NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 25/02/2022 6:03:48 PM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged**:**	Interlocutory Application - Form 35 - Rule 17.01(1)(a)
File Number:	NSD2162/2018
File Title:	ALOIS JACK & ORS v CORESTAFF NT PTY LTD ACN 129 495 263
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised

Dated**:** 28/02/2022 11:54:33 AM AEDT

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.

Form 35
Rule 17.01(1)

Interlocutory application

No. NSD 2162/2018

Federal Court of Australia

District Registry: NSW

Division: Sydney

Alois Jack and others

Applicants

CoreStaff NT Pty Ltd (ACN 129 495 263)
Respondent

To the Respondent and the following **Affected Parties**:

Stewart Alan Levitt, trading as **Levitt Robinson**

Omni Bridgeway Limited (ACN 067 298 088) in its capacity as appointed agent and investment manager for each of Omni Bridgeway (Fund 2) Pty Limited (ACN 621 682 504) and Omni Bridgeway (Fund 3) Pty Limited (ACN 621 682 460)

Group Members (as defined in the Originating Application in the Representative Proceeding) **who does not opt-out of the Representative Proceeding and remains a member of the Class after any Class Closure Orders**

Tami Kunjil, Applicant in proceeding Number NSD 2024/2018

The Applicants apply for the interlocutory orders set out in this application.
The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Time and date for hearing:	2022 at 9:30am
Place: Federal Court of Australia, 184 Phillip Street, Sydney NSW 2000	

Filed on behalf of (name & role of party) The Applicant
Prepared by (name of person/lawyer) Tabeth Takavarasha
Law firm (if applicable) Levitt Robinson Solicitors
Tel (02) 9286 3133 Fax
Email slevitt@levittrobinson.com; ttakavarasha@levittrobinson.com;cdnetto@levittrobinson.com
Address for service PO Box 850, Darlinghurst NSW 1300
(include state and postcode)

[Form approved 01/08/2011]

Date: February 2022

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Signed by an officer acting with the authority
of the District Registrar

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AUSTRALIA

Part A - Interim Orders

The Applicants seek orders that:

1. Pursuant to sections 33X and 33Y of the *Federal Court of Australia Act 1976* (Cth) (**Act**), the Applicants have leave to distribute a notice of proposed settlement which adopts the text of the long form notice exhibited to the affidavit of Stewart Alan Levitt sworn 25 on February 2022 (**Settlement Notice**), in the manner set out in paragraphs [3] and [4] below.

2. Pursuant to sections 33X and 33Y of the Act, the Applicants have leave to publish a media advertisement which adopts the text of the short form notice exhibited to the affidavit of Stewart Alan Levitt sworn on 25 February 2022 (**Advertisement**), in the manner set out in paragraphs [3] and [4] below.

3. By [insert date] 2022, for the purposes of sections 33X and 33Y of the Act, the Applicants shall:

   (a) cause a copy of the Settlement Notice (which includes an objection form) to be displayed on the website at the link https://www.levittrobinson.com;

   (b) cause a copy of the Settlement Notice (which includes an objection form) to be issued by email or by post (where an active email address is not available or a bounce back message to a previously sent email has been received) to Group Members to the extent such details are available to the Applicants;

   (c) cause a copy of the Advertisement to be published at least once in each of The National and the Post Courier newspapers in Papua New Guinea (PNG);

   (d) arrange for an advertising campaign on the Facebook website (to run until the Approval Hearing), which comprises:

      (i) the logo of Levitt Robinson;

      (ii) together with text within the image providing "Class Action Settlement Notice";

      and with further text below the image providing:

(iv) "It is proposed that the CoreStaff Class Action be settled for AU$6.4 million less funding commission and legal costs. Read more in the Settlement Notice which can be accessed at the following link;

(v) after which a link is inserted to the website https://www.levittrobinson.com

to reach an estimated audience of not less than 1,000 people targeted at persons who are located in Australia and PNG match with at least one of the following interests:

(vi) Corestaff;

(vii) Labour on-hire;

(viii) Mining;

(ix) Fitter - Heavy Duty;

(x) Heavy Diesel Fitter;

(xi) Metal Fabricator;

(xii) Automotive Electric;

(xiii) Mining Engineer;

(xiv) Geologist;

(xv) Mining - Engineering & Maintenance

(xvi) Heavy Diesel Fitter Mechanic; and

(xvii) Class Action.

