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21 July 2005

[REDACTED]



DIBBS ABBOTT STILLMAN | LAWYERS

Our Ref: [REDACTED]

Dear [REDACTED]

**Uniton Pty Ltd - Woolworths at Maleny ("the site")**

We act for Uniton Pty Ltd.

We are instructed:

1. that you have unlawfully trespassed on the site and have by your actions delayed and impeded commencement of the works at the site;
2. to issue proceedings against you in the sum of \$372,331.00 for the loss and damage suffered by our client.

**Enclosed** is a copy of the claim that our client proposes to file in the Supreme Court.

Please advise of your address for service of that document and the statement of claim.

Yours faithfully

**DIBBS ABBOTT STILLMAN**

  
**Stephen Pyman**

Encl

Contact  
Stephen Pyman

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(07) 3100 5083

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Partner Responsible  
Stephen Pyman

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**SUPREME COURT OF QUEENSLAND**

REGISTRY: BRISBANE  
NUMBER:

PLAINTIFF: **UNITON PTY LTD ACN 114 200 510**

AND

DEFENDANT: 

**CLAIM**

The plaintiff claims:

1. an order that the defendant, whether by herself, her servants or agents, be restrained from entering upon or remaining upon the land;
2. damages for unlawful trespass and/or interference with contractual relations in the sum of:

(a)	security firm fees	\$89,000.00
(b)	legal fees and outlays	\$50,000.00
(c)	acceleration costs	\$122,992.00
(d)	delay costs	<u>\$110,339.00</u>
		<u>\$372,331.00</u>
3. damages for interference with contractual relations in the sum of \$53,000.00;
4. exemplary damages;
5. interest; and
6. costs.

The Supreme Court at Brisbane has jurisdiction to decide this claim.

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**CLAIM**  
Filed on behalf of the Plaintiff.  
Form 2 R.22

**DIBBS ABBOTT STILLMAN**  
Lawyers  
Level 14, 120 Edward St  
BRISBANE QLD 4001  
Tel: (07) 3100 5083  
Fax: (07) 3100 5001  
Ref: SJP:2512994

The plaintiff makes this claim in reliance on the facts alleged in the attached statement of claim.

ISSUED WITH THE AUTHORITY OF THE SUPREME COURT OF QUEENSLAND

And filed in the Brisbane Registry on

Registrar:

To the defendant: TAKE NOTICE that you are being sued by the plaintiff in the court. If you intend to dispute this claim or wish to raise any counterclaim against the plaintiff, you must within 28 days of the service upon you of this claim file a notice of intention to defend in this Registry. If you do not comply with this requirement judgment may be given against you for the relief claimed and costs without further notice to you. The notice should be in Form 6 to the Uniform Civil Procedure Rules. You must serve a sealed copy of it at the plaintiff's address for service shown in this claim as soon as possible.

Address of Registry: Law Courts Complex, George Street, Brisbane

If you assert that this court does not have jurisdiction in this matter or assert any irregularity you must file a conditional notice of intention to defend in Form 7 under Rule 144, and apply for an order under Rule 16 within 14 days of filing that notice.

If you object that these proceedings have not been commenced in the correct district of the court, that objection must be included in your notice of intention to defend.

**PARTICULARS OF THE PLAINTIFF:**

Name:	Uniton Pty Ltd ACN 114 200 510
Plaintiff's residential or business address:	Level 2, 200 Adelaide Street, Brisbane, Queensland 4000
Plaintiff's solicitor's name and firm name	Stephen Pyman Dibbs Abbott Stillman Lawyers
Solicitor's business address:	Level 14, 120 Edward St Brisbane Qld 4001
Address for service:	Level 14, 120 Edward St Brisbane Qld 4001
Telephone:	(07) 3100 5083
Fax:	(07) 3100 5001
E-mail address ( <i>if any</i> ):	stephen.pyman@daslaw.com.au

Signed: .....

Description: *Solicitors for the Plaintiff*

Dated: .....

This Claim is to be served on:

