

PRINCIPAL

Pwesei Ben Lomai LLB (Upng) LLM (Melb) PhD (candidate)

CONSULTANT

Gregory Thomas Toop LLB (Monash)

Our Reference: 015001MREF/BLP:sjl

Our Reference:

18th October 2016

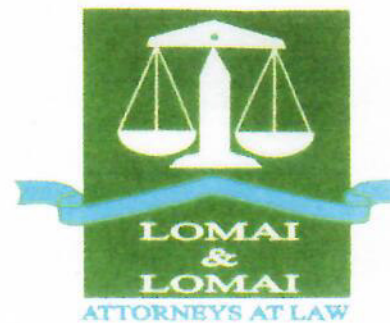
Australian High Commission

Locked Bag 129

WAIGANI

National Capital District

Attention: The Australian High Commissioner



By Hand Delivery

Dear Sir,

RE: Application by Behnam Satah and 301 others SCAPP No 03 of 2015 in the Supreme Court of Justice at Waigani, Papua New Guinea

We refer to the above matter. Our firm acts on behalf of the Applicants.

As you are aware, this proceeding commenced in the Supreme Court on 5 March 2015. The proceeding is an action to enforce the Applicants' constitutional rights under s 57 of the Constitution.

Following the Supreme Court of Papua New Guinea's decision in Namah v Pato [2016] PGSC 13 on 26 April 2016, a motion for summary judgment was filed in this proceeding.

We write to put you on notice that, in the current version of the application for summary judgment, the Applicants seeks orders that the Government of Papua New Guinea and the Government of Australia make all necessary arrangements for the transfer to Australia of those applicants who wish to return to Australia, and for the transfer to a third country for all those who do not wish to return to Australia.

LOMAI & LOMAI ATTORNEYS

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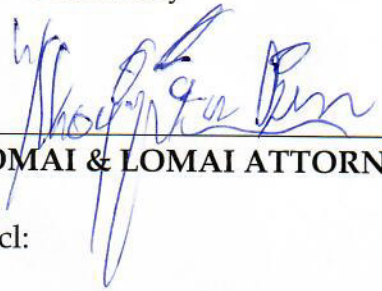
These orders are consistent with, and merely elaborate some of the detail of, the orders which the Court made in Namah v Pato, which decision is indistinguishable from the present proceeding.

The motion for summary judgment is listed to be heard by five members of the Supreme Court on 27 October 2016 at 9:30 am. So that we may appropriately assist the Court should it ask, we would be grateful if you would please advise whether any representative of the Australian Government proposes to appear at the hearing in the light of the orders which the Applicants will invite the Court to make.

As a courtesy, we enclose the most pertinent court documents to this letter.

Should you require further information please do not hesitate to contact/call us immediately. Mr. Ben Lomai can be contacted directly on cell: + 675 71541004 or ben.lomai@gmail.com

Yours faithfully



LOMAI & LOMAI ATTORNEYS

Encl:

Cc: Wagambie Lawyers - By hand delivery

Solicitor General Office - By hand delivery