

NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	15/05/2026 3:59:48 PM AEST
Date Accepted for Filing:	15/05/2026 3:59:53 PM AEST
File Number:	VID1036/2024
File Title:	JAYSON LLOYD GILLHAM v MELBOURNE SYMPHONY ORCHESTRA PTY LTD & ANOR
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Sixth Affidavit of Rachel Soh

No. VID1036 of 2024

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

JAYSON LLOYD GILLHAM

Applicant

MELBOURNE SYMPHONY ORCHESTRA PTY LTD and another
Respondents

Affidavit of: **Rachel Soh**

Address: Level 21, 333 Collins Street Melbourne, Victoria

Occupation: Lawyer

Date: 15 May 2026

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I Rachel Soh, of Level 21, 333 Collins Street Melbourne in Victoria, Lawyer, say on oath:

1. I am a Partner of Arnold Bloch Leibler (**ABL**), the lawyers for the First Respondent (**the MSO**) and the Fourth Respondent (**Mr Ross**). I have carriage of this proceeding, along with Leon Zwier, Partner.
2. Except where I state otherwise, I make this affidavit from my own knowledge. Where I depose as to matters based on information provided to me, or by inquiries I have made or

Filed on behalf of (name & role of party)	The First Respondent
Prepared by (name of person/lawyer)	Rachel Soh
Law firm (if applicable)	Arnold Bloch Leibler
Tel (03) 9229 9999	Fax (03) 9229 9900
Email	rsch@abl.com.au
Address for service (include state and postcode)	Level 21, 333 Collins Street, Melbourne VIC 3000

JS

RS

caused to be made by lawyers at ABL, I have identified the sources of such information and I believe such information to be true.

3. In dealing with any of the matters below in my affidavit, I do not intend to waive legal professional privilege (**LPP**) and I have no instructions to do so on behalf of the MSO or Mr Ross. If any of the matters I refer to in my affidavit are deemed to constitute a waiver of legal professional privilege, those specific matters should be treated as withdrawn and are not relied upon by either the MSO or by me.
4. Now shown to me and annexed and marked '**RS-6**' is an indexed and paginated bundle of relevant documents that I refer to below. Where I refer to a document in this bundle, I will provide the relevant page number(s) where the document can be located.

Service of subpoena on Ms Jameson

5. On 7 October 2025, the Court granted leave to the MSO to issue a subpoena to attend Court to give evidence at the trial of this proceeding (**Subpoena**) to Ms Diane Jameson OAM.
6. On 20 November 2025, the MSO filed the Subpoena in accordance with the grant of leave.
7. On 11 December 2025, ABL engaged Coastal Mercantile Pty Ltd (Coastal Mercantile) as its process server to effect service of the Subpoena on Ms Jameson at her home address (which is an address known to the Court).
8. On 17 December 2025, Coastal Mercantile informed ABL that its agent was unable to effect service of the Subpoena on Ms Jameson on that date.
9. On 16 February 2026, Coastal Mercantile informed ABL that its agent was unable to effect service of the Subpoena on Ms Jameson on that date.
10. On 23 February 2026, Coastal Mercantile informed ABL that its agent was unable to effect service of the Subpoena on Ms Jameson on that date.
11. On 5 March 2026, Coastal Mercantile informed ABL that its agent was unable to effect service of the Subpoena on Ms Jameson on that date. In doing so, Ms Nicola Turley of Coastal Mercantile wrote in an email (addressed to Mr Rudaizky's secretary):

Subject is highly uncooperative. Stated she was unhappy the agent has phoned her as no one has her phone number.

Subject advised that she is currently travelling and she advised she does not plan to be back in Queensland for many months. She stated she is currently in Victoria.

Subject has refused to make any arrangements. Stating she has no evidence to give and she will not be attending court.

JS

RS

She, whilst polite, was very adamant.

Subject is uncooperative and is actively avoiding service...

A copy of the email from Coastal Mercantile is at page 5 of Annexure '**RS-6**'.

12. On 17 March 2026, Coastal Mercantile sent an email to ABL, stating that Ms Jameson had contacted its agent to arrange for service of the Subpoena to be effected.

A copy of the email from Coastal Mercantile is at page 6 of Annexure '**RS-6**'.

13. On 19 March 2026, Coastal Mercantile sent an email to ABL summarising a series of communications with Ms Jameson on 18 March 2026 by which the agent and Ms Jameson made an appointment for the following week for service of the Subpoena.

A copy of the email from Coastal Mercantile is at page 7 of Annexure '**RS-6**'.

14. On 26 March 2026, Coastal Mercantile sent an email to ABL stating that on 25 March 2026 the agent attended Ms Jameson's workplace at 55 Baxter Street, Fortitude Valley, Queensland, and served the Subpoena and conduct money upon Ms Jameson personally. The agent noted that, when served, Ms Jameson stated she "*would not be attending court as she will be out if [sic] the country and will be in New York on that date*".

A copy of the email from Coastal Mercantile is at page 8 of Annexure '**RS-6**'.

15. On 14 April 2026, I was informed by Ms Jameson that she would be overseas in New York from 8 May 2026 and scheduled to return to Queensland on 18 May 2026. I do not depose that Ms Jameson will be in New York at the time of the trial.

