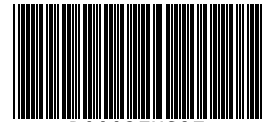




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Reply (UCPR 8)

COURT DETAILS

Court	Supreme Court of NSW
Division	Common Law
List	Common Law General
Registry	Supreme Court Sydney
Case number	2024/00338021

TITLE OF PROCEEDINGS

First Plaintiff	Adam James Bray
First Defendant	TRANSPORT FOR NSW ABN 18804239602
Second Defendant	ACCIONA INFRASTRUCTURE PROJECTS AUSTRALIA PTY LTD
Number of Defendants	3

TITLE OF THIS CROSS-CLAIM

First Cross Claimant	Jacobs Group (Australia) Pty Ltd
Second Cross Claimant	ACN 001024095 SMEC Australia Pty Limited
First Cross Defendant	BRETT ANDREW BUTTON
Second Cross Defendant	Linq Buslines Pty Ltd
Number of Cross Defendants	6

FILING DETAILS

Filed for	Jacobs Group (Australia) Pty Ltd,Cross Claimant 1 SMEC Australia Pty Limited,Cross Claimant 2
Filed in relation to	Cross-Claim 5
Legal representative	Alexander McKellar
Legal representative reference	
Telephone	03 8601 4504
Your reference	10762844

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Lodge Document, along with any other documents listed below, were filed by the Court.

Reply (UCPR 8) (5XC Reply 2026 09 01 DJV v Acciona.pdf)

[attach.]

Form 8 (version 5)
UCPR 14.4

REPLY

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Common Law
List	General
Registry	Sydney
Case number	2024/00338021

TITLE OF PROCEEDINGS

Plaintiff	Adam James Bray
First Defendant	Transport for New South Wales (ABN 18 804 239 602)
Number of Defendants	3

FILING DETAILS

Filed for	Jacobs Group (Australia) Pty Ltd (ACN 001 024 095) First Cross-Claimant to the Fifth Cross-Claim SMEC Australia Pty Ltd (ACN 065 475 149), Second Cross-Claimant to the Fifth Cross-Claim
Filed in relation to	Second Cross-Defendant's Defence to Fifth Cross-Claim
Legal representative	Alex McKellar, HFW Australia for the First Cross-Claimant to the Fifth Cross-Claim Matthew Smith, Clyde & Co for the Second Cross- Claimant to the Fifth Cross-Claim
Legal representative reference	HFW Reference: 92929/11 Clyde & Co Reference: 10762844
Contact name and telephone	Alex McKellar, +61 3 8601 4504 Steven Lurie (02) 9210 4404
Contact email	Alex McKellar: alex.mckellar@hfw.com Steven Lurie: steven.lurie@clydeco.com

PLEADINGS AND PARTICULARS

Terms defined in the Amended Fifth Cross-Claim filed 1 July 2026 are adopted here.

Jacobs and SMEC join issue with Acciona's Defence to Fifth Cross-Claim filed 28 April 2026 (**Defence**) and otherwise reply as follows:

1 In reply to paragraph [6(c)] of the Defence, Jacobs and SMEC:

- a. as to (i), admit that there was an express term of the DJV Contract to the effect of that pleaded at subparagraph 6(c)(i);
- b. as to (ii):
 - i. say that the Notification Requirement does not apply in respect of any claim made against Acciona as pleaded in the Fifth Cross-Claim as any such claim is not a claim in respect of any matter arising out of the DJV Subcontract;
 - ii. further and in the alternative to (i) above, say that any obligation to notify Acciona pursuant to the Notification Requirement of any claim made against Acciona as pleaded in the Fifth Cross-Claim (which is denied), has not arisen and will not arise unless and until:
 1. ACC's claims pleaded in the Third Cross-Claim against Acciona, Jacobs and/or SMEC are established and both Acciona, Jacobs and/or SMEC are liable to ACC (which is denied); or
 2. TfNSW's claims pleaded in the First Cross-Claim against Acciona and against Jacobs and/or SMEC are established and Acciona and Jacobs and/or SMEC are liable to TfNSW (which is denied); or
 3. Linq Buslines' claims pleaded in the Fourth Cross-Claim against Acciona and against Jacobs and/or SMEC are established and both Acciona and Jacobs and/or SMEC are liable to Linq Buslines (which is denied);
 - iii. further and in the alternative to (i) and (ii) above, say that by serving the Fifth Cross-Claim upon Acciona, Jacobs and/or SMEC complied with the Notification Requirement;
 - iv. further and in the alternative to (i), (ii) and (iii) above, say that clause 33 of the DJV Subcontract is, to the extent it renders Acciona not liable

by reason of non-compliance with the Notification Requirement, void and unenforceable as a penalty;

- c. deny subparagraph 6(c)(iii) of the Defence;
- d. and otherwise deny the subparagraph.

SIGNATURE OF LEGAL REPRESENTATIVE

I certify under clause 4 of Schedule 2 to the [Legal Profession Uniform Law Application Act 2014](#) that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in this reply has reasonable prospects of success.

Signature



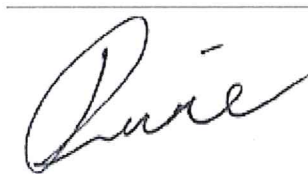
Capacity

Solicitor on record for the First Cross-Claimant to the Fifth Cross-Claim

Date of signature

1 September 2026

Signature



Capacity

Solicitor on record for Second Cross-Claimant to the Fifth Cross-Claim, by his partner, S. Lurie

Date of signature

1 September 2026