

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
COURT OF APPEAL  
CIVIL DIVISION

No. 6321/2005

BETWEEN:

**GLENN ALEXANDER THOMPSON  
and CHERYL MAREE THOMPSON**

Appellants

- AND -

**MACEDON RANGES SHIRE COUNCIL**

First Respondent

- AND -

**THE COLIBAN REGION WATER AUTHORITY**

Second Respondent

## **SUMMONS**

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Date of Document: July 2008  
Filed on behalf of: The Second Respondent  
Prepared by:  
**Mason Sier Turnbull**  
Lawyers  
315 Ferntree Gully Road  
Mount Waverley VIC 3149

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TO: The Appellants

**YOU** are summoned to attend before the Court on the hearing of an application  
by the Second Respondent for the following orders:

1. Pursuant to Order 64 rule 14(4) of Chapter 1 of the Supreme Court Rules, the  
Appellants pay the Second Respondent's costs of and incidental to the appeal,  
including the costs of this application on an indemnity basis.



2. Pursuant to Order 79 rule 2(2) of Chapter 1 of the Supreme Court Rules, the moneys paid into Court by the Appellants in the sum of \$30,000 as security for the Second Respondent's costs of the appeal by order of the Court of Appeal on 5 September 2007 and any interest thereon be paid to the solicitors for the Second Respondent to be applied by them in part satisfaction of the Second Respondent's costs of and incidental to this appeal, including the costs of this application, hereby ordered upon the taxation or agreement between the Appellants and the Second Respondent of those costs and in the event that the costs of the Second Respondent of and incidental to this appeal, including the costs of this application, as so taxed or agreed are less than the sum of \$30,000 and interest thereon to repay the balance of the sum of \$30,000 and the interest thereon to the Appellants.
3. Such other order or relief as the Court deems appropriate.
4. An order that the Appellants pay the costs of this application on an indemnity basis.

The application will be heard before the Court of Appeal in the Law Courts, 459 Lonsdale Street, Melbourne on 5/9/ 2008 at 9.30am/pm or so soon afterwards as the business of the Court allows.

23 JUL 2008

FILED:

July 2008



This summons was filed by Mason Sier Turnbull Lawyers, of 315 Ferntree Gully Road, Mount Waverley, solicitors for the Second Respondent.