Sworn by the deponent
At Melbourne
in Victoria
on 15 May 2026

)
)
)
)
)
Signature of deponent



Signature of witness

Jarryd Shaw
Arnold Bloch Leibler
Level 21, 333 Collins Street, Melbourne 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Uniform Law (Victoria)

ANNEXURE – “RS-6”

No. VID1036 of 2024

Federal Court of Australia

District Registry: Victoria

Division: Fair Work

JAYSON LLOYD GILLHAM

Applicant

MELBOURNE SYMPHONY ORCHESTRA PTY LTD and another

Respondents

This is the annexure marked “**Annexure RS-6**” referred to in the affidavit of Rachel Soh sworn before me on 15 May 2026.



Lawyer

Gavin Choong

From: System @ Coastal Mercantile <system@coastalmercantile.com.au>
Sent: Thursday, 5 March 2026 4:08 PM
To: Elizabeth Pescod
Subject: Update – Your reference: 011928243 – Diane Jameson – Our reference: ~C1125290/743/QzExMjYwMzM=~

Dear Elizabeth,

Coastal Mercantile Job #: 1125290
Status: Active
Your Reference: 011928243

5/3/2026 04:08 - Our Agent called the provided number of [REDACTED] on Thursday, 5/03/2026 at 11:05 AM

Subject is highly uncooperative. Stated she was unhappy the agent has phoned her as no one has her phone number.

Subject advised she is currently travelling and she advised she does not plan to be back in Queensland for many months. She stated she is currently in Victoria.

She is then travelling to London in April and New York in May.

Agent has explained the documents to be served and attempted to make an appointment to have her served while she was in Victoria.

Subject has refused to make any arrangements. Stating she has no evidence to give, and she will not be attending court.
S

he, whilst polite, was very adamant.

Subject is uncooperative and is actively avoiding service.

Note to client: If the client is considering obtaining a Substituted Service Order, her address at Kangaroo is confirmed and her mobile number is confirmed.

Please advise further instructions.

Kind regards
Nicola Turley

Coastal Mercantile Pty Ltd
Level 2, Suite 2.01, 11 Queens Road, Melbourne VIC 3004 Phone 03 9614 0644 | Web www.coastalmercantile.com.au
PO Box 33333 Melbourne VIC 3004 Australian Credit Licence Number: 484557 We are a Quality Assured Company ISO 9001:2015 (Certificate Number: QMS40099)

Gavin Choong

From: System @ Coastal Mercantile <system@coastalmercantile.com.au>
Sent: Tuesday, 17 March 2026 4:04 PM
To: Elizabeth Pescod
Subject: Update – Your reference: 011928243 – Diane Jameson – Our reference:
~C1125290/743/QzExMjYwMzM=~

Dear Elizabeth,

Coastal Mercantile Job #: 1125290
Status: Agent Completed
Your Reference: 011928243

URGENT

Hey Elizabeth,

Our agent has advised us that the Defendant had made contact with them and that they were happy to arrange service for tomorrow.

Given that this matter is closed we would like to ask whether your team wanted to continue service, with the charge for an extra attendance.

Please get back to us ASAP as we will treat this a closed matter if no response by close of business today.

Thank you very much.

Kind regards
Chloe Lum

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Gavin Choong

From: System @ Coastal Mercantile <system@coastalmercantile.com.au>
Sent: Thursday, 19 March 2026 5:57 PM
To: Elizabeth Pescod
Subject: Update – Your reference: 011928243 – Diane Jameson – Our reference: ~C1125290/743/QzExMjYwMzM=~

Dear Elizabeth,

Coastal Mercantile Job #: 1125290
 Status: Active
 Your Reference: 011928243

19/3/2026 05:57 - Our agent was called by provided number [REDACTED] on Wednesday, 18/03/2026 at 8:45 AM

This is the same phone number the subject phoned the me on yesterday. Spoke with staff who had a broad American-Filipino accent. They advised the subject is not in the office and she does not come into the office. I asked staff to pass on a message to the subject to phone the agent. Staff said they would but could not guarantee she would receive it. Enquiries show his phone number is listed as Horsey Jameson Bird, Financial Advisors in Fortitude Valley.

At 09:00am. I sent a text message to subject confirmed mobile number [REDACTED] requesting a time to meet to make service, agent has received nil response.

At 15:00pm. I sent a text message to subject confirmed mobile number [REDACTED] requesting a time to meet to make service, agent has received nil response.

At 16:00pm. I received a phone call from the subject. She apologised for taking so long to reply. The medical appointment she had today had taken longer than she thought. She advised she is not available tomorrow and will be back in Brisbane next week, I made an appointment to attend at 4pm next Wednesday to make service of the documents.

Kind regards
 Graham Vose

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Gavin Choong

From: System @ Coastal Mercantile <system@coastalmercantile.com.au>
Sent: Thursday, 26 March 2026 2:29 PM
To: Elizabeth Pescod
Subject: Update – Your reference: 011928243 – Diane Jameson – Our reference: ~C1125290/743/QzExMjYwMzM=~

Dear Elizabeth,

Coastal Mercantile Job #: 1125290
 Status: Active
 Your Reference: 011928243

26/3/2026 02:29 - On Tuesday 24 March 2026 at 16:50, Agent has spoken with the subject via mobile. Subject has requested to adjust the appointment to meet the agent at her workplace Fortitude Valley at lunch time 25th of March.

On the Wednesday 25 March 2026 at 12:00 our agent attended [REDACTED] FORTITUDE VALLEY QLD 4006 AU and served the documents and conduct money cheque upon DIANE JAMESON personally. When served DIANE JAMESON stated she would not be attending court as she will be out of the country and will be in New York on that date. Agent has advised DIANE JAMESON that she should contact the lawyers as listed on the documents.

Kind regards
 Amelie Wilson

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