

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
IN ITS PROBATE JURISDICTION  
TRUSTS, EQUITY AND PROBATE LIST

S XXX 20XX XXXXX

IN THE MATTER of the will and estate of NAME, deceased

**BETWEEN:**

**FULL NAME** Plaintiff/s

- and -

**FULL NAME** Caveator/s

---

**GENERAL FORM OF ORDER**

---

JUDICIAL REGISTRAR:

DATE MADE:

ORIGINATING PROCESS: Originating motion filed [date] and **summons for caveat directions** filed [date]

HOW OBTAINED: On return of the summons for caveat directions

ATTENDANCE: No appearances; orders made on the papers pursuant to r 59.07 of the *Supreme Court (General Civil Procedure) Rules 2015 (the Rules)*

OTHER MATTERS:

- A. [Name] (the **deceased**) died on [date of death] leaving a **will** dated [date].
- B. In this proceeding, the plaintiff seeks a **grant** of [insert type of grant]
- C. The caveator objects to the making of the grant.
- D. The plaintiff does not concede that the caveator has established a prima facie case.
- E. On [date], the plaintiff filed a summons seeking [insert] (the **application**).
- F. By these orders, the application will be listed for hearing.
- G. [If the plaintiff seeks to file any further affidavits in support of the application for a grant at this time (such as in response to a requisition from the Registrar) an explanation is to be included here].

- H. For the avoidance of doubt, these orders do not provide the caveator leave to file additional material in support of their grounds of objection (such any affidavits) nor leave to issue any subpoena.
- I. This order is signed by the Judicial Registrar pursuant to r 60.02(1) of the *Rules*.

**THE COURT ORDERS BY CONSENT THAT:**

1. The application be listed for hearing before an Associate Judge at 10:30am on a date not before [date] on an estimate of [#] hours.

**Submissions**

2. By 4 pm on [4 weeks before the above ‘not before date’], the plaintiff file and serve and submissions upon which they intend to rely in relation to the application, limited to 10 pages, 1.5 spacing in 12 point font (the **formatting requirements**).
3. By 4 pm on [2 weeks before the above ‘not before date’], the caveator file and serve and submissions upon which they intend to rely in relation to the application, limited to 10 pages, adhering to the formatting requirements.

**General**

4. The hearing listed for [date] is vacated and the proceeding is adjourned to the Trusts, Equity and Probate List at 10:30 am on [insert directions date].
5. Liberty to apply.
6. Costs reserved.

DATE AUTHENTICATED:

---

**Lawyers for the plaintiff**

---

**Lawyers for the caveator**