

Wednesday, 3 December 2014

## Construction

### A Daily Bulletin listing Decisions of Superior Courts of Australia

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## Executive Summary (1 minute read)

**First Tiffany Resource Corporation v Hill End Gold Ltd (NSWSC)** - summary dismissal - failure to pay security for costs - proceedings dismissed

## Summaries with links (5 minute read)

### **First Tiffany Resource Corporation v Hill End Gold Ltd [2014] NSWSC 1713**

Supreme Court of New South Wales

Rein J

Summary dismissal - claims over mining tenements relating to mining of gold and silver - defendant sought security for costs from plaintiff overseas resident - plaintiff failed to pay security - defendant sought dismissal of proceedings pursuant to Pt 42, r42.21(3) *Uniform Civil Procedure Rules 2005*(NSW) or Court's inherent jurisdiction - prejudice - held: nothing to indicate it was likely that there was reasonable prospect plaintiff would be able to obtain funding for case - plaintiff had not ensured it had sufficient funds to bring case and to provide measure of protection to defendant should defendant be successful in resisting proceedings - Court satisfied proceedings should be dismissed - motion granted.

[First Tiffany Resource Corporation](#)

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