serve a Notice of Trial in Form 48B on or before *Click to insert date 42 days prior to hearing date*. The proceeding be listed for trial on *Click to insert date* with an estimate of *[insert estimated number of days hearing time]*.

Affidavits

7. The plaintiff file and serve any further affidavits upon which he/she/it intends to rely on or before *Click to insert date*.
8. The defendant file and serve any affidavits upon which he/she/it intends to rely on or before *Click to insert date*.
9. Original exhibits to all affidavits filed are to be made available to the Court at the hearing.

Submissions and lists of authorities

10. The plaintiff:

- (a) file and serve a written outline of submissions; and
 - (b) serve a list of authorities,
- on or before *Click to insert date*.

11. The defendant:

- (a) file and serve a written outline of submissions in response; and
 - (b) serve a list of all authorities not also relied upon by the plaintiff together with electronic copies of any such authorities,
- on or before *Click to insert date*.

12. The plaintiff:

- (a) file and serve a written outline of submissions in reply; and
 - (b) serve any additions to the list of authorities,
- on or before *Click to insert date*.

13. The plaintiff file and serve by means of an email containing a link to a combined list of authorities in RTF or searchable PDF form on or before 31 July 2020. Each citation in the combined list is to be hyperlinked to an individual file containing the text of the authority. The combined list of authorities is to be filed by email containing a link to the authorities, to judicialreview@supcourt.vic.gov.au.

Court book

14. By 12 May 2020, the plaintiff serve on the defendants a draft e-court book, being a PDF document containing all documents, in chronological order, on which it intends to rely.
15. By 12 May 2020, the defendants serve on the plaintiff a supplementary draft e-court book, being a PDF document containing any additional documents, in chronological order, on which it intends to rely.
16. By 12 May 2020, the plaintiff file and serve the e-court book. The e-court book is to be filed by email containing a link to the e-court book, to judicialreview@supcourt.vic.gov.au.
17. Each of the PDF documents should be:
- (a) in fully text-searchable PDF format;
 - (b) with stamped page numbers that correspond with the display page numbers of the PDF, which, in the case of supplementary e-books, commence by immediately following on after the ending number of the previous pdf; and
 - (c) bookmarked with the short-form name of each document.

18. The court book should:

- (a) be a single PDF merging the PDF documents prepared by the plaintiff and defendants; and
- (b) commence with an index identifying the date, description and starting page number of each individual document, including where possible hyperlinks.

Costs/Liberty to apply

19. Costs be reserved.

20. The parties have liberty to apply.

DATE AUTHENTICATED:

JUDICIAL REGISTRAR