



## ANNEXURE A

Federal Court of Australia

District Registry: Northern Territory Registry

Division: General

No: NTD36/2019

**PATRICK CUMAIYI** and others named in the schedule  
Applicant

**NORTHERN TERRITORY OF AUSTRALIA** and another named in the  
schedule  
Respondent

### ‘WADEYE CLASS ACTIONS’

#### NOTICE OF PROPOSED DISCONTINUANCE

Approved by the Honourable Justice Rangiah by orders made on 13 December  
2024

This Notice relates to two class actions (together, the **Wadeye Class Actions**).

The Federal Court of Australia has ordered that this Notice be provided to inform Group Members of the application by the Applicants in each matter for approval to discontinue the proceedings.

#### **WADEYE CLASS ACTIONS**

The Wadeye Class Actions raise common issues about the adequacy of health and interpreting services provided to the Indigenous residents of Wadeye in the Northern Territory.

#### **DECISION TO DISCONTINUE**

In late 2023, the Federal Court heard two interlocutory applications. The Court delivered judgement on 26 October 2023. The Court refused to allow the Applicants to amend the claims (other than those amendments unopposed by the Respondents) and struck out certain



paragraphs of the existing claims. The parties' legal representatives then engaged in correspondence. The Applicants now bring the present applications to discontinue.

The Applicants legal representatives consider that discontinuance on the agreed terms is in the best interests of Group Members. Those terms include that the Northern Territory Government will make a joint media statement in terms which have been agreed between the parties.

### **HOW DOES DISCONTINUANCE AFFECT YOU**

Discontinuance of the Wadeye Class Actions does not itself deprive you of the right to institute a legal proceeding in future raising the same issues as the Wadeye Class Actions. More specifically:

- (1) Discontinuance is the unilateral act of the Applicants. Apart from cost consequences, discontinuance puts the Applicants and Group Members in the same position as if the proceedings had not been commenced, with one exception.
- (2) This exception is that the limitation period within which a legal proceeding must be brought, which had been frozen by issuing the proceedings which are to be discontinued, likely commences to run again.

You will not have any liability for legal costs.

If there is anything of which you are unsure, you should contact Levitt Robinson Solicitors on (02) 9286 3133 or email [sdoherty@levittrobinson.com](mailto:sdoherty@levittrobinson.com) or seek your own legal advice.

You are not otherwise required to take any action.



**MURRINH DA NGARRA NGALAME KATHU PURDANYITH PANAM**

**PATRICK CUMAIYI i ORS v NORTHERN TERRITORY DA AUSTRALIA NGALA  
KABIM KANHI NUKUN (NTD 36/2019) i ASSUMPTA GUMBADUCK-KA KARDU  
DA NORTHERN TERRITORY NUMI PANGU DA NGATHA DEYIDA (NTD 23/2021)**

**‘KUK DA NGATHA THANAMMARDAMARDA’**

**THIMMARDAMARDA NHINHI-YU I WURLK PAMAMPA PIBIM**

Kanhi-ka kardu ngala da ngarra dim pangu kathu-ya, nhini warra ngatha bamkardu dim, i-yu kama pamanu Justice Rangiah kardu ngarra wurlk mampa dim-ka da warda date kampamut-nu 13 December 2024.

Kanhi mani-ka kardu perrkenku thamngintharilil, nanhthi nhini-ka nungam da numi pangu da ngatha i pubamkardu pirrim ngarra (**Wadeye Class Action-yu**).

Ngarra Murrinh Court kathu parditha-ka, kardu deyida piyemnungkuwerrngime i murrinh deyida panamkawupngime i nanhthi mangini pubamkangkardu-deyida-ngime pirrimka pangu-yu i nanhthi ngarra nhinhi thantilil-ka ngarra approved piyemam-ka wurlk warda pamampa panam.

**KUK DA NGATHA THANAMMARDAMARDA**

Kanhi-ka kuk da ngatha murrinh warra ngatha parningerrennu i mangini pudamnuthalurl panam. Kardu-ka mamnhimanpi da ngatha kanam, mu kardu ngarra wurlk mampa dim marda manganart dim kardu pana ngarra interpreter piyemam panam da ngarra Wadeye kanhi wurlk pamamkangime panam, nhini-nu-wa, kardu pangu mamanpinu pi.

**KANHI MANI MAM DIM-KA WURLK DA NGATHA PUMAMPA PIRRIM**

Da-ka 2023 kathu pumpantert ngarra murrinh Court kathu nanhthi application perrkenku parrampirramut-yu ngarra-re puyemanu. Ngarra murrinh Court kathu parditha-ka parrampirramut ngarra kardu ngamere deyida da date 26 October 2023-re nhini-yu. Kardu



ngarra murrinh Court kanampangerren-ka neki wangu-ka thurdamnangkaywuy thanam i mere warda ngarra yuthpan kama ki nanhthi pangu ngarra wurlk mampa dim-yu ( Nhini nhinhi-ka mere ngarra warda thatpirr proved kumampa ki kardu ngarra damutmut kathu dim-yu. Nhini-wa nanhthi-yu da pirdirtme thanammardamarda nhinhi-yu.) Nanhthi-ka kemura panthin pirrim pangu-yu. Mu pumenaladala warda pirrim kardu ngarra wurlk kathu mampa dim-ka tetemandhay deyida banganurt dim. Mu kardu nhini-ka nanhthi ngarra nhinhi wangu thudamnathuk-ka kanthinkathuk da ngatha dim.

Kardu ngarra wurlk kathu mampa dim-ka kuk da ngatha, nanhthi ngarra mukmuk nukunu ngatha wurdamnayith dim, ngarra pamanu kardu ngarra ngamere kanhi-yu. Nukunu ngatha bankardu dim-ka pankuthawilerrnungime kardu ngarra group ngamere ngarra Northern Territory Government mere ngala thatpirr kunungingki-wa ngatha.

#### **NGARRA-RE KAMA WURLK PAMANU**

Bere ngatha kardu nhini-yu wurlk pamanu parni ngarra Wadeye Class Action-yu, da-ka yuthpan-wa nhinhi-yu thanam. Kardu weyida-ka lurruth ngala wurran mangini nurduweparlungime ngarra Wadeye Class Actions mani-wa: Murrinh da ngatha kanamngerren.

- (1) Panamngerren da ngatha nanhthi ngarra nankungintha thurdamnginthadhuk-yu. Kanhi-ka kardu perrkenku wanku thurdanngindhuk-ka mangini ngarra-re kama pumannarranungintha. i mangini pigunu kathu-ka pamampa pibim mere da ngatha Murrinh-yu kuyema kuyu kardu pangu kathu-yu.
- (2) Kanhi-ka kardu ngarra wurlk mam dim-ka-yu mam dim, mu kardu pangu kathu warda mangini parramkartmin pirrim-yu. I nhini-ka kuk deyida ngatha pumamyit pirrim. Mange kanhi-ka da mangini marra deyida kathu purrertnu parnu. Kardu-ka bere ngatha wangu lurruth ngala wurranngerren.

Nhinhi-ka mere kama nukun kampamut ku palyirr-yu.

Mere ngatha the nabath-ka thubath number kanhi: (02) 9286 3133 I numi-ka kanhi ngatha: [sdoherty@levittrobinson.com](mailto:sdoherty@levittrobinson.com) or Mu wurda ngatha-ka kardu ngarra wurlk mampa dim.