

NOTICE OF FILING

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment: 23/04/2026 10:48:20 AM AEST
Date Accepted for Filing: 23/04/2026 10:48:21 AM AEST
File Number: NSD442/2026
File Title: KYLE DALTON SANDILANDS & ORS v COMMONWEALTH
BROADCASTING CORPORATION PTY LTD ACN 000 019 796 & ANOR
Registry: NEW SOUTH WALES 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. NSD442 of 2026

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

Kyle Dalton Sandilands and others
Applicants/Cross-Respondents

Commonwealth Broadcasting Corporation Pty Ltd (ACN 000 019 796) and another
Respondents/Cross-Applicants

Affidavit of: **Kevin Sebastian Lynch**
Address: Level 14, 50 Bridge Street, Sydney NSW 2000
Occupation: Solicitor
Date: 23 April 2026

Document number	Details	Paragraph	Page
1	Affidavit of Kevin Sebastian Lynch sworn on 23 April 2026	1	1
2	Annexure "KSL-1", being copy of letter sent from Applicants' solicitors' to the Respondents' solicitors dated 22 April 2026	3	3
3	Annexure "KSL-2", being copy of email chain containing the emails between HWLE Lawyers and Applicants' solicitors on 31 March 2026, 2 April 2026 and 7 April 2026, 17 April 2026 and 21 April 2026	5	4

Filed on behalf of (name & role of party) Kyle Sandilands, First Applicant/Cross-Respondent; Quasar Media Services Pty Ltd ATF Quasar Media Services Trust, Second Applicant/Cross-Respondent; Quasar Intellectual Property Pty Ltd, Third Applicant/Cross-Respondent

Prepared by (name of person/lawyer) Kevin Lynch

Law firm (if applicable) Johnson Winter Slattery

Tel +61 2 8274 9555 Fax +61 2 8274 9500

Email kevin.lynch@jws.com.au and joseph.elhagg@jws.com.au

Address for service Level 14, 50 Bridge Street, Sydney NSW 2000
(include state and postcode)

Document number	Details	Paragraph	Page
4	Annexure "KSL-3", being copy of email chain between the Associate, HWLE Lawyers, and parties to the Sandilands Proceedings on 21 April 2026 and 22 April 2026	6	4

I, Kevin Sebastian Lynch of Johnson Winter Slattery, Level 14, 50 Bridge Street, Sydney, Solicitor, make oath and say:

1. I swore an affidavit in this proceeding on 23 March 2026 (**First Lynch Affidavit**), which was read at the first case management hearing before Justice Stewart on 27 March 2026. I make this, my second affidavit, in relation to the case management hearing scheduled for 24 April 2026 and consideration of the questions as to whether:
 - (a) matter NSD442/2026 (**Sandilands Proceeding**) should travel together and/or be heard together with matter NSD507/2026 (**Henderson Proceeding**);
 - (b) the Sandilands Proceeding should be allocated an early hearing date, including within the week of 22 to 26 June 2026, provisionally reserved by Justice Stewart at the first case management hearing.

2. I have reviewed the following documents filed in both the Sandilands Proceeding and the Henderson Proceeding:
 - (a) the Statement of Claim filed by the Sandilands Applicants on 7 April 2026 (**Sandilands SoC**);
 - (b) the Defence filed by the Respondents in the Sandilands Proceeding in the evening of 21 April 2026 (**Sandilands Defence**);
 - (c) the Notice of Cross-Claim and Statement of Cross-Claim filed by the Respondents in the Sandilands Proceeding in the evening of 21 April 2026 (**Sandilands Cross-Claim**);
 - (d) the Statement of Claim filed by Ms Henderson and Henderson Media Pty Ltd on 30 March 2026 (**Henderson SoC**);
 - (e) the Defence filed by the Respondents in the Henderson Proceeding in the evening of 21 April 2026 (**Henderson Defence**);
 - (f) the Notice of Cross-Claim and Statement of Cross-Claim filed by the Respondents in the Henderson Proceeding in the evening of 21 April 2026 (**Henderson Cross-Claim**); and



