

From: Chambers - Hatcher J [Chambers.Hatcher.J@fwc.gov.au]
Sent: Thursday, 25 May 2023 9:56 AM
To: Josh Cullinan[jcullinan@raffwu.org.au]
CC: Kerry O'Brien[kobrien@mccullough.com.au]; Amber Sharp[asharp@mccullough.com.au]; Grace Morgan-Cocks[gmorgancocks@raffwu.org.au]; Kane Murtagh[kanemurtagh@icloud.com]; David Bliss[david@sdan.org.au]; Henry May[henry@sda.org.au]
Subject: RE: AG2022/5615 - Application by Gusset
Attachments: AG2022-5615 Gusset re Apple Retail EA - FURTHER AMENDED Directions 25 May 2023.pdf

OFFICIAL

Dear parties,

I have brought the correspondence regarding the extension requests to the President's attention. He has decided to vary direction 1 in the manner requested for Apple and any party opposing the application (including the SDA). Please see **attached** further amended directions confirming this.

Kind regards,
Caroline

Caroline Beasley
Associate to Justice Hatcher, President



Fair Work Commission

Australia's national workplace relations tribunal

T (02) 9308 1812

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Level 11, Terrace Tower, 80 William Street, EAST SYDNEY NSW 2011

www.fwc.gov.au

The Fair Work Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander people. We acknowledge their continuing connection to country and pay our respects to their Elders past, present and emerging.

This email was sent from Gadigal Country.

From: Josh Cullinan <jcullinan@raffwu.org.au>
Sent: Wednesday, May 24, 2023 4:55 PM
To: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>

Cc: Kerry O'Brien <kobrien@mccullough.com.au>; Amber Sharp <asharp@mccullough.com.au>; Grace Morgan-Cocks <gmorgancocks@raffwu.org.au>; Kane Murtagh <kanemurtagh@icloud.com>; David Bliss <david@sdan.org.au>; Henry May <henry@sda.org.au>
Subject: RE: AG2022/5615 - Application by Gusset

Dear Associate to President Hatcher

We refer to the correspondence of SDA below. We note SDA did not contact or correspond with the Applicant before approaching Chambers.

The Applicant reached a consent position with Apple on the basis of four grounds.

First, that Apple opposed the application. Until today, Apple had not confirmed its position.

Second, that Apple agreed it would not seek any further extension.

Third, that despite a difference of view of the Applicant, Apple advanced an explanation as to why an extension was necessary.

Fourth, that Apple would not seek an extension for any other person but rather just itself.

SDA has not put any explanation as to its request, nor identified if it opposes the application at all, nor committed to not seeking further delay.

The Applicant does not consent to the request of SDA. The SDA has been on notice of the application for 5 months and had the extant Directions for 8 weeks.

Kind regards

Josh Cullinan
Secretary
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From: Henry May <henry@sda.org.au>
Sent: Wednesday, May 24, 2023 4:11 PM
To: Chambers - Hatcher J <Chambers.Hatcher.J@fwc.gov.au>
Cc: Kerry O'Brien <kobrien@mccullough.com.au>; Amber Sharp <asharp@mccullough.com.au>; Grace Morgan-Cocks <gmorgancocks@raffwu.org.au>; Josh Cullinan <jcullinan@raffwu.org.au>; Kane Murtagh

<kanemurtagh@icloud.com>; David Bliss <david@sda.org.au>

Subject: AG2022/5615 - Application by Gusset

Dear Associate,

I respond on behalf of Mr David Bliss and the SDA in regards to Mr O'Brien's request for an extension of time to file material.

The SDA does not oppose this extension and similarly request that the SDA be provided an extension of time until 5pm on Thursday 8 June 2023 on the same basis as Apple.

We note that we intend to file an outline of submissions, some further documentation for consideration, but we do not intend to file any witness statements.

The Applicant's representatives, Mr Murtagh and Mr O'Brien have been copied to this email.

Kind regards,

Henry May

National Digital Organiser & National Industrial Officer



Shop, Distributive & Allied Employees' Association

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