

IN THE SUPREME COURT OF VICTORIA
COMMON LAW DIVISION
GROUP PROCEEDINGS LIST

S ECI 2025 07766

BETWEEN:

STANISLAW KORKLINIEWSKI

Plaintiff

- and -

MELBOURNE WATER CORPORATION

Defendant

ORDER

JUDGE The Honourable Justice Keogh

DATE MADE: 19 June 2026

ORIGINATING PROCESS: Writ filed 23 December 2025

HOW OBTAINED: By consent pursuant to Rule 59.07 of the *Supreme Court (General Civil Procedure) Rules 2025* (Vic)

ATTENDANCE: N/A

OTHER MATTERS:

A. On 9 April 2026, the defendant:

i. filed and served a defence naming GHD Pty Ltd ('GHD') as a first third party and Moonee Valley City Council as a second third party; and

ii. filed and served a third party notice as against GHD only.

B. The Moonee Valley City Council ought to be joined to the proceeding as a second defendant, and not as a second third party (as described in the defendant's defence), because:

i. the defendant has not filed a third party notice as against the Moonee Valley City Council;

ii. the defendant seeks to join the Moonee Valley City Council as a party for the



proceeding solely for the purposes of its Defence under Part IVAA of the *Wrongs Act 1958* (Vic) ('Wrongs Act'); and

- iii. s 24AL(1) of the Wrongs Act provides that "...the court may give leave for any one or more persons who are concurrent wrongdoers in relation to an apportionable claim to be joined as **defendants** in a proceeding in relation to that claim" (emphasis added).

THE COURT ORDERS THAT:

Joinder

1. Moonee Valley City Council is joined to the proceeding as the second defendant pursuant to s 24AL(1) of the *Wrongs Act 1958* (Vic).
2. By 4pm on 29 June 2026, the defendant must serve on the second defendant:
 - (a) a copy of the pleadings filed in the proceeding; and
 - (b) a copy of the orders made in the proceeding.

Pleadings

3. By 4pm on 26 June 2026, the defendant shall file an amended defence by which its references to the "Second Third Party" are amended to "Second Defendant".
4. The date by which the first third party must file and serve its defence to the defendant's statement of claim indorsed on third party notice is extended to 31 July 2026.
5. Pursuant to s 26 of the *Civil Procedure Act 2010*, (Vic) the first third party is to discover and produce to the parties all documents referred to in its defence to the defendant's statement of claim by 31 July 2026.

Other

6. The case management hearing on 19 June 2026 is vacated.
7. The matter is listed for a case management conference on 7 August 2026.
8. Costs in the proceeding.



DATE AUTHENTICATED:

19 June 2026



THE HONOURABLE JUSTICE KEOGH



SCHEDULE

S ECI 2025 07766

BETWEEN:

STANISLAW KORKLINIEWSKI

Plaintiff

MELBOURNE WATER CORPORATE

Defendant

MOONEE VALLEY CITY COUNCIL

Second Defendant

GHD PTY LTD (CAN 008 488 373)

First Third Party – 1st Third Party Claim

