

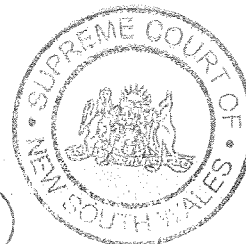
## DEFENCE

### COURT DETAILS

Court	Supreme Court of NSW
Division	Common Law – General Division
List	Torts - Negligence - Personal Injury - Representative Proceedings
Registry	Sydney
Case number	2013/37342

FILED

3 SEP 2013



### TITLE OF PROCEEDINGS

Plaintiff	<b>SANDY LAM</b>
Defendant	<b>ROLLS ROYCE PLC</b>

### FILING DETAILS

Filed for	Defendant
Filed in relation to	Plaintiff's claim
Legal representative	Holman Fenwick Willan
Legal representative reference	67983/23
Contact name and telephone	Mr Andrew Dunn : (02) 8601 4603
Contact email	andrew.dunn@hfw.com

### HEARING DETAILS

### PLEADINGS AND PARTICULARS

To the Plaintiff's Statement of Claim filed in this proceeding and filed on 6 February 2013:

1. The Defendant admits the allegations in paragraph 1 (subject to formal confirmation from London office that the correct entity has been sued).
2. The Defendant admits the allegations in paragraph 2.
3. The Defendant admits the allegations in paragraph 3.
4. The Defendant admits the allegations in paragraph 4, with the exception that it does not admit that the engine failure was catastrophic.
5. The Defendant admits the allegations in paragraph 5.

6. The Defendant admits the allegation in paragraph 6 that the aircraft returned to Singapore with a disabled number two engine and that this was approximately one hour after the engine failed. The Defendant does not admit the balance of paragraph 6.
7. The Defendant does not admit the allegations in paragraph 7.
8. The Defendant does not admit the allegations in paragraph 8.
9. The Defendant does not admit the allegations in paragraph 9.
10. The Defendant does not admit the allegations in paragraph 10 and all particulars thereof.
11. The Defendant denies the allegations in paragraph 11.
12. The Defendant admits that the Plaintiff was born on 7 January 1982 but otherwise does not admit the allegations in paragraph 12.
13. The Defendant does not admit the allegations in paragraph 13.
14. The Defendant does not admit the allegations in paragraph 14.
15. The Defendant admits the allegations in paragraph 15, however, it denies that any group members sustained psychological injury as a result of the alleged engine failure.
16. The Defendant denies the allegations in paragraph 16 and each of the particulars detailed in the Statement of Particulars filed on 6 February 2013.
17. The Defendant does not admit the allegations in paragraph 17.
18. The Defendant does not admit the allegations in paragraph 18.
19. The Defendant does not admit the allegations in paragraph 19.
20. The Defendant does not admit the allegations in paragraph 20.
21. The Defendant does not admit the allegations in paragraph 21.
22. The Defendant will also rely upon the content of any Foreign Law Notice which it may serve pursuant to UCPR r.6.43.

#### **SIGNATURE OF LEGAL REPRESENTATIVE**

I certify under section 347 of the Legal Profession Act 2004 that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the  
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law that the defence to the claim for damages in these proceedings has reasonable prospects of success.

Signature



Capacity

PP Philip S D Purcell  
Solicitor for the Defendant

Date of signature

3 September 2013