

DISTRICT COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER: BD3901/16

Amended to Rule 37B
of Uniform Civil
Procedure Rules
1999

First Plaintiff : **JANET CRAVEN**
AND
Second Plaintiff : **GORDON JAMES CRAVEN**
-V-
First Defendant : **PENELOPE DJORDJEVIC (nee CRAVEN)**
AND
Second Defendant : **DAVID JAMES HAMBLETON**



AMENDED REPLY
to the Second Defendant's Amended Defence

- 2 FEB 2017

1. The First and Second Plaintiffs adopt the admissions in the Second Defendant's amended defence.
2. The First and Second Plaintiffs adopt the denials in the Second Defendant's amended defence, in particular at paragraphs :
4, 5(b), 6(a), 7(a), 8(b), 15(b), 19(b), 22, 25(c), 26(b), 26(c), 26(d) 26(e), 26(f), 27, 29(b), 30(a), 31(b), 32(a), 33(b), 34, 35(c), 36(a), 38, 40(c), 44(b), 45, 47(b), 48(b), 49(a), 49(c), 50, 51(b), 52(d), 53(d), 54(a), 55(c), 58(d), 61, 62(a), 70(f), 74(b), 78, 79(b), 82(a), 83(a), 84(a), 85(a), 86(a), 87, 88(a), 89(a), 90(a), 91(a), 93(a), 93(b), 93(d), 93(e), 93(f), 93(h), 94(a), 95(a), 101(b), 104(c), 104(d), 106(a), 107(a), 108(b), 109(a), 111(b), 115, 116(a), 116(b), 116(c), 118(a), 119(a), 120(b), 120(c), 121(a), 122(a), 123(a), 124(a), 128, 130(a), 130(b), 130(c), 131, 132, 133(b), 134(a), 134(b), 134(c), 134(d), 135(a), 136(a), 136(b), 136(c), 137(a), 137(b), 137(c), 138(a), 138(b), 138(e), 139(a), 139(b), 139(c), 139(d), 139(e);
to contravene UCPR 166 by not providing direct explanations for the belief that the allegations are untrue and as such are held to be deemed admissions.

AMENDED REPLY
Filed by the Second Plaintiff
Form
Uniform Civil Procedure Rules
Rule 164

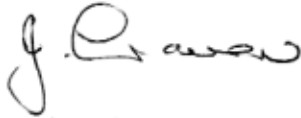
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3. The First and Second Plaintiffs adopt the unintelligible pleading at paragraph 28 in the Second Defendant's amended defence, to be a deemed admission.
4. The First and Second Plaintiffs adopt the non admissions ~~or non denials~~ in the Second Defendant's amended defence, in particular at paragraphs :
4, 5(a), 5(c), 8(a), 8(d), 9(a), 13(a), 15(a), 17(a), 18(a), 19(a), 20(a), 21(a), 23(a), 24(b), 25(b), 28, 29(a), 35(a), 35(b), 43(d), 55(b), 57(b), 62(b), ~~76(b), 78(a)~~, 80, 92, 97, 102, 105, 111(a), 112(a);
to be deemed admissions pursuant to UCPR 166, because reasonable inquiries have not been made and are not shown to have been made, and there are no direct explanations for the belief that the allegations can not be admitted.
5. The First and Second Plaintiffs adopt the pleading at paragraphs 25(a) and 53 in the Second Defendant's amended defence to be an evasion of properly responding directly to the pleaded issues, and as such to be deemed admissions.
6. The First and Second Plaintiffs adopt the term "meaningless" in the Second Defendant's amended defence as pleaded at paragraphs :
14(a), 15(a), 24(b), 48(c), 53(e), 59(a), 64(b), 84(b), 126(b);
~~to be an evasion of properly responding to the pleaded issues, and as such to be deemed admissions.~~
to be deemed admissions because the Second Defendant is evading a proper response by denial, non admission or admission, to the pleaded issues in the Statement of Claim, which in their plain and ordinary meaning are sufficiently clear and meaningful.
7. The Second Defendant makes allegations at paragraphs :
4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 36, 43, 48, 53, 54, 58, 59, 62, 63, 64, 70, 71, 75, 83, 84, 85, 86, 88, 89, 90, 91, 93, 94, 95, 98, 101, 103, 106, 107, 109, 114, 116, 118, 119, 122, 124, 125, 126, 127, 129, 133, 134, 135, 136, 137, 138, 139 and 140;
of the amended defence that the corresponding paragraphs of the Statement of Claim are liable to be struck out. Nonetheless the Second Defendant does not apply to have anything struck out and chooses to plead to all of the Statement of Claim and In doing so is required to plead by the Rules but has failed to do so as pleaded herein.

8. As to sub-paragraphs 5(b), 9(aa), and repeated at 10(d), 13(aa), 14(aa) and 15(aa) of the amended defence regarding the "sham" allegation, the Second Defendant has failed to plead particulars as required by UCPR 157, in particular UCPR 157(c).

SIGNED :



Description: Janet Craven - First Plaintiff



Gordon Craven - Second Plaintiff

DATE : 31 January 2017