

From: Phillip Pasfield <Phillip.Pasfield@slatergordon.com.au>
Sent: Monday, 14 June 2021 7:35 PM
To: Chambers - Ross J
Cc: J Bornstein; Vivienne Wiles; jkruschel@cfmeumd.org; Tom Roberts; Declan Murphy
Subject: RE: Application by Kelly - D2021/2 [MBC-VIC.FID5758433]

Dear Associate

I refer to the email from the lawyer for the amalgamated organisation below.

I advise that I am instructed that the Applicant does not concede that the amalgamated organisation has a "right" of reply to reserve.

The representatives of the amalgamated organisation, the Manufacturing Division and the ACTU have been copied into this email.

Regards

Phillip Pasfield

National Practice Group Leader
Industrial and Employment Law

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I respectfully acknowledge the First Nations People as the original inhabitants of the nation and the traditional custodians of the land on which we live, work and learn, and pay respect to the First Nations People and their Elders, past, present and emerging.

From: Declan Murphy <DMurphy@mauriceblackburn.com.au>
Sent: Monday, 14 June 2021 4:21 PM
To: Phillip Pasfield <Phillip.Pasfield@slatergordon.com.au>; Chambers - Ross J (Chambers.Ross.j@fwc.gov.au) <Chambers.Ross.j@fwc.gov.au>
Cc: Josh Bornstein <JBornstein@mauriceblackburn.com.au>; Vivienne Wiles <vwiles@cfmeumd.org>; jkruschel@cfmeumd.org; Tom Roberts <troberts@actu.org.au>
Subject: RE: Application by Kelly - D2021/2 [MBC-VIC.FID5758433]

Dear Associate,

We refer to Mr Pasfield's email below.

Please find attached the CFMMEU's submissions in reply to the ACTU's submissions.

We note that paragraph 2 of the attached submissions direct the Commission's attention to the Full Bench's decision in *AIPA v AFAP* [2021] FWCFB 3293, which was handed down after the hearing in this matter. Before filing the attached submissions, we provided a draft to the Applicant and advised we intended to refer to that decision in our further submissions. The Applicant's submissions at paragraphs 36 and 37 have addressed the decision. Our client reserves its right to respond to the Applicant's submissions.

The representatives for the Applicant, the Manufacturing Division and the ACTU have been copied in by way of service.

Kind regards

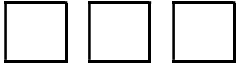
Declan Murphy | Associate

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From: Phillip Pasfield <Phillip.Pasfield@slatertgordon.com.au>

Sent: Monday, 14 June 2021 3:53 PM

To: Chambers - Ross J (Chambers.Ross.j@fwc.gov.au) <Chambers.Ross.j@fwc.gov.au>

Cc: Declan Murphy <DMurphy@mauriceblackburn.com.au>; Josh Bornstein

<JBornstein@mauriceblackburn.com.au>; Vivienne Wiles <vwiles@cfmeumd.org>; jkruschel@cfmeumd.org; Tom Roberts <troberts@actu.org.au>

Subject: Application by Kelly - D2021/2

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Dear Associate

Please find attached for lodgement the Applicant's Further Written Submissions.

The representatives of the amalgamated organisation, the Manufacturing Division and the ACTU have been copied into this email by way of service.

Regards

Phillip Pasfield

National Practice Group Leader
Industrial and Employment Law



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