- (g) the affidavit of Ms Nerida Jessup affirmed 21 April 2026, together with its annexure (being the transcript of the case management hearing before Justice Stewart on 27 March 2026) (**Jessup Affidavit**).
3. Annexed to this affidavit and marked "**Annexure KSL-1**" is a copy of a letter sent by me as the Applicants' solicitors' to the Respondents' solicitors dated 22 April 2026 requesting identification of those witnesses and the topics they are anticipated to address and the Respondents' solicitor's response of the same date, refusing to disclose that information.
4. I have had limited dealings with Ms Peta Tumpey of HWLE, the solicitor for the Applicants in the Henderson Proceedings, but note:
- (a) on 31 March 2026, I requested a copy of the Originating Application and Statement of Claim in the Henderson Proceedings from Ms Tumpey. I received no response to that request.
 - (b) I sent Ms Tumpey a follow up email on 2 April 2026. Again, I received no response.
 - (c) On 7 April 2026, I approached the Associate to Stewart J, copying the other parties to the Sandilands Proceeding and Henderson Proceeding, in order to obtain copies of Originating Application and Statement of Claim.
 - (d) On 7 April 2026, I sent Ms Tumpey a further email requesting various correspondence between Herbert Smith Freehills Lawyers (**HSFK**) and HWLE Lawyers, that were specifically mentioned in the Henderson SoC and which had been sent or received by HWLE (**HWLE/HSFK Correspondence**). I received no response to this request.
 - (e) On 17 April 2026, I requested that Ms Tumpey respond to my email of 7 April 2026 requesting the HWLE/HSFK Correspondence. Again, I received no response.
 - (f) On 21 April 2026:
 - i. at 11:16am, I sent Ms Tumpey a draft email that I was proposing to send to the Court requesting copies of the HWLE/HSFK Correspondence in the event that Ms Tumpey did not respond to my request;
 - ii. at 1:34pm, Ms Tumpey responded, stating that she had not obtained instructions from her client in relation to obtaining the HWLE/HSFK Correspondence and requesting until 4:30pm on 21 April 2026 to seek those instructions;




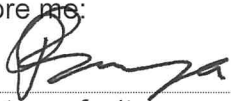
- iii. at 2:32pm, I sent Ms Tumpey a further email, indicating that I would make contact with the Court to request the HWLE/HSFK Correspondence at 3:30pm;
 - iv. at 3:35pm, I wrote to the Court, copying the other parties to the Sandilands Proceeding and Henderson Proceeding, to request the HWLE/HSFK Correspondence; and
 - v. at 3:53pm, the parties to the Sandilands Proceeding and Henderson Proceeding received an email from the Associate to Stewart J, which said (inter alia) that if the parties in the Henderson proceeding had a reason to withhold the HWLE/HSFK Correspondence, this was to be communicated to the Associate by 10:30am on 22 April 2026.
- (g) On 22 April 2026
- i. at 10:33am, HWLE Lawyers emailed the Court, copying the other parties to the Sandilands Proceeding and Henderson Proceeding, notifying that they would provide the HWLE/HSFK Correspondence; and
 - ii. at 4:37pm, HWLE Lawyers provided me with copies of the Documents by email.
5. The email chain containing the emails between HWLE Lawyers and I on 31 March 2026, 2 April 2026 and 7 April 2026, 17 April 2026 and 21 April 2026 which I refer to is annexed to this affidavit and marked "**Annexure KSL-2**".
 6. The email chain containing the emails between the Associate and the parties to the Sandilands Proceeding and Henderson Proceeding on 21 April 2026, and the emails from HWLE Lawyers and I on 22 April 2026, are annexed to this affidavit and marked "**Annexure KSL-3**".
 7. I make these observations without criticism of Ms Henderson or her legal representatives, who have observed all professional courtesies.
 8. Rather, I note the difference in alacrity with which Mr Sandilands has approached the Sandilands Proceedings, when compared with my experience of the approach taken by the Applicants in the Henderson Proceeding.



Sworn / Affirmed by the deponent
at Sydney
in New South Wales
on 23 April 2026
Before me:

)
)
)
)


Signature of deponent


Signature of witness
Name: **Danya Ishauni Balakrishnan**
Capacity: Solicitor

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

Kyle Dalton Sandilands and others

Applicants

Commonwealth Broadcasting Corporation Pty Ltd (ACN 000 019 796) and another

Respondents

ANNEXURE "KSL-1"

This is the annexure marked "**KSL-1**" now produced and shown to **KEVIN SEBASTIAN LYNCH** at the time of swearing his affidavit before me on 23 April 2026.



Signature of witness

Name of witness: Danya Ishaquni Balakrishnan
Capacity of witness: Solicitor

Partner: Kevin Lynch +61 2 8274 9585
Email: kevin.lynch@jws.com.au
Associate: Joseph El Hagg
Email: joseph.elhagg@jws.com.au
Our Ref: D8949
Doc ID: 501831678.3

22 April 2026

Michael Gonski and Nerida Jessup
Partner
Herbert Smith Freehills Kramer
Level 34, 161 Castlereagh Street
Sydney NSW 2000

BY EMAIL: michael.gonski@hsfkramer.com
nerida.jessup@hsfkramer.com

Dear Colleagues

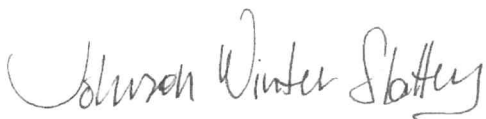
**Kyle Sandilands and Ors v Commonwealth Broadcasting Corporation Pty Ltd Anor
Federal Court of Australia proceedings NSD442/2026**

In her affidavit of 21 April 2026, Ms Jessup asserts and at [20](b) that she has identified "potentially up to 12 lay witnesses" to give evidence in the Sandilands proceeding and at [30](b) that she has identified "potentially up to 8 lay witnesses" to give evidence in the Henderson proceeding.

That evidence is objectionable, including because it is an untested rolled-up conclusion which is unfairly prejudicial.

In order to avoid an argument about its admissibility or Ms Jessup being required for cross-examination by our clients at the case management hearing on Friday, please inform us by return and by no later than **2pm** today, **22 April 2026** as to the identity of the lay witnesses identified and the topics that it is anticipated that those lay witnesses will address.

Yours faithfully,



Johnson Winter Slattery

Quay Quarter Tower (QQT)
Level 14, 50 Bridge Street
SYDNEY NSW 2000
T +61 2 8274 9555 | F +61 2 8274 9500
www.jws.com.au

Liability limited by a scheme approved under Professional Standards Legislation

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

Kyle Dalton Sandilands and others

Applicants

Commonwealth Broadcasting Corporation Pty Ltd (ACN 000 019 796) and another

Respondents

ANNEXURE "KSL-2"

This is the annexure marked "**KSL-2**" now produced and shown to **KEVIN SEBASTIAN LYNCH** at the time of swearing his affidavit before me on 23 April 2026.



Signature of witness

Name of witness: Danya Ishaquni Balakrishnan
Capacity of witness: Solicitor

Danya Balakrishnan

From: Kevin Lynch
Sent: Tuesday, 21 April 2026 2:32 PM
To: Peta Tumpey
Cc: Stephanie Lambros; Danya Balakrishnan; Angelina Lockley; Rachele Duffy
Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919] [JWSDOCS-DOCUMENTS.FID5099092]

Dear Ms Tumpey

I propose to send my email to the court, if it is still required, at 3.30pm. Our client's request is over 2 weeks old. Given the proximity of the case management hearing on Friday, I would like to make contact with the Associate in good time today.

As to the further information you require, as indicated in our email, the content of the documents is potentially relevant to the question of the issues the court is considering at the case management hearing on Friday and counsel may seek to make submissions in relation to their contents. Other than that, the documents will be treated as the subject of *Hearne v Street* [2008] HCA 36 undertakings.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585

M +61 412 468 174

E kevin.lynch@jws.com.au

[Website](#) | [LinkedIn](#) | [vCard](#)

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient, please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

From: Peta Tumpey <ptumpey@hwle.com.au>
Sent: Tuesday, 21 April 2026 1:34 PM
To: Kevin Lynch <kevin.lynch@jws.com.au>
Cc: Stephanie Lambros <slambros@hwle.com.au>; Danya Balakrishnan <Danya.Balakrishnan@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>; Rachele Duffy <rlduffy@hwle.com.au>
Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919]

Hi Kevin,

Further to our telephone conversation this morning and noting the time, I write as a courtesy to confirm that I have not had the opportunity to confirm my clients' position and instructions with regard to your below email sent this morning.

I respectfully ask that you provide HWLE until at least 4.30pm today to respond to the below email.

These documents and their contents are not strictly in evidence yet and consist of private and confidential communications.

In the meantime, without any agreement admitted in this email, are you able to provide further information as to any undertakings your firm or client is prepared to make in relation to the limited use, distribution and destruction of the correspondence listed by you.

Kind regards,

Peta

Peta Tumpey
Partner



Level 9, 5 Martin Place | Sydney NSW 2000
T +61 2 9334 8894 | M 0437 473 577 | E ptumpey@hwle.com.au
HWLE.COM.AU

ADELAIDE | BRISBANE | CANBERRA | DARWIN | HOBART | MELBOURNE | NORWEST | PERTH | SYDNEY

Cyber fraud warning - please note that HWLE Lawyers will not notify you of a change to the firm's bank account details via email. If you are in any doubt, please telephone your known contact at the firm, with their known contact details, to verbally confirm the relevant bank account details prior to transferring funds electronically. Similarly, we may contact you to verify payment details in particular circumstances.

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. Please do not click on any links or open attachments unless you recognise the sender and have verified that the communication is genuine. This notice should not be deleted or altered.

From: Kevin Lynch <kevin.lynch@jws.com.au>
Sent: Tuesday, 21 April 2026 11:16 AM
To: Peta Tumpey <ptumpey@hwle.com.au>
Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>; Danya Balakrishnan <Danya.Balakrishnan@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>
Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919]

This message is from an external sender

Report Suspicious

Dear Ms Tumpey.

We refer to our emails below of 7 April 2026 and 17 April 2026.

Please see below an email which we propose to send to the court at **2pm today**.

If you are able to provide us with the documents requested in the meantime there will be no need to make this request of the court.

Dear Associate

We write in relation to the above matter and ask that this email be brought to his Honour's attention.

The solicitors for the other parties are on cc.

The Statement of Claim filed in NSD507/2026 refers at [30], [44] and [60]-[61] to correspondence between the applicants and first respondent in relation to the termination (or purported termination) of Ms Henderson and Henderson Media's Broadcast Services Agreement.

The content of these documents is potentially relevant to the question of the issues the Court is considering at the case management hearing on Friday, including whether proceedings NSD507/2026 and NSD442/2026 should travel and/or be heard together.

In order to be able to be able to make submissions on these matters on Friday, the applicants in NSD442/2026 require copies of this correspondence. To date, the solicitors for the applicants in NSD507/2026 have not responded to our requests for this correspondence and were provided with a draft of this communication this morning.

We respectfully request that the Court order that the documents be provided to is by the applicants in NSD507/2026 by close of business 22 April 2026.

Should the Court wish to list the matter in relation to the above request, counsel is able to attend at short notice.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585

M +61 412 468 174

E kevin.lynch@jws.com.au

Website | LinkedIn

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

From: Kevin Lynch

Sent: Friday, 17 April 2026 9:58 AM

To: Peta Tumpey <ptumpey@hwle.com.au>

Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>; Danya Balakrishnan <Danya.Balakrishnan@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>

Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919] [JWSDOCS-DOCUMENTS.FID5099092]

Dear Ms Tumpey.

I hope you are well.

If you have an opportunity, could you please respond today to my email of 7 April 2026 below.

Also, as per my email of 2 April 2026 (also in line below), it would also be good to have a chat about the matters generally, including our respective approaches to the joint Case Management Hearing listed on 24 April 2026.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585

M +61 412 468 174

E kevin.lynch@jws.com.au

Website | LinkedIn

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

From: Kevin Lynch

Sent: Tuesday, 7 April 2026 12:10 PM

To: 'Peta Tumpey' <ptumpey@hwle.com.au>

Cc: 'Jennifer Huby' <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>; Danya Balakrishnan <Danya.Balakrishnan@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>

Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919] [JWSDOCS-DOCUMENTS.FID5099092]

Dear Ms Tumpey.

