

## NOTICE OF FILING

### Details of Filing

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File Number: VID974/2024  
File Title: AUSTRALIAN COMPETITION AND CONSUMER COMMISSION v  
WOOL WORTHS GROUP LIMITED (ACN 000 014 675)  
Registry: VICTORIA 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.

Form 59  
Rule 29.02(1)

## Affidavit

No VID 974 of 2024

Federal Court of Australia  
District Registry: Victoria  
Division: General

### Australian Competition and Consumer Commission

Applicant

### Woolworths Group Limited (ACN 000 014 675)

Respondent

Affidavit of: **Callum Michael Davies**  
Address: 1 Woolworths Way Bella Vista NSW 2153  
Occupation: Commercial Manager - Pricing, Woolworths Group Limited  
Date: 17 February 2026

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Filed on behalf of Woolworths Group Limited, the Respondent

Prepared by Peta Stevenson  
Law firm **KING & WOOD MALLESONS**  
Tel +61 2 9296 2492  
Email [peta.stevenson@au.kwm.com](mailto:peta.stevenson@au.kwm.com)

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Level 61, Governor Phillip Tower  
1 Farrer Place, Sydney NSW 2000, Australia  
Ref: P Stevenson:602-0051665

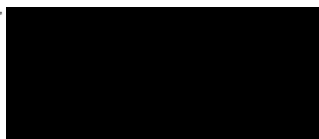
approved 01/08/2011

I, CALLUM MICHAEL DAVIES, of 1 Woolworths Way, Bella Vista NSW 2153 affirm:

- 1 I am a Commercial Pricing Manager at Woolworths Group Limited (**Woolworths**), the Respondent in this Proceeding.
- 2 This is my third affidavit in these Proceedings. I make this affidavit to correct an error in the exhibit to my affidavit dated 15 December 2025 (resworn from 26 November 2025) (**the Original Affidavit**), being Confidential Exhibit CMD-1 (**the Exhibit**).
- 3 The Original Affidavit referred at paragraph 43 to, and exhibited, a document marked MPL.0093.0001.0003, being a copy of an extract from a Google Chat I had with my team on 1 April 2022 (**the Chat**).
- 4 On 11 February 2026, I was informed by Taylor Macdonald, Senior Lawyer, that Woolworths received an inquiry from the Applicant in this Proceeding about the Chat, having regard to the content in paragraph 43 of my Original Affidavit. While I reviewed the Exhibit at the time I made the Original Affidavit, on 13 February 2026 I re-reviewed the Chat against paragraph 43 of the Original Affidavit. From that review, I became aware that the copy of the Chat in the Exhibit to the Original Affidavit was incomplete and did not include all of the exchanges that I had intended to be included in my evidence, including the message I quoted at paragraph 43 of the Original Affidavit.
- 5 Annexed to this affidavit and marked **Confidential Annexure CMD-1** (MPL.0097.0001.0001) is a completed extract of the chat I discuss at paragraph 43 of the Original Affidavit (**the Corrected Chat**). Annexed and marked **Confidential Annexure CMD-2** (MPL.0072.0001.1802) and **Confidential Annexure CMD-3** (MPL.0072.0001.1803) are two images embedded in the Corrected Chat.
- 6 The quotation at paragraph 43 of the Original Affidavit (which refers to the fact that I was "*tossing up between dropped and low price*") is visible at page 4 of the Corrected Chat.

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Signed:



Taken by:



7 To the best of my knowledge and belief, the only difference between the Chat and the Corrected Chat is the inclusion of the previously omitted lines of chat.

