

Our Ref: JAT:PEG:2023:520

15 April 2024

Mr S C Cooke
213 Morgan Street
MEREWETHER NSW 2291

Dear Stephen,

Re: NCC3896/2023 Cooke and Cooke Family Law Matter

We refer to the above matter and confirm that Ms Rebecca Van Oosterom of Counsel appeared for and with you, instructed by our firm, at the Federal Circuit and Family Court of Australia, Newcastle Registry on 11 April 2024.

We confirm that following negotiations you and Heather agreed upon Interim Property Orders which were thereafter entered into by consent. We **enclose** for your information and records the Consent Orders made on 11 April 2024 (which have only been made available to our firm today).

The Consent Orders provide for the following:

1. That, by 11 July 2024, the property at 1/213 Morgan Street, Merewether ("the Merewether property") is to be listed for sale pursuant to Order 1.
2. Following the settlement of the Merewether property, the proceeds of sale will be distributed pursuant to Order 2. We note that you and Heather will both receive an interim property settlement payment of \$200,000 with the balance of the net proceeds of sale to be held in the trust account of Kent Conveyancing or any such other conveyancer acting in relation to the sale.
3. Pending the sale of the Merewether property you are to have exclusive occupancy of the Merewether property pursuant to Order 3.

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4. Pending the sale of the Merewether property Heather is to pay all costs in relation to the Merewether property as and when they fall due including, home loan repayments, land rates, water rates, utilities and building insurance.
5. You are to have use of the 2015 Honda CR-V and Heather is to continue to pay the registration and insurance costs for the vehicle.
6. Within 7 days of the date of the Orders, that being 18 April 2024, Heather is to pay you \$50,000 as litigation funding by way of partial property settlement to an account of your choosing. Please provide the account information of where you would like these funds deposited. We note that should you wish; these funds can be deposited into our firm's trust account.
7. Pending the sale of the Merewether property or until you obtain employment, which ever occurs first, Heather is to pay interim spousal maintenance of \$1,200 per week commencing on 12 April 2024. Please advise if there are any issues in relation to receiving spousal maintenance payments.

We note that evidence of your efforts to obtain employment is NOT required pursuant to the Orders. However, we ask that you DO progress and retain evidence of your studies and employment applications as this will be of assistance should it be necessary for us to seek spousal maintenance after the Merewether property has been sold. In this regard, see also the advice provided by Counsel in her reporting letter to you of today's date.

8. Within 7 days of the date of the Orders, that being 18 April 2024, Heather's solicitor is to provide our firm with three registered property valuers to prepare a valuation report with respect to the property at 703/1 Como Crescent, Southport QLD ("the Southport property").
9. Within 7 days of receipt of the three nominated valuers noted in 8 above, we are to choose one and prepare a joint letter of instruction to the valuer and forward to Heather's solicitor for consideration.
10. Within 7 days of the joint letter being sent to Heather's solicitor, they are to counter-sign the letter and forward it to the valuer.
11. Thereafter, you and Heather are to comply with all reasonable requests of the valuer and equally share in the costs of the valuation.
12. It is also noted that you and Heather will attend private mediation within three months of the date of these Orders (by no later than 11 July 2024). We confirm we are currently making enquiries with mediators as suggested by Ms Van Oosterom of Counsel.

With respect to the parenting aspect of your matter, we note that no agreement was reached so the Interim Hearing proceeded considering this issue only.

Her Honour Judge Carty will deliver her decision and oral reasons for her decision on 23 April 2024 at 2.15pm. This appearance will be conducted by way of AVL using the following dial in details:

Phone Link : (02) 9765 5580

ii.Meeting ID: 10093158

iii.Video Link:

https://avl.justice.nsw.gov.au/invited.sf?id=10093158&secret=fSwk_5lqsmseF5nqi7tKeA

We note that if you wish you can dial in separately from home or, you may attend our office and dial in with our firm on 23 April 2024. We will discuss this in more detail closer to the date.

Should you have any questions, please do not hesitate to contact us.

Yours faithfully,

A handwritten signature in black ink that reads "Jacqueline Turner". The signature is written in a cursive, flowing style.

Jacqueline Turner

Solicitor

Clarity Lawyers

email: j.turner@claritylawyers.com.au