

## NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 29/03/2019 11:24:33 AM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

### Filing and Hearing Details

Document Lodged:	Subpoena to Produce Documents - Form 43B - Rule 24.13(1)(b)
File Number:	NSD309/2019
File Title:	JACK DE BELIN v AUSTRALIAN RUGBY LEAGUE COMMISSION LTD ACN 003 107 293 & ANOR
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	Return of Subpoena
Time and date for hearing:	10/04/2019, 9:30 AM
Place:	Court Room 19C, Level 17, Law Courts Building 184 Phillip Street Queens Square, Sydney



A handwritten signature in blue ink, appearing to read 'Warwick Soden'.

Dated: 29/03/2019 1:31:34 PM AEDT

Registrar

### Important Information

As required by the Court's Rules, 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 Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.

LAST DAY FOR SERVICE: 5:00 PM TUESDAY 2 APRIL 2019.

Form 43B  
Rule 24.13(1)(b)



## Subpoena to produce documents

No. NSD 309 of 2019

Federal Court of Australia  
District Registry: New South Wales  
Division: General

### Jack de Belin

Applicant

**Australian Rugby League Commission Limited** (ACN 003 107 293)

First Respondent

**National Rugby League Limited** (ACN 082 088 962)

Second Respondent

To: **St George Illawarra Rugby League Football Club Pty Limited, of Level 1, St George Leagues Club, 124 Princes Hwy, Kogarah NSW 2217**

**You are ordered to produce this subpoena or a copy of it and the documents or things specified in the Schedule of documents. See next page for details.**

**Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.**

Please read Notes 1 to 13 at the end of this subpoena.

The last date for service of this subpoena is 3 April 2019. (*See Note 1*)

Date: 29 March 2019

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

Issued at the request of the Applicant Jack de Belin, whose address for service is: 2/50 King St  
Sydney NSW

Filed on behalf of (name & role of party)	Applicant
Prepared by (name of person/lawyer)	Robert Tassell
Law firm (if applicable)	Pikes & Verekers Lawyers
Tel (02) 9262 6188	Fax (02) 9262 6175
Email	rtassell@pvlaw.com.au
<b>Address for service</b>	Level 2, 50 King Street Sydney New South Wales 2000



Place:

Email:

### Details of subpoena

You must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule of documents below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule of documents below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than 2 clear business days before the date specified for attendance and production. (*See Notes 5–9*)

Date, time and place at which you must attend to produce the subpoena or a copy of it and documents or things, unless you receive a notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date: 10 April 2019

Time: 9.30 am

Place: Federal Court of Australia, Level 17, Law Courts Building, Queens Square Sydney NSW 2000

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

The Registrar

Federal Court of Australia

New South Wales District Registry

Level 17, Law Courts Building, Queens Square Sydney NSW 2000

### Schedule of documents

The documents and things you must produce are as follows:

1. Monthly or other sales reports, revenue reports, data analyses, spreadsheets, graphs, charts, comparisons, management accounts and other documents recording, describing or referring to:
  - a. revenue from sales made by or on behalf of St George Illawarra Rugby League Football Club Pty Limited (**the Club**) from jerseys, other apparel, badges,



stickers, stubby holders and other merchandise bearing the images of the Club's players, logos or other get up of the Club;

- b. numbers of and revenue from memberships of the Club;
- c. revenue from and/or sales of corporate entertainment and hospitality packages;
- d. sponsorship income;
- e. revenue from and/or sales of season tickets and other tickets for attendance at the Club's NRL games; and
- f. other revenue derived from the Club's NRL games

for each of the months, or other identifiable periods during the 2018 calendar year.

### **Notes**

#### **Last day for service**

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

#### **Informal service**

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

#### **Addressee a corporation**

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

#### **Conduct money**

4. You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date your attendance is required.

#### **Production of subpoena or copy of it and documents or things by delivery or post**

5. If this subpoena requires production of the subpoena (or a copy of it) and a document or thing, instead of attending to produce the subpoena (or a copy of it) and the document or thing, you may comply with the subpoena by delivering or sending the subpoena (or a copy of it) and the document or thing to the Registrar:
  - (a) at the address specified in the subpoena for the purpose; or
  - (b) if more than one address is specified - at any of those addresses;
 so that they are received not less than 2 clear business days before the date specified in the subpoena for attendance and production, or if you receive notice of a later date from the issuing party, before the later date or time.



6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Registrar in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Registrar may permit the parties to the proceeding to inspect the document or thing.

#### **Production of a number of documents or things**

8. If you produce more than one document or thing, you must, if requested by the Registrar, produce a list of the documents or things produced.

#### **Production of copy instead of original**

9. You may, with the consent of the issuing party, produce a copy, instead of the original, of any document that the subpoena requires you to produce.
- 9A. The copy of a document may be:

- (a) a photocopy; or
- (b) in an electronic form in any of the following electronic formats:
  - .doc and .docx – Microsoft Word documents
  - .pdf – Adobe Acrobat documents
  - .xls and .xlsx – Microsoft Excel spreadsheets
  - .jpg – image files
  - .rtf – rich text format
  - .gif – graphics interchange format
  - .tif – tagged image format

#### **Applications in relation to subpoena**

10. You have the right to apply to the Court:
  - (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
  - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

#### **Loss or expense of compliance**

11. If you are not a party to the proceeding, you may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

#### **Contempt of court - arrest**

12. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.



13. Note 12 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

**Schedule**

No. NSD 309 of 2019

Federal Court of Australia

District Registry: New South Wales

Division: General

**Jack de Belin**

Applicant

**Australian Rugby League Commission Limited (ACN 003 107 293)**

First Respondent

**National Rugby League Limited (ACN 082 088 962)**

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