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The High Court granted special leave limited to the ground relating to the trial judge's direction on lies. The ground of appeal is: The learned Justices Cox and Prior erred by dismissing argument with respect to how the learned trial judge was to sum up to the jury with respect to "lies".

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4.13 Where the court is proposing on its own initiative to make an order under rule 35.7 (which gives the court power to direct that evidence on a particular issue is to be given by a single expert) or under rule 35.15 (which gives the court power to appoint an assessor), the court must, unless the parties have consented in writing to the order, list a case management conference.

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