4. By [insert date] 2022, the District Registrar of the New South Wales Registry of the Federal Court of Australia shall cause a copy of these orders, together with its Annexures, to be displayed on the Federal Court website at an address beginning https://www.fedcourt.gov.au and be available for inspection at the District Registry of the Federal Court in Melbourne, Sydney, Canberra, Brisbane and Perth.

5. By [insert date] 2022, the Applicants to file and serve any non-confidential affidavit material and outline of submissions in support of the Approval Application.

6. By [insert date] 2022, the Applicants have leave to file any affidavit or exhibit or part thereof, in respect of which confidentiality orders are to be sought, in a sealed envelope marked "Confidential Affidavit - Not to be Opened Except by Direction of a Judge or the Court", and be excused from any requirement to serve any such affidavit or exhibit on any party.

7. By [insert date] 2022, Corestaff and Omni Bridgeway Limited to file and serve any affidavit material and any outline of submissions in relation to the Approval Application.

8. Any person who wishes to oppose the making of orders in accordance with the Approval Application must do so by:

   a. sending a completed objection form (in the form of the notice of objection annexed to the Settlement Notice) so that it is received by the New South Wales District Registry of the Federal Court of Australia, either via email to nswreg@fedcourt.gov.au or by post to the Registry, Federal Court of Australia, 184 Phillip Street, Sydney NSW 2000, by [insert date] 2022; or

   b. appearing at the Approval Hearing.

9. If, before the Approval Hearing, the solicitors for any party receive a notice purporting to be an objection form referable to this proceeding or proceeding 2024/2018, the solicitors must email the notice to nswreg@fedcourt.gov.au (copying the solicitors for Corestaff and Omni Bridgeway Limited) within one (1) business day of receipt (and before the commencement of the Approval Hearing), and the notice shall be treated as though it was received by the Court at the time it was received by the solicitors.

10. The parties have leave to inspect the Court file and to copy any objection forms filed with the Court.

11. Any obligation of service in these orders is an obligation to serve the parties and Omni Bridgeway Limited.

12. The Applicant to distribute sealed copies of this order to Omni Bridgeway Limited within one (1) business day of receiving notification from the Court that the orders have been sealed.

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13. The parties and Omni Bridgeway Limited have liberty to apply.

Part B - Settlement Approval

The Applicants seek orders that:

14. Pursuant to sections 33V and 33ZF of the Act that the settlement of this proceeding and proceeding NSD 2024/2018 as against Corestaff be approved on the terms set out in:

    (a) the Deed of Settlement and Release to be executed by the parties and appear as a confidential exhibit to evidence to be filed and served; and

    (b) the Settlement Scheme.

15. Pursuant to section 33ZF of the Act or otherwise, the Applicants be authorised *nunc pro tunc* on behalf of the Group Members bound by these orders to enter into and to give effect to the Deed of Settlement and Release and the obligations, rights, releases and transactions contemplated in it for and on behalf of those Group Members.

16. Pursuant to section 33ZF of the Act, Stewart Alan Levitt be appointed as the Administrator of the Settlement Scheme.

17. All existing undertakings (save for confidentiality undertakings provided in respect of the production of documents under subpoena) be discharged.

18. There be no order as to costs as between the Applicants, Tami Kunjil and Corestaff.

19. All existing costs orders in favour of the Applicants or Tami Kunjil as against Corestaff or in favour of Corestaff as against the Applicants or Tami Kunjil, be vacated.

20. Such further or other order as the Court sees fit.

21. Liberty to apply.

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Service on the Respondents

It is intended to serve this application on the Respondent and distribute this application to the Group Members, Omni Bridgeway Limited; Tami Kunjil; and Applicants named in the Schedule to the Originating Application filed in this Representative Proceeding NSD 2162/2018.

Date: 25 February 2022

Signed by Stewart Alan Levitt
Lawyer for the Applicant