

Interlocutory Application

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHBY

Applicant

**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**

First Respondent

To the Applicant

The Second Respondent applies for the interlocutory orders set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Time and date for hearing: 9:30am on 17 August 2012

Place: Level 17, Commonwealth Law Courts Building
Queens Square
SYDNEY NSW 2000

The Court ordered that the time for serving this application be abridged to: N/A

Date: 13 August 2012

Signed by an officer acting with the authority
of the District Registrar

Interlocutory orders sought

1. That the Second Respondent is granted leave to amend the Amended Points of Claim filed by the Second Respondent on 26 June 2012 and dated 26 June 2012 (**the Points of Claim**) as follows:
 - (a) by deleting the word "unlawfully" whenever it appears in paragraph 21 of the Points of Claim; and
 - (b) by deleting the word "unlawfully" whenever it appears in paragraph 31 of the Points of Claim.
2. Such further or other orders as the Court considers appropriate.

Service on the Applicant and First Respondent

It is intended to serve this application on the Applicant and the First Respondent.

Date: 13 August 2012



Signed by Stobhan Keating
Solicitor for the Second Respondent

Federal Court of Australia
District Registry: New South Wales
Division: Fair Work

NSD580/2012

Schedule

JAMES HUNTER ASHBY
Applicant

COMMONWEALTH OF AUSTRALIA
First Respondent

PETER SLIPPER
Second Respondent