

[2003] QCA 334

COURT OF APPEAL

McMURDO P

Appeal No 3955 of 2003

NATIONAL AUSTRALIA BANK LTD

Respondent/Plaintiff

and

ERNEST WILLIAM MCALLISTER

Appellant/First
Defendant

and

ELLORA CAROLINE JUDITH MCALLISTER

Appellant/Second
Defendant

BRISBANE

..DATE 01/08/2003

ORDER

THE PRESIDENT: This mention has been necessitated because of the slowness in Mr McAllister progressing this application. Although he has put forward some reasons to explain the delay in progressing this application, they are not fully satisfactory and he must accept responsibility for that delay. He has indicated he wishes to progress the application and has at least some prospect of legal representation. In the circumstances, the following orders are appropriate:

1. The applicant is to file and serve the affidavit in support of his application and the paginated bundle of material within seven days.
2. The applicant is to file and serve the applicant's outline of argument within 21 days.
3. The respondent is to file and serve their outline of argument within 14 days of receipt of the applicant's outline of argument.
4. Failure to comply with any of these orders on the part of the applicant is to result in the application being struck out with costs to be assessed without further order.
5. The applicant is to pay the costs of today's mention in any event.
