

BETWEEN

THE WHICH COMPANY PTY LTD (ACN 091 728 620)
Trading as T3 Direct

Plaintiff

AND

JOSEPH JOHN MCNICOL

Defendant

CHAMBER SUMMONS
DEFENDANT'S APPLICATION FOR SUMMARY JUDGMENT
PURSUANT TO ORDER 16 RULE 1

Date of Document: 4 June 2002

Filed on behalf of: Defendant

Date of filing:

Prepared by:

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LET ALL PARTIES CONCERNED attend before the Master in Chambers on day
the day of 2002 at o'clock in the forenoon on the hearing of
an application on the part of the defendant pursuant to Order 16 Rule 1 of the Rules
of the Supreme Court 1971 for orders that:

1. There be judgment in this action against the plaintiff and that the plaintiff pay the defendant's costs of and incidental to this application and the action.
2. Alternatively that the following paragraphs of the statement of claim be struck out on the grounds stated:

(a) Paragraph 3 pursuant to Order 20 rule 19(1)(c) in that it is embarrassing in that it pleads two separate and distinct matters in a single paragraph

(b) Paragraph 7 pursuant to Order 20 rule 19(1)(c) on the ground that it is embarrassing in that it insufficiently particularises the alleged unlawful

interference with the plaintiff's business, alternatively pursuant to Order 20 rule 19(1)(a) on the ground that it discloses no reasonable cause of action

(c) Paragraph 8 pursuant to Order 20 rule 19(1)(a) on the ground that it discloses no reasonable cause of action

(d) Paragraph 9 pursuant to Order 20 rule 19(1)(a) on the ground that it discloses no reasonable cause of action

AND TAKE NOTICE that the grounds of this application are as set out in the affidavit of Joseph John McNicol filed herewith.

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