

ATTORNEY GENERAL — JAMES POINT LTD — LEGAL ACTION

4196. Mr M. McGowan to the Minister representing the Attorney General:

I refer to the statement of claim from James Point Pty Ltd against the State of Western Australia, and I ask:

- (a) can the Premier please provide an update on the current status of this legal action against the state;
- (b) will the case go before the court, and if so when will it be heard; and
- (c) how much is the plaintiff currently pursuing from the State?

Mrs L.M. Harvey replied:

- (a) The substantive action is still at the stage of pleadings and discovery. The parties have also commenced conferral in relation to expert evidence
- (b) The State has brought an application to dismiss James Point Pty Ltd's action. That application is listed for a hearing before the Hon. Justice Martino on 31 July 2015. If the State is entirely successful in that application, the action will not proceed to a trial. If the matter does proceed to a trial, the trial is not anticipated to be heard until 2017 at the earliest.
- (c) The amount of damages which James Point Pty Ltd is currently pursuing from the State cannot be revealed because James Point Pty Ltd has not yet pleaded or particularised the quantum of damages claimed and has otherwise only disclosed the quantum of damages currently pursued in the course of "without prejudice" settlement discussions.