

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 8/06/2017 3:36:28 PM AEST 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:	Interlocutory Application - Form 35 - Rule 17.01(1)(a)
File Number:	NSD213/2011
File Title:	Tammy Maree Stanford & Anor v DePuy International Limited & Anor
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	Case Management Hearing
Time and date for hearing:	14/06/2017, 9:30 AM
Place:	Court Room Not Assigned, Level 17 Law Courts Building Queen's Square, Sydney



A handwritten signature in blue ink, reading 'Warwick Soden'.

Dated: 8/06/2017 4:09:27 PM AEST

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 35
Rule 17.01(1)



Interlocutory application

No. 213 of 2011

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

Tammy Stanford and Another

Applicants

DePuy International Limited and Another

Respondents

To:

First Respondent: DePuy International Limited

Second Respondent: Johnson & Johnson Medical Pty Limited (ACN 000 160 403)

Maurice Blackburn Pty Limited and Shine Lawyers Pty Limited in their capacity as joint Administrators of the Settlement Scheme approved by the Court on 29 June 2016 (the **Administrators**) apply for the interlocutory orders 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.

Time and date for hearing: 9.30am on 14 June 2017

Place: Federal Court of Australia
Law Courts Building, Queens Square, Sydney

Filed on behalf of (name & role of party) Maurice Blackburn Pty Limited and Shine Lawyers Pty Limited as Joint Scheme Administrators

Prepared by (name of person/lawyer) _____

Law firm (if applicable) Maurice Blackburn Pty Limited

Tel (03) 9605 2680 Fax (03) 9258 9600

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Address for service Maurice Blackburn Pty Ltd
(include state and postcode) Level 10, 456 Lonsdale Street, Melbourne VIC 3000

[Form approved 01/08/2011]



The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Date: 8 June 2017

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



Interlocutory orders sought

1. Pursuant to Federal Court Rule 9.05, the Administrators be joined as parties to the Proceeding for the limited purpose of exercising the liberty granted by the Court in order 2(c) made on 29 June 2016;
2. Pursuant to clause 14.1 of the Settlement Scheme approved by the Court on 29 June 2016 (the **Settlement Scheme**), the Court directs that the Settlement Scheme be amended in the manner set out in exhibit "JKS 137" to the affidavit of Julian Klaus Schimmel affirmed 7 June 2017;
3. Pursuant to section 33ZA(2) of the *Federal Court of Australia Act (1976)* (Cth) and, or alternatively, clause 14.1 of the Settlement Scheme, the Court directs the Administrators to pay the following amounts in respect of Administration Costs that are payable in accordance with clause 13.1 of the Settlement Scheme out of the Settlement Sum:
 - a. Administration Costs Payable to Maurice Blackburn
 - i. Costs - \$1,669,685.60
 - ii. Disbursements - \$453,763.82
 - iii. Total - \$2,123,449.42
 - b. Administration Costs Payable to Shine Lawyers
 - i. Costs - \$1,164,318.93
 - ii. Disbursements - \$163,398.81
 - iii. Total - \$1,327,717.24
4. Pursuant to section 33ZA(2) of the *Federal Court of Australia Act (1976)* (Cth) and, or alternatively, clause 14.1 of the Settlement Scheme, the Court directs the Administrators to pay the following amounts of fixed costs for work performed in preparing Eligibility Books and Claim Books in accordance with clause 13.2 of that scheme out of the Settlement Sum:
 - a. Fixed Costs Payable to Shine Lawyers
 - i. \$220,550.00
5. The costs of this application are to be met as Administration Costs that are payable in accordance with clause 13.1 of the Settlement Scheme out of the Settlement Sum; and
6. Such further or other order as the Court deems fit.

**Service on the Respondents**

It is intended to serve this application on

First Respondent: DePuy International Limited

Second Respondent: Johnson & Johnson Medical Pty Limited (ACN 000 160 403)

Date: 8 June 2017

 JULIAN SCHIMMEL, PRINCIPAL

Signed by Maurice Blackburn on behalf of
Maurice Blackburn and Shine Lawyers as
Joint Administrators