**AFFIRMED** by the deponent  
at Sydney  
in New South Wales  
on 17.02.2026

)  
)  
)  
)  
)



Signature of deponent

Before me:



Signature of witness

Clare Bickham  
Name of authorised witness (block letters)

Level 61, Governor Phillip Tower  
4 Farrer Place, Sydney NSW 2000  
Address of authorised witness

Australian Legal Practitioner  
Capacity (eg Justice of the Peace)

No VID 974 of 2024

Federal Court of Australia  
District Registry: Victoria  
Division: General

**Australian Competition and Consumer Commission**

Applicant

**Woolworths Group Limited (ACN 000 014 675)**

Respondent

**Certificate identifying Confidential Annexure CMD-1**

This is **Confidential Annexure CMD-1** to the affidavit of **Callum Michael Davies** affirmed at 1 Woolworths Way, Bella Vista NSW 2153 on 17 February 2026 before me:



.....  
Signature of witness  
Clare Bickham, Australian Legal Practitioner

---

Filed on behalf of Woolworths Group Limited, the Respondent

Prepared by Peta Stevenson  
Law firm **KING & WOOD MALLESONS**  
Tel +61 2 9296 2492  
Email [peta.stevenson@au.kwm.com](mailto:peta.stevenson@au.kwm.com)

**Address for service**  
Level 61, Governor Phillip Tower  
1 Farrer Place, Sydney NSW 2000, Australia  
Ref: P Stevenson:602-0051665

**Short Message Report**

Conversations: 1	Participants: 4
Total Messages: 41	Date Range: 1/4/2022

**Outline of Conversations**

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AAAA3PB0Hk4-MBI-FLAT:2022-03-27T02:03:34.583327 • 41 messages on 1/4/2022 •  
[redacted]@woolworths.com.au • [redacted]@woolworths.com.au • [redacted]@woolworths.com.au •  
[redacted]@woolworths.com.au

Messages in chronological order (times are shown in GMT +11:00)

AAAA3PB0Hk4-MBI-FLAT:2022-03-27T02:03:34.583327

- G [REDACTED]@woolworths.com.au 1/4/2022, 10:22 AM  
We only have Ka Caps on HP
- G [REDACTED]@woolworths.com.au 1/4/2022, 10:23 AM  
For detergents
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:07 AM  
OK great, thanks!
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:08 AM  
Hey when does the current Fab 2kg promo end? Tues?
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:08 AM  
I want to drop it ASAP
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:09 AM  
Gabi can you please confirm that there are no more promos in the plan?
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:36 AM  
hey Cal, this is what i can see in portal
- File "image.png\_2022-04-01T00:36:50.000000Z" is missing.  
Image: image.png (14 KB)*
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:37 AM  
also i have marketing asking me to approval of PD aisle fin and PD Aerial
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:38 AM  
For the same assortment?
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:38 AM  
yes, fab 1.8-2L
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:38 AM  
Cool
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:38 AM  
Yep let's whip those Fab promos out of the plan and get it onto Dropped asap
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:38 AM  
We didn't end up putting it in brochure did we?

- J [REDACTED]@woolworths.com.au 1/4/2022, 11:39 AM  
let me check cal
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:39 AM  
Cool thanks
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:40 AM  
Remember we were sussing that panel out for ages?
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:40 AM  
Tossing up between dropped and low price
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:40 AM  
yes how can i forget lol
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:41 AM  
na that page was Omo 5kg & fluffy sheets in brochure
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:41 AM  
OK sweet
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:41 AM  
Which week was that?
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:41 AM  
13.04
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:42 AM  
Cool 's
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:42 AM  
i think we were gonna do fab but then there was a 50% promo loaded for it so we didnt throw it in
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:43 AM  
how likely are we to load fab for monday on dropped cal?
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:44 AM  
It's currently HP so we won't be able to do it for Monday
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:44 AM  
oh lol
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:44 AM  
thats why you get paid the big bucks

