

DISTRICT COURT OF QUEENSLAND

REGISTRY: Brisbane
APPEAL NUMBER: 2268 of 2009

Appellant: **Geraldine Fooi-Fong Robertson**

AND

First Respondent: **The Chief Executive
Department of Primary Industries and Fisheries
AND**

Second Respondent: **The Royal Society for the Prevention of Cruelty to
Animals Queensland**

APPLICATION

TAKE NOTICE that the Second Respondent is applying to the Court for the following orders:

1. The within Notice of Appeal be struck out;
2. Alternatively, the with Notice of Appeal be struck out in part;
3. Alternatively, judgement be entered for the Second Respondent.
4. The Appellant pay the costs of the Second Respondent to this application and the appeal.

This application will be heard by the Supreme Court at Brisbane on: Friday, 30th October 2009 at 10-00 am.

Filed in the Brisbane Registry of the Supreme Court on 21/10/2009:

Registrar:

If you wish to oppose this application or to argue that any different order should be made, you must appear before the Court in person or by your lawyer and you shall be heard. If you do not appear at the hearing the orders sought may be made without further notice to you.

On the hearing of the application the applicant (Second Respondent) intends to rely on the following affidavits:

1. Affidavit of **Anthony John Deane** sworn 21/10/2009

APPLICATION
Filed on behalf of the Third Defendant
Form 9 R.32

Clayton Utz, Lawyers
Level 28, Riparian Plaza, 71 Eagle Street
Brisbane Qld 4000
GPO Box 55 Brisbane Qld 4001
Telephone: (07) 3292 7000
Facsimile: (07) 3221 9669
12209/16385/80070709

THE APPLICANT ESTIMATES THE HEARING SHOULD BE ALLOCATED 45 minutes.

Signed: A. Deane of Clayton Utz

Description: Anthony Deane of Clayton Utz, Solicitors for the Second Respondent

Dated: 21/10/2009

This application is to be served on: The Appellant and the First Respondent

