

BETWEEN

KATHERINE JACKSON
TIM KENNEDY
BILL OLIVER
MICHAEL DONOVAN
KAZIM ATEŞ

Plaintiffs

and

AUSTRALIAN LABOR PARTY
KARL BITAR
NICK MARTIN
NICHOLAS REECE

Defendants

SUMMONS

Date of document 27 January 2011

Filed on behalf of the Applicants

Prepared by
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TO THE DEFENDANTS

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

1. Until the hearing and determination of this proceeding or until further order the Defendant by its officers, employees, servants and agents be restrained from:
 - (a) conducting the pre-selection process for the seat of Broadmeadows in the Legislative Assembly otherwise than in accordance with the rules of the

Victorian Branch of the Australian Labor Party, in particular, rule 18 thereof, and the National Constitution of the Australian Labor Party; and

- (b) nominating a candidate for pre-selection for the said seat otherwise than in accordance with the rules of the Victorian Branch of the Australian Labor Party, in particular, rule 18 thereof, and the National Constitution of the Australian Labor Party.
2. Until the hearing and determination of this proceeding or until further order the first Defendant by its officers, employees, servants and agents treat nominations for preselection of the Australian Labor Party candidate for Broadmeadows as having closed at 5 pm 28th January 2011.
3. Until the hearing and determination of this proceeding or until further order the Victorian Branch Secretary of the Australian Labor Party, Mr Nicholas Reece, is directed to advise members of the Public Office Selection Committee (“POSC”) by 5 pm 28th January 2011 that a meeting of the POSC shall take place at 12 noon on Sunday 30th January 2011 at Broadmeadows Town Hall for the purpose of electing an Executive and for the purpose of electing a candidate in accordance with Rule 18.8 of the Rules of the Victorian Branch of the Australian Labor Party.
4. Until the hearing and determination of this proceeding or until further order the Branch Secretary, Mr Nicholas Reece, is directed to use his best endeavours to advise local members of the Australian Labor Party in the electorate of Broadmeadows of the meeting of the POSC and inviting them to attend to participate in the election of a candidate in accordance with Rule 18.8 of the Rules of the Victorian Branch of the Australian Labor Party.
5. Until the hearing and determination of this proceeding or until further order the first named Defendant by its officers, employees, servants and agents treat the candidate elected by the meeting of the POSC and local members in the Broadmeadow electorate on Sunday 30th January 2011 as the Australian Labor Party candidate for Broadmeadows.
6. Such further or other orders as to the Court may seem just.

7. The application will be heard before the Judge sitting in the Practice Court, Court 1, Ground Floor, Old High Court, 450 Little Bourke Street, Melbourne on 27 January 2011 at 2.15 p.m. or so soon afterwards as the business of the Court allows.

FILED 27 JANUARY 2011

This summons was filed by Minter Ellison, of 525 Collins Street, Melbourne, Solicitors for the Plaintiffs.