

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

S EAPCI 2021 0023

BETWEEN

WARBURTON ENVIRONMENT INC. (ABN 28 781 873 830)

Applicant

and

VICFORESTS

Respondent

ORDER OF THE COURT OF APPEAL

JUDGES: The Honourable Justice Niall
The Honourable Justice Emerton
The Honourable Justice Kennedy

DATE MADE: 9 July 2021

ORIGINATING PROCESS: Application for leave to appeal.

HOW OBTAINED: At the hearing of the application for leave to appeal.

ATTENDANCE: Mr J Korman, counsel for the applicant.
Mr E Nekvapil with Ms M Narayan, counsel for the respondent.

OTHER MATTERS: Not applicable.

THE COURT OF APPEAL ORDERS THAT:

1. The application for leave to add proposed ground 3 is granted.
2. Leave to appeal is refused.
3. The application made by the Applicant dated 22 April 2021 for an injunction is refused.
4. Each party bear its own costs on the application for leave to appeal and the Applicant's application for an injunction.

DATE AUTHENTICATED: 9 July 2021

PROTHONOTARY

