

# SUPREME COURT OF QUEENSLAND

CITATION: *Freeman v National Australia Bank Ltd* [2006] QCA 364

PARTIES: **LYNTON NOEL CHARLES FREEMAN**  
(plaintiff/appellant)  
v  
**NATIONAL AUSTRALIA BANK LIMITED**  
ACN 004 044 937  
(defendant/respondent)

FILE NO/S: Appeal No 219 of 2006  
SC No 5438 of 2005

DIVISION: Court of Appeal

PROCEEDING: General Civil Appeal - Further Order  
Miscellaneous Application - Civil

ORIGINATING COURT: Supreme Court at Brisbane

DELIVERED ON: Judgment delivered 1 September 2006  
Further order delivered 22 September 2006

DELIVERED AT: Brisbane

HEARING DATE: Appeal heard 21 July 2006  
Application heard on the papers

JUDGES: McMurdo P, Jerrard and Holmes JJA  
Judgment of the Court

FURTHER ORDER: **1. The appellant's application filed on 18 September 2006 in relation to this appeal is refused**  
**2. The appellant is to pay the respondent's costs of and incidental to the appeal to be assessed on the standard basis**

CATCHWORDS: PROCEDURE - COSTS - RECOVERY OF COSTS - where the Court granted leave to the parties to make submissions as to an appropriate costs order - whether costs should be assessed on the standard or the indemnity basis

COUNSEL: The appellant appeared on his own behalf  
I R Perkins for the respondent

SOLICITORS: The appellant appeared on his own behalf  
Mallesons Stephen Jaques for the respondent

[1] **THE COURT:** The appellant's application filed on 18 September 2006 in relation to this appeal is refused.

[2] The appellant is to pay the respondent's costs of and incidental to the appeal to be assessed on the standard basis.