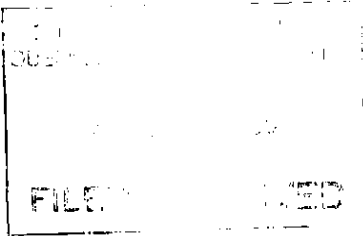


IN THE FEDERAL COURT OF AUSTRALIA  
QUEENSLAND DISTRICT REGISTRY

No QUD319 of 2008



**WIDE BAY BURNETT CONSERVATION  
COUNCIL INC.**

Applicant

**BURNETT WATER PTY LTD  
(ACN 097 206 614)**

Respondent

**NOTICE OF MOTION**

(Order 19 rule 2)

*Notice filed 10-15*

The abovenamed Respondent will at ~~9.30~~ *9.30* am on **15 MAY 2009** 2009 at  
Commonwealth Law Courts, 119 North Quay, Brisbane QLD move the Court for orders:

1. That paragraphs 35 to 44, 46 to 90 and 96 to 98 of the Applicant's Amended Statement of Claim be struck out.
2. Such further or other order as to the Court seem meet.
3. That the Applicant pay the Respondent's costs of and incidental to this application.

**To: Wide Bay Burnett Conservation Council Inc.**  
c/- Environmental Defenders Office  
30 Hardgrave Road  
West End

Dated *28/4/2009.*

A handwritten signature in black ink that reads 'Allens Arthur Robinson'. The signature is written over a circular stamp that is partially visible and mostly illegible.

**Allens Arthur Robinson**  
Solicitor for the Respondent

NOTICE OF MOTION  
Filed on behalf of: the Respondent

**Allens Arthur Robinson**  
Lawyers  
Riverside Centre  
123 Eagle Street  
Brisbane QLD 4000

DX 210 Brisbane  
Tel 07 3334 3000 Fax 07 3334 3444  
Ref RLM: