

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 4/04/2019 4:36:39 PM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Subpoena Request - GPN-SUBP
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



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

Dated: 5/04/2019 10:12:08 AM 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 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.



- Cross boxes where applicable
- Clearly print or type all answers
- Please prepare one Request for Leave to Issue Subpoena for each addressee
- Attach an extra page if you need more space for any of the details requested

1. Details of the proceeding

1.1 Title of proceeding: Jack de Belin v Australian Rugby League Commission Ltd and anor

1.2 Proceeding number: NSD 309 of 2019

2. Details of person making the Request

2.1 I am: a party to the above proceeding: [eg. Applicant]

the Lawyer for: Applicant

2.2 Contact details of person making the Request:

(a) Name & Position
[if applicable] Robert Tassell, Partner

(b) Organisation/Firm: Pikes & Verekers Lawyers

(c) Telephone: 02 9262 6188 Mobile: 0423 761 250

(d) Email: rtassell@pvlaw.com.au

(e) Address: Level 2, 50 King St Sydney NSW 2000

(f) Signature:
[an electronic signature can be used, provided this is done by or at the direction of the person completing this Request]

Date:

4 April 2019

3. Request for leave ("Request")

3.1 (a) Is the Request urgent? No Yes

OR (b) Is an abridged period of service sought on the addressee (short service)? No Yes

If "yes" to either 3.1 (a) or (b), briefly explain the urgency and/or basis for short service being requested:

The proceedings have been listed for an urgent final hearing on 15 April 2019.

3.2 Are the other parties to the proceeding aware of this Request? No Yes

3.3 Has the Request (or a similar request) previously been raised with or addressed by the Court? No Yes

If "yes" to 3.3, provide details:

3.4 Is it intended that the subpoena will be issued for service outside Australia [ie. Outside of the jurisdiction]? No Yes

If "yes" to 3.2, set out where, outside Australia the subpoena is to be served:

3.5 Name of person to be subpoenaed ("Addressee"): Timothy Lythe

3.6 I request leave of the Court to issue a subpoena requiring the Addressee to:

- Attend at Court to give evidence (Form 43A, r 24.13(1)(a) of the *Federal Court Rules*); or
- Produce a document or thing (Form 43B, r 24.13(1)(b) of the *Federal Court Rules*); or
- Attend at Court to give evidence and produce a document or thing (Form 43C, r 24.13(1)(c) of the *Federal Court Rules*),

I request leave for the following **reasons**:

The proceedings are listed for an urgent final hearing on 15 April 2019.

The Addressee has sworn an affidavit that the Applicant wishes to rely upon and has been required by the Respondents to attend for cross-examination.

3.7 I request that the subpoena be made returnable: Before the hearing - preferred return date:

~~9 April 2019~~

At the hearing of the matter [if known] on:

15 April 2019

3.8 **Attached** is the draft subpoena (Form 43A, Form 43B or Form 43C, r 24.13 of the *Federal Court Rules 2011*)

Considered/Issued by:

(Judge)

(Signature)

Comments:

Accept

Reject

Other:
