

# Max Owens & Co

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Your Ref:

29 October 2018

**VIA EMAIL ONLY:** [laughton.andrew@gmail.com](mailto:laughton.andrew@gmail.com)

Mr Andrew Laughton  
11B Keble Heights  
COLLEGE GROVE WA 6230

Dear Andrew,

**RE: Marsh - District Court Appeal No. App 1 of 2017**

Thanks for yours of 24 October 2018. Things haven't been clarified to any great extent.

Amongst other things, you tell me that a Court document of 23 May 2018 was able to predict the outcome of a Hearing which hadn't yet happened.

In the letter from the Court of 23 May 2018, reference was made to an Order. I think that is referring to the 30 October 2017 Order. When an Order is made, sometimes the party has to settle the Order – a draft is prepared by the party and the Court “settles” the Order in the appropriate form.

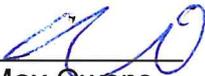
I take it that you accept that on 26 April 2018 you were advised that you had leave to apply by audio link.

I am going to send you a note of my fee shortly.

As I understand it, your first appeal to the District Court arises from the Magistrates Court decision of 30 October 2017. Your current appeal relates to the Registrar's decisions of 24 May 2018 – which was to dismiss your appeal for failing to comply with a Costs Order.

When I look at the Court file there is no indication either way of whether the Court attempted to telephone you. If the Court didn't then that was a breach of your right to be heard. I think you should consider filing an Affidavit saying what happened on 24 May 2018 – you waited with the phone nearby or handy and didn't receive any call from the Court. A comment will be made that you never attempted to call the Court on 24 May 2018. I presume your answer would be that the Court telephoned you on 26 April 2018 and you thought the same would happen on 24 May 2018.

Regards,



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Per: Max Owens