

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
IN THE COURT OF APPEAL
CIVIL DIVISION

S APCI 2014 0098

BETWEEN:

DEMETRIOS VAKRAS and LEE-ANNE RAYMOND

Appellants

- and -

ROBERT RAYMOND CRIPPS and REDLEG MUSEUM
SERVICES PTY LTD (ACN 105 956 829)

Respondents

ORDER OF THE COURT OF APPEAL

JUDGES: The Honourable The Chief Justice
The Honourable Justice Ashley
The Honourable Justice Digby

DATE MADE: 4 September 2015

ORIGINATING PROCESS: Notice of appeal.

HOW OBTAINED: On the papers

ATTENDANCE: Mr. D.P. Gilbertson, one of Her Majesty's Counsel with Ms. S.
Varney of Counsel for the Appellants.
Mr. C.J. Dibb of Counsel for the Respondents.

OTHER MATTERS: This proceeding was heard together with proceeding S APCI 2014
0099.



THE COURT OF APPEAL ORDERS THAT:

1. The respondents repay to the appellants the sum of \$284,869 plus simple interest to the date of repayment at a rate of 5% per annum.
2. The re-trial of the respondent Robert Raymond Cripps' causes of action in respect of the first and second Vakras articles be stayed pending the satisfaction of Order 1.
3. The respondents pay 65% of the appellants' costs of and incidental to the appeal on the standard basis.
4. The defendants pay 25 % of the plaintiffs' costs of the trial on the standard basis.
5. 50 % of the costs of the trial abide the outcome of the re-trial of Cripps' causes of action in respect of the first and second Vakras articles.

6. There be no orders as to the remainder of the costs of the trial.

DATE AUTHENTICATED: **7 September 2015**

Ct: 7/9/15

