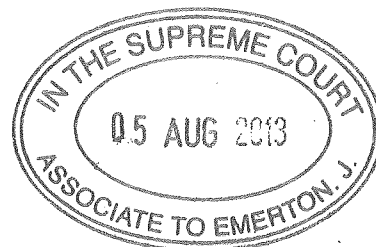


IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION



S CI 2010 1978

BETWEEN:

**PAUL ANTHONY MERCIECA AND AMELIA JANE
COOMBES**

Plaintiffs

- and -

**SPI ELECTRICITY PTY LTD (ACN 064 651 118) AND
OTHERS (ACCORDING TO THE SCHEDULE)**

Defendants

AND BETWEEN:

SPI ELECTRICITY PTY LTD (ACN 064 651 118)

Plaintiff by Counterclaim

- and -

**EAGLE TRAVEL TOWER SERVICES PTY LTD
(ACN 070 093 766)**

First Defendant by Counterclaim

ORDER

JUDGE: The Honourable Justice Emerton

DATE MADE: 29 July 2013

ORIGINATING PROCESS: Writ filed 15 April 2010

HOW OBTAINED: On the Court's own Motion

ATTENDANCE: Mr L Armstrong of Counsel, for the Plaintiffs
Ms C Dunn of Counsel, for the First, Second, Third and
Fourth defendants

OTHER MATTERS: The Court notes that the parties to the terms of settlement
of this proceeding have agreed pursuant to cl 19 of the
settlement deed upon modification to cl 10 to permit up to
three interim assessment and consequential interim
distributions of settlement payments to the Claimants.



THE COURT ORDERS THAT:

1. Pursuant to s 33ZF of the *Supreme Court Act 1958* (Vic), the Court approves the modification to the distribution process contemplated by the settlement agreement to permit up to three interim assessments and consequential interim distributions to the Claimants.
2. No order as to costs.

DATE AUTHENTICATED: 5 August 2013



The Honourable Justice Emerton

SCHEDULE OF PARTIES

S CI 2010 1978

BETWEEN

PAUL ANTHONY MERCIECA

First Plaintiff

AMELIA JANE COOMBES

Second Plaintiff

- and -

**SPI ELECTRICITY PTY LTD (ACN
064 651 118)**

First Defendant

**EAGLE TRAVEL TOWER SERVICES
PTY LTD (ACN 070 093 766)**

Second Defendant

**SECRETARY TO THE
DEPARTMENT OF
SUSTAINABILITY &
ENVIRONMENT**

Third Defendant

PARKS VICTORIA

Fourth Defendant

**SPI ELECTRICITY PTY LTD (ACN
064 651 118)**

Plaintiff by Counterclaim

**EAGLE TRAVEL TOWER SERVICES
PTY LTD (ACN 070 093 766)**

First Defendant by Counterclaim

**SECRETARY TO THE
DEPARTMENT OF
SUSTAINABILITY &
ENVIRONMENT**

Second Defendant by Counterclaim

PARKS VICTORIA

Third Defendant by Counterclaim

PAUL ANTHONY MERCIECA

Fourth Defendant by Counterclaim

AMELIA JANE COOMBES

Fifth Defendant by Counterclaim



