

Sample Defence

This is a sample only. It is important to complete this form with your own details and based on your own circumstances. If you need more help, you should get legal advice.

Form 33
Rule 16.32

Defence

No. **(P)SYG001** of 2013

Federal **Circuit and Family** Court of Australia

District Registry: **Sydney**

Division: **Fair Work Division**

Erich Johansson

Applicant[s]

Steelrod Pty Ltd
ACN 111 222 333

Respondent[s]

1. **The respondent admits paragraphs 1 to 8 of the Statement of Claim.**
2. **The respondent denies paragraph 9 and 10 of the Statement of Claim.**
3. **The hours of work that the applicant was contracted to do were 7.30am to 5pm on each day the applicant worked.**
Particulars
Clause 10 signed letter of offer of Erich Johanasson dated 6 September 2012.
4. **The applicant repeatedly arrived at work late during the course of his employment.**
5. **The applicant was warned on a number of occasions that if he continued to arrive late for work he would be dismissed.**
6. **On 18 January 2013 the applicant arrived at work at 7.55am, 25 minutes late.**

Filed on behalf of (name & role of party) **Steelrod Pty Ltd, the Respondent**

Prepared by (name of person/lawyer) **Gary J Litigator**

Law firm (if applicable) **Litigators 'r' us**

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[Form approved 01/08/2011]

7. On 18 January 2013, the applicant was dismissed

Particulars

Letter of dismissal from Rod Steel of the respondent to the applicant dated 18 January 2013.

8. The respondent admits paragraph 12(a) of the Statement of Claim

9. The respondent denies that the respondent is liable for the amounts claimed in paragraph 12(b), (c) and (d).

Date: ~~[eg 19 June 20..]~~

Signed by [Name]
{Insert capacity: Respondent / Lawyer for the
Respondent}

This pleading was prepared by **Gary J Litigator**, lawyer

Certificate of lawyer

I **Gary J Litigator** certify to the Court that, in relation to the defence filed on behalf of the Respondent, 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: **7 August 2013**

G Litigator

Signed by **Gary Litigator**
Lawyer for the Respondent