

**IN THE FEDERAL COURT OF AUSTRALIA (FCA)
NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
FAIR WORK DIVISION** **No: NSD580/2012**

NOTICE OF FILING AND HEARING

This application was filed electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 13/06/2012.

DETAILS OF FILING

Document Lodged: Interlocutory Application (Fair Work Schedule 3 Exemption) - Form 35 - Rule 17.01(1)(a)
File Number: NSD580/2012
File Title: James Hunter Ashby v Commonwealth of Australia & Anor
District Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: Interlocutory Hearing
Time and date for hearing: 15/06/2012, 9:30 AM
Place: Court Room 18C, Level 17 Law Courts Building Queen's Square, Sydney



A handwritten signature in blue ink that reads 'Warwick Soden'.

Dated: 14/06/2012

Registrar

NOTES

1. This Notice forms part of the application and contains information that might otherwise appear elsewhere in the application. The Notice must be included in the application served on each party to the proceeding.
2. The 'reason for listing' is descriptive and does not limit the issues that might be dealt with, or orders that might be made, at the hearing.



Interlocutory Application

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHBY

Applicant

**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**

First Respondent

To the Applicant

The Second Respondent applies for the interlocutory orders set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Time and date for hearing: 15 June 2012

Place: Level 17, Commonwealth Law Courts Building
Queens Square
SYDNEY NSW 2000

The Court ordered that the time for serving this application be abridged to 13 June 2012.

Date: 13 June 2012

Signed by an officer acting with the authority
of the District Registrar

Form 35, Rule 17.01(1)

Filed on behalf of	Peter Slipper, the Second Respondent		
Prepared by	Josh Bornstein		
Law firm	Maurice Blackburn Lawyers		
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**Interlocutory orders sought**

1. That the hearing of the Second Respondent's application to strike out the statement of claim in whole or in part scheduled for Friday 15 June 2012 be adjourned to a date to be fixed;
2. That, on the grounds set out in the accompanying affidavit, Order 6 of the Order made by his Honour Justice Rares on 18 May 2012 be varied to provide that:
Any strike out application and any application to stay or dismiss the claim be listed for directions on 15 June 2012
3. That, on the grounds set out in the accompanying affidavit affirmed by Siobhan Michelle Keating on 13 June 2012, the Second Respondent have leave to file and serve subpoenas in annexure SK-2 to that affidavit.
4. Such further or other orders as the Court considers appropriate.

Service on the Applicant and First Respondent

It is intended to serve this application on the Applicant and the First Respondent.

Date: 13 June 2012

A handwritten signature in cursive script, appearing to read 'Siobhan Keating', written over a horizontal line.

Signed by Siobhan Keating
Solicitor for the Second Respondent



Federal Court of Australia

NSD580/2012

District Registry: New South Wales

Division: Fair Work

Schedule

JAMES HUNTER ASHBY
Applicant

COMMONWEALTH OF AUSTRALIA
First Respondent

PETER SLIPPER
Second Respondent