

# SUPREME COURT OF QUEENSLAND

CITATION: *Littlejohn v Julia Creek Town and Country Club Inc* [2011] QCA 3

PARTIES: **SONIA IVY LITTLEJOHN**  
(plaintiff/respondent)  
v  
**JULIA CREEK TOWN AND COUNTRY CLUB INC**  
(defendant/appellant)

FILE NO/S: Appeal No 7807 of 2010  
SC No 488 of 2008

DIVISION: Court of Appeal

PROCEEDING: General Civil Appeal – Further Order

ORIGINATING COURT: Supreme Court at Townsville

DELIVERED ON: 4 February 2011

DELIVERED AT: Brisbane

HEARING DATE: Heard on the papers

JUDGES: Muir and Chesterman JJA and Philippides J  
Judgment of the Court

FURTHER ORDER: **The respondent be granted an indemnity certificate pursuant to s 15 of the *Appeal Costs Fund Act 1973*.**

CATCHWORDS: APPEAL AND NEW TRIAL – APPEAL – PRACTICE AND PROCEDURE – QUEENSLAND – APPEAL COSTS FUND – POWER TO GRANT INDEMNITY CERTIFICATE – GENERAL PRINCIPLES AS TO GRANT OR REFUSAL – applicant respondent sought to apply for an indemnity certificate under s 15(1) *Appeal Costs Fund Act 1973* (Qld) – whether indemnity certificate should be granted  
*Appeal Costs Fund Act 1973* (Qld), s 15

COUNSEL: M Drew for the appellant  
M Grant-Taylor SC, with A Stobie, for the respondent

SOLICITORS: Connolly Suthers for the appellant  
Turner Freeman Lawyers for the respondent

[1] **THE COURT:** When judgment was given in this appeal on 17 December 2010 the fourth order pronounced was that:

“The respondent, should she apply, be granted an Indemnity Certificate pursuant to s 15 of the *Appeal Costs Fund Act 1973*.”

- [2] The reasons for that particular order are included in the court's reasons published with the delivery of judgment.
- [3] The respondent has now applied for the certificate pursuant to the court's intimation, thereby satisfying the condition for the issue of the certificate.
- [4] Accordingly the court now orders that the respondent be granted an indemnity certificate pursuant to s 15 of the *Appeal Costs Fund Act 1973*.