

NOTICE OF FILING

Details of Filing

Document Lodged:	Particulars (including Further and Better Particulars)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
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File Number:	QUD183/2023
File Title:	DEBRAH JACKSON v CARNIVAL PLC (ARBN 23 107 998 443)
Registry:	QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Further and Better Particulars (No. 2)

No. QUD183 of 2023

Federal Court of Australia

District Registry: Queensland

Division: General

DEBRAH JACKSON

Applicant

CARNIVAL PLC (ARBN 23 107 998 443)

Respondent

The Applicant provides further and better particulars of the Amended Statement of Claim (ASOC) in response to the Respondent's request of 14 September 2023 as follows: -

1. As to Paragraph 9 of the ASOC, the sources upon which the Applicant claims the following rights, benefits, facilities and privileges were among those she acquired from the Respondent are as follows:
 - (a) the benefit to passengers "biggest night on the ship" appeared on the Respondent's webpage <https://www.pocruises.com.au/ships>;
 - (b) the term "stress less" appeared as a benefit to passengers "stress less experience" on the Respondent's webpage https://www.pocruises.com.au/?gclid=EAIaIQobChMI17at7_m-1gIV1BFoCh100QeNEAAYASAAEqITxuD_BwE&mkwid=snNrboWb0_182904_972136_p%26o_e_c&mtid=29439mm27589&slid=&product_id=&cp1=38776583426&cp2=aud-338001650858:kwd-91582063
 - (c) the term "escape to a remote island or local hideaway" appeared as a benefit to passengers on the Respondent's webpage <https://www.pocruises.com.au/ships>;
 - (d) the term "dream holiday" appeared as a benefit to passengers on the Respondent's webpage <https://www.pocruises.com.au/ships>;
 - (e) the terms "floating away" and "troubles" appeared as a benefit to passengers "let your troubles float away" on the Respondent's webpage <https://www.pocruises.com.au/ships>

Filed on behalf of (name & role of party)	Debrah Jackson, the Lead Applicant		
Prepared by (name of person/lawyer)	Peter Carter		
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(f) the benefit to passengers "fastest way to slow down" appeared on the Respondent's webpage <https://www.pocruises.com.au/holiday-types/sea-breaks>

(g) the term "step onboard – no stress" appeared as a benefit to passengers "you can enjoy your holiday as soon as you take a step onboard – no stress" on the Respondent's webpage <https://www.pocruises.com.au/holiday-types/sea-breaks>

2. As to Paragraphs 63(b) and 64(c) of the ASOC, the nature of the expenses incurred while onboard the ship were food, beverage and incidental expenses.

3. As to Paragraphs 64(b) of the ASOC, the Applicant says that such sum represents an amount that reflects the extent of the Applicant's disappointment, vexation, frustration and distress caused by the Respondent's breach of the Duty of Care and Skill Guarantee, the Purpose Guarantee and/or the Result Guarantee.

Signed:

Carter Capner Law.

Description: Solicitor for the Applicant

Date of signature: 04 October 2023