

# SUPREME COURT OF QUEENSLAND

CITATION: *Velvet Glove Holdings Pty Ltd v Mount Isa Mines Ltd* [2011] QCA 335

PARTIES: **VELVET GLOVE HOLDINGS PTY LTD**  
ACN 057 851 788  
(appellant)  
v  
**MOUNT ISA MINES LIMITED**  
ACN 009 661 447  
(respondent)

FILE NO/S: Appeal No 4418 of 2011  
Appeal No 5769 of 2011  
SC No 5306 of 2009

DIVISION: Court of Appeal

PROCEEDING: General Civil Appeal – Further Orders

ORIGINATING COURT: Supreme Court at Brisbane

DELIVERED ON: Judgment delivered 4 November 2011  
Further Orders delivered 24 November 2011

DELIVERED AT: Brisbane

HEARING DATE: Heard on the papers

JUDGES: Fraser and White JJA and Philippides J  
Judgment of the Court

FURTHER ORDERS: **1. The appellant pay the respondent’s costs of and incidental to Appeal No 4418 of 2011 to be assessed on the standard basis.**  
**2. The respondent pay the appellant’s costs of and incidental to Appeal No 5769 of 2011 to be assessed on the standard basis.**

CATCHWORDS: APPEAL AND NEW TRIAL – APPEAL - PRACTICE AND PROCEDURE – QUEENSLAND – POWERS OF COURT – COSTS – where judgment in the appeals was given without an order as to costs of the appeals – where the parties filed a joint submission that the costs of the appeals should follow the event – whether an order to that effect should be made

COUNSEL: No appearance by the appellant, the appellant’s submissions were heard on the papers  
No appearance by the respondent, the respondent’s submissions were heard on the papers

SOLICITORS: Hopgood Ganim Lawyers for the appellant  
Carter Newell for the respondent

- [1] **THE COURT:** Judgment in these appeals was delivered on 4 November 2011. The parties have now lodged a joint written submission as to the costs of the appeals, pursuant to paragraph 52 of Supreme Court Practice Direction No 2 of 2010. The orders sought by both parties accord with the general rule that costs should follow the event unless the Court orders otherwise.
- [2] The orders of the Court therefore are:
1. The appellant pay the respondent's costs of and incidental to Appeal No 4418 of 2011 to be assessed on the standard basis;
  2. The respondent pay the appellant's costs of and incidental to Appeal No 5769 of 2011 to be assessed on the standard basis.