

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMON LAW DIVISION
EMPLOYMENT AND INDUSTRIAL LIST**

S CI 2017 04871

BETWEEN

VICTORIA INTERNATIONAL CONTAINER TERMINAL LTD T/A VICT

Plaintiff

- and -

MARITIME UNION OF AUSTRALIA

First Defendant

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION

Second Defendant

SUMMONS

Date of document:	16 February 2018	Solicitor's Code:	CR106715
Filed on behalf of:	The Plaintiff	DX:	N/A
Prepared by:		Ref:	Chris Gardner

Seyfarth Shaw
Level 27, 55 Collins Street
MELBOURNE VIC 3000

TO: Maritime Union of Australia

You are summoned to attend before the Court on the hearing of an application by the plaintiff for the following orders:

1. That, pursuant to rule 75.06 of the *Supreme Court (General Civil Procedure) Rules 2015*, the first defendant be punished for contempt of Court as set out in the statement of charges in the Schedule.
2. Such further orders as the Court deems appropriate.
3. Costs.

The application will be heard before The Honourable Justice McDonald in the Supreme Court, 210 William Street, Melbourne on _____ 2018 at _____, or so soon afterwards as the business of the Court allows.

FILED: 16 February 2018

This summons was filed by Seyfarth Shaw, of Level 27, 55 Collins Street, Melbourne, Victoria, solicitors for the plaintiff.

SCHEDULE**STATEMENT OF CHARGES**

Orders are sought that the first defendant be punished for its contempt in breaching the order of the Honourable Justice McDonald made on Tuesday, 12 December 2017 (the **Order**), as alleged in the charge below.

1. The first defendant:

- (a) acting through its employees or officials, Mr Will Tracey, Mr Christopher Cain and Mr Joseph Italia;
- (b) in breach of paragraph 2(i) of the Order; and
- (c) at approximately 3:15pm on Thursday, 14 December 2017,

was present within 100 metres of the entrance known as the "Truck Gate" to the Victoria International Container Terminal premises at 78 Webb Dock Drive, Port Melbourne, in the State of Victoria.