- C [REDACTED]@woolworths.com.au 1/4/2022, 11:44 AM  
It'll be off on Weds but then we need to rest it for a week according to Jigar
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:45 AM  
oh okay
- J [REDACTED]@woolworths.com.au 1/4/2022, 11:45 AM  
so old mate from marketing asked me to suss out the fin/aerials for it, do you want me to let him know we need to wait on when we're going to land on a WAS date due to promo's still running?
- G [REDACTED]@woolworths.com.au 1/4/2022, 11:46 AM  
Let me check Fab
- G [REDACTED]@woolworths.com.au 1/4/2022, 11:46 AM  
So delete all Fab?
- C [REDACTED]@woolworths.com.au 1/4/2022, 11:47 AM  
Yeah anything after this week please; let's liaise with David/Andrew so that they are aware
- G [REDACTED]@woolworths.com.au 1/4/2022, 11:47 AM  
Will do it
- G [REDACTED]@woolworths.com.au 1/4/2022, 11:48 AM  
I ll talk to them too
- J [REDACTED]@woolworths.com.au 1/4/2022, 12:05 PM  
just spoke to the guy from marketing and we need to know what's happening with Fab by April 6th as thats when they're going to start ordering stock for the aisle display & fins
- J [REDACTED]@woolworths.com.au 1/4/2022, 12:27 PM  
lf is that?
- File "image.png\_2022-04-01T01:27:21.000000Z" is missing.  
Image: image.png (81 KB)*
- G [REDACTED]@woolworths.com.au 1/4/2022, 12:29 PM  
no idea
- G [REDACTED]@woolworths.com.au 1/4/2022, 12:29 PM  
Fab is deleted now
- G [REDACTED]@woolworths.com.au 1/4/2022, 12:29 PM  
all deals



No VID 974 of 2024

Federal Court of Australia  
District Registry: Victoria  
Division: General

**Australian Competition and Consumer Commission**  
Applicant

**Woolworths Group Limited (ACN 000 014 675)**  
Respondent

**Certificate identifying Confidential Annexure CMD-2**

This is **Confidential Annexure CMD-2** to the affidavit of **Callum Michael Davies** affirmed at 1 Woolworths Way, Bella Vista NSW 2153 on 17 February 2026 before me:



Signature of witness  
Clare Bickham, Australian Legal Practitioner

---

Filed on behalf of Woolworths Group Limited, the Respondent

Prepared by Peta Stevenson  
Law firm **KING & WOOD MALLESONS**  
Tel +61 2 9296 2492  
Email [peta.stevenson@au.kwm.com](mailto:peta.stevenson@au.kwm.com)

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Ref: P Stevenson:602-0051665



No VID 974 of 2024

Federal Court of Australia  
District Registry: Victoria  
Division: General

**Australian Competition and Consumer Commission**  
Applicant

**Woolworths Group Limited (ACN 000 014 675)**  
Respondent

**Certificate identifying Confidential Annexure CMD-3**

This is **Confidential Annexure CMD-3** to the affidavit of **Callum Michael Davies** affirmed at 1 Woolworths Way, Bella Vista NSW 2153 on 17 February 2026 before me:



.....  
Signature of witness  
Clare Bickham, Australian Legal Practitioner

---

Filed on behalf of Woolworths Group Limited, the Respondent

Prepared by Peta Stevenson  
Law firm **KING & WOOD MALLESONS**  
Tel +61 2 9296 2492  
Email [peta.stevenson@au.kwm.com](mailto:peta.stevenson@au.kwm.com)

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Ref: P Stevenson:602-0051665

Rinita Dasani [REDACTED]@woolworths.com.au>

to Paul, Greg, Michael, Peter, dbothma, Ben, Cal, me, Hayden, Priscilla, Yoana, Sharon, Anuja, Jigar ▼

Hi Paul,

Please see below the Red removals that need to be **actioned asap**.

Most of these we had already flagged in the weekly updates but a couple are new (Removal due to non-CPI)

**Already flagged:**

Nivea Men 500ml: [@Hayden Sansom](#) - Can you please share the CC for the dump cost

Biozet: [@James Goudie](#) - Can you please share the CC for the dump cost

Mc Cain Super Fries Chips: Please use 6780 as the CC

**New removals due to market shift:**

Macro corn Chips: [@Ben Jordan](#) - Can you please share the CC for the dump cost

WW Middle Bacon 250g: [@Priscilla Woods](#) [@Yoana Francisca](#) - Can you please share CC for the dump cost