

**IN THE SUPREME COURT OF
NEW SOUTH WALES
SYDNEY REGISTRY**

COURT OF APPEAL

File No: 40839 of 2006

SUMMONS FOR LEAVE TO APPEAL

Filed for: Fiona Caroline Cristian

Fiona Caroline Cristian
Claimant

PERPETUAL LIMITED
ACN 000 431 827
Opponent



In the Court Below:
Supreme Court of New South Wales,
Sydney Registry.
Common Law Division
File No: 13403 of 2006.

PERPETUAL LIMITED
ACN 000 431 827
Plaintiff
Fiona Caroline Cristian
Defendant

Applicant: Fiona Caroline Cristian
of: 11 Roycroft Street,
Bowral, NSW 2576
Tel: 0418 203 204

IN THE SUPREME COURT OF
NEW SOUTH WALES
SYDNEY REGISTRY

COURT OF APPEAL

File No: 40839 of 2006.

COURT BELOW:

File No: 13403 of 2006.

The proceedings in respect of which leave to appeal is sought were heard on 15 NOVEMBER 2006 and decided on 15 NOVEMBER 2006.

The claimant claims an order granting leave to appeal from the decision of Justice Hidden (1) The Defendant, Fiona Caroline Cristian, give the Plaintiff, PERPETUAL LIMITED, possession of the land comprised in Certificate of Title, Folio Identifier 54/755903 commonly known as 40 Warrain Crescent, Currarong in the State of New South Wales, (2) The Plaintiff have leave to issue a Writ of Possession forthwith in respect of the land referred to in the preceding paragraph, (3) The defendant pay the plaintiff's costs of the notice of motion, (4) The matter be listed, for further direction before the registrar for the outstanding matters, at 9am on Wednesday 29 November 2006, and (5) The writ is to lie in the Sheriff's office for 21 days.

TO THE OPPONENT: PERPETUAL LIMITED, ACN 000 431 827
c/- Dibbs Abbott Stillman Lawyers,
Level 8, Angel Place,
123 Pitt Street,
Sydney, NSW 2000.

The rules require you to file and serve a response (as to which see Part 51 rule 4C) within 28 days of service of this summons and the documents referred to in Part 51 rule 4B(1) or 4C(3) upon you, in default of which the summons may be disposed of:

- (a) in your absence; and
- (b) solely on the basis of the claimant's argument.

Before you file the notice or take any step in the proceedings, you must enter an appearance in the registry unless you have by then filed a summons in the proceedings.

listed on 30/04/07 AT 2:30pm

PLACE: Queen's Square, Sydney

CLAIMANT: Fiona Caroline Cristian,
11 Roycroft Street,
Bowral, NSW 2576.

CLAIMANT'S ADDRESS FOR SERVICE: 11 Roycroft Street,
Bowral, NSW 2576.

ADDRESS OF REGISTRY: Queen's Square, Sydney, NSW 2000.

Fiona Cristian
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Signature of Claimant



5 MAR 2007