

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged: Interlocutory Application - Form 35 - Rule 17.01(1)(a)
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)
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File Number: VID974/2024
File Title: AUSTRALIAN COMPETITION AND CONSUMER COMMISSION v
WOOLWORTHS GROUP LIMITED (ACN 000 014 675)
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: To Be Advised
Time and date for hearing: To Be Advised
Place: To Be Advised



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.



Form 35
Rule 17.01(1)

Interlocutory application

No. VID 974 of 2024

Federal Court of Australia
District Registry: Victoria
Division: General
Commercial and Corporations National Practice Area (Regulator and Consumer Protection)

Australian Competition and Consumer Commission

Applicant

Woolworths Group Limited (ACN 000 014 675)

Respondent

To the Applicant

Woolworths Group Limited (ACN 000 014 675) 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:

Place:

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Date:

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

Filed on behalf of Woolworths Group Limited, the Respondent

Prepared by Peta Stevenson
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Definitions

Welk Affidavit means the Affidavit of Benjamin James Welk sworn 19 March 2026.

Woolworths means Woolworths Group Limited (ACN 000 014 675).

Woolworths Confidential Information means:

- a. the information highlighted in green, blue, orange and purple in the documents in Confidential Exhibit BJW-1 and Confidential Exhibit BJW-2 to the Welk Affidavit (and in any other document subsequently proposed to be tendered by a party in the proceedings which contains that information);
- b. the whole of the following documents in Confidential Exhibit BJW-1 to the Welk Affidavit:
 - i. MPL.0002.0005.6338;
 - ii. MPL.0002.0005.6348;
 - iii. MPL.0062.0001.0013;
 - iv. MPL.0094.0001.0001;
 - v. MPL.0094.0001.0002;
 - vi. MPL.0094.0001.0003;
 - vii. MPL.0094.0001.0004;
 - viii. MPL.0094.0001.0005;
 - ix. MPL.0094.0001.0009;
 - x. MPL.0095.0001.0001;
 - xi. MPL.0095.0001.0003; and
 - xii. MPL.0095.0001.0004;
- c. the information highlighted in pink in the documents in Confidential Exhibit BJW-1 and Confidential Exhibit BJW-2 to the Welk Affidavit (and in any other document subsequently proposed to be tendered by a party in the proceedings which contains that information); and
- d. the information that is redacted in the Welk Affidavit.



Interlocutory orders sought

1. Subject to orders 3 to 5 below, pursuant to section 37AF of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**), and on the ground specified in s 37AG(1)(a) of the FCA Act, the information in paragraphs (a), (b) and (d) of the Woolworths Confidential Information is to be:
 - a. treated as confidential on the Court file and not capable of inspection pursuant to r 2.32 of the *Federal Court Rules 2011* (Cth) (**FCR**) by a person who is not a party to the proceeding); and
 - b. prohibited from publication or other disclosure.
2. Subject to orders 3 to 5 below, pursuant to section 37AF of the FCA Act, and on the grounds specified in s 37AG(1)(a) and (c) of the FCA Act, the information in paragraph (c) of the Woolworths Confidential Information is to be:
 - a. treated as confidential on the Court file and not capable of inspection pursuant to r 2.32 of the FCR; and
 - b. prohibited from publication or disclosure.
3. Subject to order 5 below, access to the Woolworths Confidential Information is to be limited to the following persons:
 - a. the Court, its staff and any other person assisting the Court;
 - b. the parties to this proceeding and their legal representatives, for the limited purpose of this proceeding (including any appeals);
 - c. the parties to the proceeding *Whittome v Woolworths Group Limited* (VID1246/2024) (**Class Action**) and their legal representatives, for the limited purpose of the Class Action (including any appeals); and
 - d. Woolworths and any person authorised by Woolworths or to whom information is disclosed by Woolworths.
4. Pursuant to s 37AJ(1) of the Act:
 - a. Order 1 is to operate for a period of 5 years from the date of these orders, or such time specified in any further order; and



- b. Order 2 is to operate for a period of 15 years from the date of these orders, or such time specified in any further order.
5. Nothing in orders 1 to 4 restricts the right of Woolworths, or the relevant supplier who is entitled to the confidentiality of the Woolworths Confidential Information, to deal with any information falling within orders 1 and 2.

Service on the Applicant

It is intended to serve this application on the Applicant.

Date: 19 March 2026

A handwritten signature in blue ink, appearing to read 'Peta Stevenson', written over a horizontal line.

Signed by Peta Stevenson

Lawyer for Woolworths Group Limited