

From: Chambers - Hatcher VP [Chambers.Hatcher.VP@fwc.gov.au]
Sent: Monday, 14 November 2022 4:40 PM
To: 'Jessica Dawson-Field'[JDawson-Field@mauriceblackburn.com.au]; Phillip Pasfield[Phillip.Pasfield@slatergordon.com.au]
CC: J Bornstein[JBornstein@mauriceblackburn.com.au]; Justin Go[justingo@mauriceblackburn.com.au]
Subject: RE: D2022/10 - Application by Kelly [S+G-ACTIVE.7592.M659724.FID4985938]
Attachments: D2022-10 - NOL - Hearing - 17 November 2022.pdf

OFFICIAL

Dear parties,

I confirm that the matter has been listed for a hearing this **Thursday, 17 November 2022 at 10:00am (AEDT)** via Microsoft Teams. A notice of listing is **attached** and will be dispatched in a subscriber via the matter webpage in due course.

Kind regards,

Caroline

Caroline Beasley

Associate to Vice President Hatcher



Fair Work Commission

Australia's national workplace relations tribunal

T (02) 9308 1812

[E chambers.hatcher.vp@fwc.gov.au](mailto:chambers.hatcher.vp@fwc.gov.au)

Level 11, Terrace Tower, 80 William Street, EAST SYDNEY NSW 2011
www.fwc.gov.au

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This email was sent from Gadigal Country.

From: Jessica Dawson-Field <JDawson-Field@mauriceblackburn.com.au>
Sent: Monday, 14 November 2022 2:59 PM
To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>; Phillip Pasfield <Phillip.Pasfield@slatergordon.com.au>
Cc: J Bornstein <JBornstein@mauriceblackburn.com.au>; Justin Go <justingo@mauriceblackburn.com.au>
Subject: RE: D2022/10 - Application by Kelly [S+G-ACTIVE.7592.M659724.FID4985938]

Dear Associate

We refer to the below correspondence.

We would grateful if you could advise when the matter might be listed.

We note that our counsel is unavailable on Tuesday and Wednesday this week.

Kind regards

Jessica Dawson-Field
Senior Associate

T 03 9605 2809

F 03 9258 9613

E JDawson-Field@mauriceblackburn.com.au

mauriceblackburn.com.au

Naarm

Level 21, 380 La Trobe Street

Melbourne VIC 3000

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

Sent: Thursday, 10 November 2022 5:00 PM

To: Phillip Pasfield <Phillip.Pasfield@slatertgordon.com.au>; Jessica Dawson-Field <JDawson-Field@mauriceblackburn.com.au>

Cc: Josh Bornstein <JBornstein@mauriceblackburn.com.au>; Justin Go <justingo@mauriceblackburn.com.au>

Subject: RE: D2022/10 - Application by Kelly [S+G-ACTIVE.7592.M659724.FID4985938]

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OFFICIAL

Dear Ms Dawson-Field and Mr Pasfield,

I have brought both your emails below to the Vice President's attention and will revert when I have his instructions.

Edrea Venal

Associate to Vice President Hatcher



Fair Work Commission

Australia's national workplace relations tribunal

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E chambers.hatcher.vp@fwc.gov.au

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This email was sent from Gadigal Country.

From: Phillip Pasfield <Phillip.Pasfield@slatertgordon.com.au>
Sent: Thursday, 10 November 2022 4:46 PM
To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Cc: 'Jessica Dawson-Field (JDawson-Field@mauriceblackburn.com.au)' <JDawson-Field@mauriceblackburn.com.au>; J Bornstein <JBornstein@mauriceblackburn.com.au>; Justin Go <justingo@mauriceblackburn.com.au>
Subject: FW: D2022/10 - Application by Kelly [S+G-ACTIVE.7592.M659724.FID4985938]

Dear Associate

I refer to the email below and the attached Amended Application and draft order.

I advise that Mr Kelly opposes the Amended Application and wishes to be heard.

The legal representatives of the CFMMEU have been copied into this email.

Regards

Phillip Pasfield

National Practice Group Leader
Industrial and Employment Law



SLATER AND GORDON LAWYERS

Level 14, 55 Market Street, Sydney New South Wales 2000

D +61 2 8267 0613 | **T** +61 2 8071 2790 |

M +61 419 295 492 | **F** (02) 8267 0650

W slatergordon.com.au

From: Jessica Dawson-Field <JDawson-Field@mauriceblackburn.com.au>

Sent: Thursday, 10 November 2022 4:41 PM

To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>; Phillip Pasfield <Phillip.Pasfield@slatergordon.com.au>

Cc: Josh Bornstein <JBornstein@mauriceblackburn.com.au>; Justin Go

<justingo@mauriceblackburn.com.au>

Subject: RE: D2022/10 - Application by Kelly [S+G-ACTIVE.7592.M659724.FID4985938]

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Dear Associate

We refer to the above matter.

The parties have not been able to reach agreement on all categories sought by the CFMMEU. We attach an amended F52 Application for filing.

We request that the order is made as soon as possible.

