

*BOYDED INDUSTRIES PTY LTD ACN 000092464*  
v  
*DENNIS BLUTH AND THE 274 OTHERS NAMED IN SCHEDULE 1 TRADING  
AS HWL EBSWORTH LAWYERS*  
[2024] HCASL 235  
S55/2024

- 1       The applicant seeks special leave to appeal from a judgment of the Court of Appeal of the Supreme Court of New South Wales (Bell CJ, Gleeson and Harrison JJA), allowing an appeal from a judgment of the Supreme Court of New South Wales (Chen J).
- 2       The first ground of appeal, even if upheld, would entitle the applicant only to nominal damages. A grant of special leave to appeal would not be in the interests of justice. The second ground of appeal turns on the facts of the case and has insufficient prospects of success to warrant the grant of special leave to appeal.
- 3       Special leave to appeal is refused with costs.

Gageler CJ  
Gordon J  
Edelman J  
Steward J  
Gleeson J  
Jagot J  
Beech-Jones J

5 September 2024