

## Order for Reference

### Court Details

Court: District Court

List: Construction List

Registry: Sydney

Case Number:

### Title of Proceedings

First Plaintiff:

Number of Plaintiffs:

First Defendant:

Number of Defendants:

### Preparation Details

Prepared for:

Legal representative:

Legal representative reference:

Contact name and telephone:

### Order for Reference

1. Pursuant to rule 20.14 of the Uniform Civil Procedure Rules (**UCPR**), I refer the matters in the Schedule to \_\_\_\_\_ for enquiry and report.
2. Without affecting the powers of the Court as to costs, I direct that the parties be jointly and severally liable to the referee for his or her fees.
3. I direct that the parties deliver to the referee a copy of this order together with a copy of Division 3 of Part 20 of the UCPR.

4. Direct that:
  - (a) subject to paragraphs (b) and (c), the provisions of rule 20.20 will apply to the conduct of the proceedings under the reference;
  - (b) the referee is to consider and implement the manner of conducting the proceedings under the reference to enable a just determination to be made without undue formality or delay including, if the referee thinks fit:
    - i. the making of inquiries by telephone;
    - ii. site inspection;
    - iii. inspection of plant and equipment;
    - iv. communication with experts retained on behalf of the party;
  - (c) the evidence in chief before the referee is to be given by way of the written statements or affidavits served in the proceedings;
  - (d) except as set out in (b) above, all applications for additional orders with respect to pleadings or evidence are to be made to the court
  
5. The reference will commence on (date) unless otherwise ordered by the referee.
  
6. The referee is to submit the report to the Court in accordance with rule 20.23 addressed to the Registrar of the District Court on or before (date)
  
7. If the referee is unable to comply with the order for delivery of the report to the Court by the date in paragraph 6, the referee is to provide an interim report to the Judicial Registrar setting out the reasons for such inability and make an application to extend the time within which to deliver the report to the Court.
  
8. Grant liberty to the referee or any party to seek directions with respect to any matter arising in proceedings under the reference upon application to the Judicial Registrar or, in the absence of the Judicial Registrar, to the Civil List Judge.

9. Any application to amend this order or the Schedule, is to be the subject of an order made by the Court. This applies to an amendment made by agreement or on a contested basis.
10. Reserve costs of the proceedings
11. Stand the proceedings over for directions on (date)

### **Schedule**

The whole of the proceedings;

OR

The following questions arising in the proceedings;

### **Seal and Signature**

Court seal:

Signature:

Capacity:

Date:

## **Party Details**

Parties to the proceedings

Plaintiffs:

Defendants: