

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 22/11/2018 2:42:00 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:	Originating Application Starting a Representative Proceeding under Part IVA Federal Court of Australia Act 1976 - Form 19 - Rule 9.32
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:	First Case Management Hearing
Time and date for hearing:	07/12/2018, 9:00 AM
Place:	Court Room Not Assigned, Level 17, Law Courts Building 184 Phillip Street Queens Square, Sydney



A handwritten signature in blue ink that reads 'Warwick Soden'.

Dated: 29/11/2018 8:47:03 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 19
Rule 9.32



**Originating application starting a representative proceeding under
Part IVA of the Federal Court of Australia Act 1976**

No. of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General

Alois Jack and others named in the schedule

Applicants

CoreStaff NT Pty Ltd (ACN 129 495 263)

Respondent

To the Respondent

The Applicants apply for the relief 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.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:
Place: Law Courts Building, 184 Phillip Street, Sydney NSW 2000

Date:

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

Filed on behalf of (name & role of party)	Applicants
Prepared by (name of person/lawyer)	Stewart A Levitt
Law firm (if applicable)	Levitt Robinson Solicitors
Tel	(02) 9286 3133
Fax	n/a
Email	slevitt@levittrobinson.com; olacey@levittrobinson.com
Address for service (include state and postcode)	Ground Floor, 162 Goulburn Street East Sydney NSW 2010

**Details of claim**

On the grounds stated in the accompanying statement of claim, the applicants claim:

1. An order for compensation pursuant to s 236(1) of the *Australian Consumer Law* in Schedule 2 to the *Competition and Consumer Act 2010* (Cth) ("**ACL**").
2. Damages for breach of contract.
3. Interest.
4. Costs.
5. Such further or other order as the Court sees fit.

Questions common to claims of group members

The questions of law or fact common to the claims of the group members are:

1. Whether the respondent had reasonable grounds for making the statements that it did in each "Offer Letter" (as defined in the accompanying statement of claim).
2. Whether the respondent contravened ss 18 and/or 31 of the ACL (including having regard to s 4 of the ACL which is relied upon) by making what is pleaded in the accompanying statement of claim as the:
 - a. Employment Representation;
 - b. Arrangements in Place Representation; and/or
 - c. Reasonable Grounds Representations.
3. Whether an Offer Letter, once accepted, constituted the terms of a binding contract.
4. Whether the respondent caused loss or damage for the purposes of s 236(1) of the ACL by issuing each "Termination Letter" (as defined in the accompanying statement of claim).
5. Whether the respondent acted in breach of contract by issuing each Termination Letter.
6. The correct measure of any loss and damage payable.

Representative action

1. The first applicant brings his application for himself and as a representative party under Part IVA of the *Federal Court of Australia Act 1976* (Cth).



2. The group members to whom the representative part of this proceeding relates (as explained in Part A and pleaded in Part B of the accompanying statement of claim) are all persons who:
- a. received an Offer Letter from the respondent in or about 2011 and 2012;
 - b. received a Termination Letter from the respondent on or after 23 November 2012; and
 - c. are alleged to have suffered loss and damage as a result of the conduct of the respondent pleaded in the statement of claim.

Applicants' address

The applicants' address for service is:

Place: Levitt Robinson Solicitors, Ground Floor, 162 Goulburn Street, East Sydney NSW 2010

Email: slevitt@levittrobinson.com; olacey@levittrobinson.com

The applicants' address is c/- Levitt Robinson Solicitors, Ground Floor, 162 Goulburn Street, East Sydney NSW 2010.

Service on the Respondent

It is intended to serve this application on the respondent.

Date: 22 November 2018


Signed by Stewart Alan Levitt
Lawyer for the Applicants

**Schedule**

No. of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General

Applicants

Second applicant:	Peter Guli
Third applicant	Asron Pora
Fourth applicant	Natu Kulminok
Fifth applicant	Mathias Buko
Sixth applicant	Masol Waspol
Seventh applicant	Michael Pandai
Eighth applicant	Kunerd Heptol
Ninth applicant	Bennie Ipai
Tenth applicant	Puri Ani
Eleventh applicant	Lucas Angur
Twelfth applicant	Mende Korul
Thirteenth applicant	Tim Omen
Fourteenth applicant	Henao Nogo
Fifteen applicant	Sam Tonges
Sixteenth applicant	Kaspar Jacob
Seventeenth applicant	Kesi Lake
Eighteenth applicant	Leroy Gillina
Nineteenth applicant	Simon Mathias
Twentieth applicant	Julius Dimara

Date: 22 November 2018