



Transcript of Proceedings

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State Reporting Bureau
Date: 16 December, 2004 ✓

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

JONES J

No 469 of 2003

REBECCA MARY BENNETT

Plaintiff

and

BARRY MAX BUNGE

Defendant

CAIRNS

..DATE 09/12/2004

JUDGMENT

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

HIS HONOUR: This is an application by the plaintiff for an order for substituted service on the defendant by service on his mother, who resides at 183 Peter Street, Rockhampton and by additionally advertising in the Queensland Courier Mail in accordance with a schedule which is marked A, exhibited of the affidavit of Mr Pinder.

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The application is made pursuant to rule 27 of Uniform Civil Procedure Rules and rule 116 of the said rules. Despite extensive searches undertaken to establish the whereabouts of the defendant, the plaintiff has not been successful in locating his whereabouts and therefore serving the initiating proceedings on him.

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The plaintiff's claim for damages arises in relation to a work related injury. The WorkCover was served in a timely way and has at all times had notice of these proceedings.

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The applicant has established that there is occasional irregular contact between the defendant and his mother. Details of that contact is set out in a letter of Central Queensland Collection Agency, Exhibit J and LP5 to the affidavit of Mr Pinder, sworn on the 6th day of December 2004.

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I am satisfied that proper efforts have been made to locate the defendant. I am satisfied also, that it is probable that the details of these proceedings will come to the knowledge of the defendant by means of the two approaches to substituted

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service which have been detailed in the affidavit of Mr
Pinder.

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I therefore make orders in terms of the draft initialled by me
and placed with the papers.

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