

IN THE FEDERAL COURT OF AUSTRALIA
QUEENSLAND DISTRICT REGISTRY

No: QUD380 of 2007

FRIPPERY PTY LTD
First Applicant

MERVYN MEYER THOMAS
Second Applicant

PAMELA ANN THOMAS
Third Applicant

CAROL JEANETTE BOOTH
First Respondent

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
Second Respondent

JO-ANNE BRAGG
Third Respondent

LARISSA WATERS
Fourth Respondent

NOTICE OF MOTION
(Form 27)
(Order 19, rule 2)

The abovenamed Second, Third and Fourth Respondents will at 9.30am on 16 April 2008 at Level 6 Commonwealth Law Courts, 119 North Quay, Brisbane, move the Court for orders that:

1. Application QUD380 of 2007 be dismissed in accordance with Order 20, rule 5 of the *Federal Court Rules* on the grounds that:
 - (a) The proceeding is frivolous and vexatious; and
 - (b) The proceeding is an abuse of process of the Court.
2. That costs be awarded to the Second, Third and Fourth Respondents on an indemnity basis.
3. Such further or other orders at the Court may see fit.

FILED ON BEHALF OF THE
SECOND, THIRD AND FOURTH
RESPONDENTS

Thynne & Macartney
Level 27, 12 Creek Street
Brisbane Qld 4000
GPO Box 245
BRISBANE QLD 4001

Telephone: 07 3231 8888
Fax Number: 07 3229 0855

Reference: JRM:LLN:81272

Date: 11 March 2008

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Thynne & Macartney
Solicitors for the Second, Third and Fourth Respondents

To: The First, Second and Third Applicants
c/- Water Timms Solicitors
5 Codrington Street
Cranbourne Vic 3977