

Form 20 (Version 2)  
UCPR 18.1 and 18.3

## NOTICE OF MOTION

DISTRICT COURT OF NSW  
FILED  
AT SYDNEY

### COURT DETAILS

Court	District Court of New South Wales
List	Common Law
Registry	Sydney
Case number	2008/316976

on - 6 DEC 2012



### TITLE OF PROCEEDINGS

Prosecution	<b>Kathleen Biles</b>
Number of Plaintiffs	<b>15</b>
Defendant	<b>State of New South Wales</b>

### FILING DETAILS

Person seeking orders	<b>State of New South Wales</b>
Legal Representative	I V Knight, Crown Solicitor for New South Wales
Legal Representative Reference	PCN: 3321, T09, 200801481
Contact name and telephone	Benish Haider (02) 8093-5546
Frequent User ID	AG4NSW

### PERSON AFFECTED BY ORDERS SOUGHT

Kathleen Biles, Plaintiff

### HEARING DETAILS

This motion is listed at Sydney District Court before his Honour Judge Curtis on 13 December 2012 at 10:00am.

**ORDERS SOUGHT**

The defendant seeks the following relief or orders:

1. Pursuant to Rule 33.4 of the *Uniform Civil Procedure Rules 2005* (New South Wales), the Subpoenas for Production issued at the request of the plaintiff to Peter Maxwell (filed at the District Court of New South Wales on 20 November 2012) be set aside on the grounds that:
  - i) It lacks legitimate forensic purpose;
  - ii) It is not on the cards that the documents sought will materially assist the plaintiff;
  - ii) It is too broad
  - iii) It is oppressive
2. Further and in the alternative to prayer 1, the defendant objects to production of the documents sought by the subpoenas pursuant to Rule 1.9 of the *Uniform Civil Procedure Rules 2005* and/or s. 131A of the *Evidence Act 1995* and s. 119 of the *Evidence Act 1995*.
3. Further and/or in the alternative to prayer 2, the defendant objects to the production of the documents sought by the subpoenas pursuant to legal professional privilege.
4. Costs in relation to this Notice of Motion
5. Such further or other orders as the Court may deem fit.

**SIGNATURE**

Signature of legal representative

I V Knight  
Solicitor for the Defendant

.....I.V. KNIGHT.....

Signed in my capacity as a solicitor  
employed in the office of the said  
I V Knight



Date of signature

6 December 2012

**NOTICE TO PERSON AFFECTED BY ORDERS**

If you do not attend, the Court may hear the motion and make orders, including orders for costs, in your absence.

**REGISTRY ADDRESS**

Street address	District Court of New South Wales John Maddison Tower 86 Goulburn Street, Sydney New South Wales 2000
Postal address	PO Box K1026, Haymarket New South Wales 2000.

**FURTHER DETAILS ABOUT APPLICANT****Applicant**

Name State of New South Wales, defendant  
 Address C/- Crown Solicitor's Office (details below)

**Legal representative for applicant[s]**

Name I V Knight  
 Crown Solicitor  
 Practising certificate number 3321  
 Firm Crown Solicitor's Office  
 Contact Solicitor Benish Haider  
 Address Level 5  
 60-70 Elizabeth Street  
 SYDNEY NSW 2000  
 DX Address 19 SYDNEY  
 Telephone (02) 8093-5546  
 Email crownsol@agd.nsw.gov.au  
 Electronic service address Not applicable

**FURTHER DETAILS ABOUT PLAINTIFF**

Name: Kathleen Biles  
 c/- Janet Loughman, Principal Solicitor  
 Women's Legal Services  
 Address: PO Box 206,  
 Lidcombe NSW 2000