

**IN THE FEDERAL COURT OF AUSTRALIA
NEW SOUTH WALES REGISTRY
GENERAL DIVISION**

File No NSD1336 of 2009



LIFT SHOP PTY LIMITED
(ACN 109 724 647)

Applicant

EASY LIVING HOME ELEVATORS PTY LIMITED
(ACN 083 936 896)

First Respondent

Mr David Mayer

Second Respondent

ORDERS

JUDGE: Justice Flick
DATE OF ORDER: 27 November 2009
WHERE MADE: Sydney



THE COURT NOTES the undertakings of the parties, given *inter partes* and without admissions, as follows:

1. The First Respondent undertakes that it will not make any representations to any person to the effect that the Applicant substitutes Chinese manufactured lifts for Italian manufactured lifts without the knowledge or consent of its customers.

Filed by the Applicant

Name:	John Kench, Partner, Johnson Winter & Slattery		
Address for service:	Level 30, 264 George Street, Sydney NSW 2000		
Telephone number:	(02) 8274 9555	Facsimile number:	(02) 8274 9500
Ref:	KSL:A3559		

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2. The Applicant undertakes that it will not make any representations to any person concerning the financial position of the First Respondent.
3. The Applicant undertakes that it will not approach IGV SPA or SITES SRL for the purpose of inducing those companies to breach their contractual arrangements with the First Respondent.

THE COURT ORDERS:

4. That the Application be dismissed.
5. That there be no order as to costs.

Date that entry is stamped:

14 JAN 2010



Deputy District Registrar