

## NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 27/11/2020 1:52:20 PM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

### Details of Filing

Document Lodged:	Reply - Form 34 - Rule 16.33
File Number:	VID488/2020
File Title:	PAUL BRADSHAW & ANOR v BSA LIMITED
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Dated: 27/11/2020 1:52:22 PM AEDT

A handwritten signature in blue ink that reads "Sia Lagos".

Registrar

### Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



## Reply

No. VID488 of 2020

Federal Court of Australia  
District Registry: Victoria  
Division: Fair Work Division

**Paul Bradshaw** and another  
Applicants

**BSA Limited (ACN 088 412 748)**  
Respondent

1. Save as where pleaded to below, the Applicants join issue with the Respondent.
2. In respect of paragraphs 102 to 113 of the Defence filed on 30 October 2020:
  - a. As a matter of law, estoppel cannot be set up against entitlements in the *Fair Work Act* and the *Telecommunications Services Award 2010*.

### Particulars

*Ace Insurance Ltd v Trifunovski* (2011) 200 FCR 532 at [139]-[146].

- b. The plea of estoppel made in paragraphs 102 to 113 of the Defence cannot succeed.
  - c. The Applicants otherwise deny paragraphs 102 to 113 of the Defence.
3. In respect of paragraph 114 of the Defence:
  - a. The Applicants refer to and repeat the contents of their Defences to the Cross-Claims.
  - b. They Applicants deny that any amounts paid by the Respondent to Southern Electrical and Data Pty Ltd or Marcomm Communications Pty Ltd are liable to be set-off against any amounts payable by the Respondent to the Applicants in the event that the Applicants succeed in their claims for relief.
  - c. The Applicants otherwise deny paragraph 114 of the Defence.

Filed on behalf of (name & role of party) Paul Bradshaw and Scott Uren, Applicants

Prepared by (name of person/lawyer) Vicky Antzoulatos

Law firm (if applicable) Shine Lawyers Pty Ltd

Tel 02 8754 7229 Fax 02 9267 5650

Email vantzoulatos@shine.com.au

**Address for service** Level 6, 299 Elizabeth Street, Sydney, NSW, 2000  
(include state and postcode)

Date: 27 November 2020



---

Signed by Vicky Antzoulatos  
Lawyer for the Applicants

This pleading was prepared by Vicky Antzoulatos (lawyer), Jonathon Dooley (counsel), and Ian Pike SC.

**Certificate of lawyer**

I, Vicky Antzoulatos, certify to the Court that, in relation to the reply filed on behalf of the Applicant, the factual and legal material available to me at present provides a proper basis for:

- (a) each allegation in the pleading; and
- (b) each denial in the pleading; and
- (c) each non admission in the pleading.

Date: 27 November 2020



---

Signed by Vicky Antzoulatos  
Lawyer for the Applicant