

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

JONES J

Claim No 36 of 2007

ADELE MAREE READ  
and

First Plaintiff

PETER JAMES READ  
and

Second Plaintiff

VINCENT JON VANDELEUR  
and

First Defendant

BARRY JAMES TOGNOLA  
and

Second Defendant

MARGARET WELLS  
and

Third Defendant

JOHN GEOFFREY WILLIAMS  
and

Fourth Defendant

HELEN LEIGH WILLIAMS  
and

Fifth Defendant

BRIAN HENRY HARE  
and

Sixth Defendant

JOHN HARE

Seventh Defendant

CAIRNS

..DATE 03/08/2007

JUDGMENT

HIS HONOUR: This is an application by the sixth name  
respondent in the action for the appointment of the first and  
second defendants as executors of the estate which is the  
subject of the proceedings, pending the determination of the  
issue. The first and second defendants were the executors  
nominated by the testator in both the last dated will and the  
will which the plaintiffs seek to propound.

While the first and second defendant are prepared to accept  
the office of administrator pending the outcome of the  
determination of the litigation, and all other parties consent  
to that course being followed, there are good reasons why the  
estate should be under administration. Given the consent of  
all parties concerned, I make the following orders:

(1) Vincent John Vandeleur and Barry James Tognola be appointed  
as administrators of the estate of the late Henry John  
Hare, pending the determination of this matter; and

(2) That the costs of all parties, of and incidental to this  
application be paid by the estate on an indemnity basis.

-----