Kind regards

Jessica Dawson-Field

Senior Associate

T 03 9605 2809

F 03 9258 9613

E JDawson-Field@mauriceblackburn.com.au

mauriceblackburn.com.au

Naarm

Level 21, 380 La Trobe Street

Melbourne VIC 3000

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

Sent: Tuesday, 8 November 2022 5:38 PM

To: 'Phillip Pasfield' <Phillip.Pasfield@slatertgordon.com.au>

Cc: Jessica Dawson-Field <JDawson-Field@mauriceblackburn.com.au>; Josh Bornstein <JBornstein@mauriceblackburn.com.au>
Subject: RE: D2022/10 - Application by Kelly [S+G-ACTIVE.7592.M659724.FID4985938]

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OFFICIAL

Dear Mr Pasfield,

I have brought your email to the attention of the Vice President. The Vice President grants your request that Mr Kelly be provided with additional time to respond to the application for the order to produce once you have received a response from the CFMMEU's representatives.

Kind regards,

Caroline

Caroline Beasley

Associate to Vice President Hatcher



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Australia's national workplace relations tribunal

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E chambers.hatcher.vp@fwc.gov.au

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This email was sent from Gadigal Country.

From: Phillip Pasfield <Phillip.Pasfield@slatertgordon.com.au>
Sent: Tuesday, 8 November 2022 4:57 PM
To: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Cc: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; 'JDawson-Field@mauriceblackburn.com.au' <JDawson-Field@mauriceblackburn.com.au>; J Bornstein <JBornstein@mauriceblackburn.com.au>
Subject: RE: D2022/10 - Application by Kelly [S+G-ACTIVE.7592.M659724.FID4985938]

Dear Associate

I refer to your email below.

I advise that I have this afternoon forwarded a letter to the lawyers for the CFMMEU which may avoid the Commission having to deal with the Application.

They have advised that they are currently taking instructions in relation to the letter.

I respectfully request that my client be given further time to respond to the Application as directed once a response from the lawyers for the CFMMEU is received.

The lawyers for the CFMMEU have been copied into this email and were given notice of it being sent.

Regards

Phillip Pasfield

National Practice Group Leader
Industrial and Employment Law

SLATER AND GORDON LAWYERS

Level 14, 55 Market Street, Sydney New South Wales 2000
D +61 2 8267 0613 | **T** +61 2 8071 2790 |
M +61 419 295 492 | **F** (02) 8267 0650
W slatgordon.com.au

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

Sent: Monday, 7 November 2022 11:59 AM

To: 'JDawson-Field@mauriceblackburn.com.au' <JDawson-Field@mauriceblackburn.com.au>; J Bornstein <JBornstein@mauriceblackburn.com.au>; Phillip Pasfield <Phillip.Pasfield@slatgordon.com.au>

Cc: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>

Subject: RE: D2022/10 - Application by Kelly

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OFFICIAL

Dear parties,

I refer to the above matter and the application for a an order to produce documents filed by the CFMMEU. This application has been allocated to Vice President Hatcher. The Vice President directs Mr Kelly to provide any response to the application for the order **by 5:00pm tomorrow (Tuesday 8 November 2022)**.

Kind regards,

Caroline

Caroline Beasley

Associate to Vice President Hatcher



Fair Work Commission
Australia's national workplace relations tribunal

T (02) 9308 1812

E chambers.hatcher.vp@fwc.gov.au

Level 11, Terrace Tower, 80 William Street, EAST SYDNEY NSW 2011
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This email was sent from Gadigal Country.

From: Jessica Dawson-Field <JDawson-Field@mauriceblackburn.com.au>
Sent: Monday, 7 November 2022 10:59 AM
To: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>; J Bornstein <JBornstein@mauriceblackburn.com.au>; Phillip Pasfield <Phillip.Pasfield@slatergordon.com.au>
Subject: D2022/10 - Application by Kelly

Dear Associate

Please see attached application.

Kind regards

Jessica Dawson-Field

Senior Associate

T 03 9605 2809

F 03 9258 9613

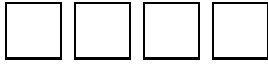
E JDawson-Field@mauriceblackburn.com.au

mauriceblackburn.com.au

Naarm

Level 21, 380 La Trobe Street

Melbourne VIC 3000



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From: Chambers - Ross J <Chambers.Ross.j@fwc.gov.au>
Sent: Wednesday, 2 November 2022 12:25 PM
To: Jessica Dawson-Field <JDawson-Field@mauriceblackburn.com.au>; Josh Bornstein <JBornstein@mauriceblackburn.com.au>; 'Craig.Rawson@ags.gov.au' <Craig.Rawson@ags.gov.au>; Phillip Pasfield <Phillip.Pasfield@slatertgordon.com.au>
Subject: D2022/10 - Transcript - Hearing 25 October 2022

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Dear Parties,

Please see attached the transcript of the Hearing on 25 October 2022. The transcript will shortly be published to the Commission's website.

Kind regards,

Madeleine Castles (she/her)

Associate to the Hon. Justice Ross AO

President



Fair Work Commission
Australia's national workplace relations tribunal

T 03 8656 4645

E madeleine.castles@fwc.gov.au

Level 4, 11 Exhibition Street, Melbourne, VIC, 3000
PO Box 1994, Melbourne, Vic, 3001

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This email was sent from Wurundjeri Woi Wurrung Country.

Slater and Gordon Lawyers - <http://www.slatergordon.com.au>

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