

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

ROBIN A/J

No BS6853 of 2006

No BS5512 of 2006

MAY AND KEITH SMITH

Plaintiffs/Respondents

and

ARABESQUE PTY LTD

Defendants/Applicants

BRISBANE

..DATE 17/11/2006

JUDGMENT

HIS HONOUR: Reasons were published to the parties on the 6th of October 2006 for the Court's view that the two applications considered should be dismissed.

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Following further submissions from counsel further reasons were published on the 14th of November which resolved costs issues in the applications and also pursuant to an order made by Douglas J in BS6247 of 2006 which had reserved costs there for determination in BS6853 of 2006.

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That last mentioned aspect is resolved by the Court now making an order in terms of the initialled draft.

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The other application in BS5512 of 2004 has been ventilated again this morning by counsel so that directions for the future progress of the claim could be made.

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The minor timetabling differences between the parties have been resolved by me and there will be an order in terms of the initialled draft which incorporates appropriate alterations to the one handed up by Ms Magee.

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