Having reviewed your client's Statement of Claim, we would be grateful if you could provide us with copies of the following:

1. the letter from HWLE to Mr Stephenson dated 26 February 2026, particularised at paragraph 30 of the Statement of Claim.
2. the letter from HSFK to HWLE dated 3 March 2026, particularised at paragraph 44 of the Statement of Claim.
3. the letter from HWLE to HSFK dated 4 March 2026 and the letter from HSFK to HWLE dated 9 March 2026, particularised at paragraphs 60 and 61 of the Statement of Claim respectively.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585

M +61 412 468 174

E kevin.lynch@jws.com.au

Website | [LinkedIn](#)

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient, please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

From: Kevin Lynch

Sent: Thursday, 2 April 2026 5:12 PM

To: Peta Tumpey <ptumpey@hwle.com.au>

Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>; Danya Balakrishnan <Danya.Balakrishnan@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>

Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919] [JWSDOCS-DOCUMENTS.FID5099092]

Dear Peta

I am following up on my request below.

We would be assisted if you could provide a copy of Ms Henderson's pleadings in view of the email sent by the Chambers for Justice Stewart and given his Honour's directions.

If you can provide us with a copy, it will save us having to raise this gap with his Honour.

I understand our Junior Counsel Phil Boncardo has talked about this with his counterpart Vanja Bulut.

You may already have copy of the Sandilands/ Quasar v CBC Originating Application and Concise Statement as filed on 20 March 2026 . If not, a copy is attached. I also attach my affidavit of 23 March 2026.

It would also be good to have a chat about the matters generally, including our respective approaches to the joint Case Management Hearing listed on 24 April 2026.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585

M +61 412 468 174

E kevin.lynch@jws.com.au

[Website](#) | [LinkedIn](#)

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient, please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

From: Kevin Lynch <kevin.lynch@jws.com.au>

Sent: Tuesday, 31 March 2026 11:01 AM

To: Peta Tumpey <ptumpey@hwle.com.au>

Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>

Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919] [JWSDOCS-DOCUMENTS.FID5099092]

Dear Peta.

I noticed the ARN Media Limited ASX announcement this morning.

Are you able to provide us with a copy of the filings for Ms Henderson?

Many thanks.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585

M +61 412 468 174

E kevin.lynch@jws.com.au

[Website](#) | [LinkedIn](#)

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient, please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

From: Peta Tumpey <ptumpey@hwle.com.au>

Sent: Tuesday, 17 March 2026 11:16 AM

To: Kevin Lynch <kevin.lynch@jws.com.au>

Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>

Subject: RE: Kyle and Jackie O - ARN [JWSDOCS-DOCUMENTS.FID5099092] [HWLE-MATTER.C0146137.1409919]

Thank you Kevin and understand

I did not mean to shut down communications between us that may be beneficial to our respective clients but wanted to manage expectations before we spoke regarding our ability to share confidential information in light of your initiation of the meeting.

Regards,

Peta

Peta Tumpey

Partner



Level 9, 5 Martin Place | Sydney NSW 2000
T +61 2 9334 8894 | M 0437 473 577 | E ptumpey@hwle.com.au
HWLE.COM.AU

ADELAIDE | BRISBANE | CANBERRA | DARWIN | HOBART | MELBOURNE | NORWEST | PERTH | SYDNEY

Cyber fraud warning - please note that HWLE Lawyers will not notify you of a change to the firm's bank account details via email. If you are in any doubt, please telephone your known contact at the firm, with their known contact details, to verbally confirm the relevant bank account details prior to transferring funds electronically. Similarly, we may contact you to verify payment details in particular circumstances.

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. Please do not click on any links or open attachments unless you recognise the sender and have verified that the communication is genuine. This notice should not be deleted or altered.

From: Kevin Lynch <kevin.lynch@jws.com.au>

Sent: Tuesday, 17 March 2026 9:36 AM

To: Peta Tumpey <ptumpey@hwle.com.au>

Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>

Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919] [JWSDOCS-DOCUMENTS.FID5099092]

This message is from an external sender

[Report Suspicious](#)

Thanks Peta.

Let's leave it out then. It's good to make contact but there is no need for you and Jennifer and me to speak if there is nothing of interest to share.

We can talk another time.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585

M +61 412 468 174

E kevin.lynch@jws.com.au

[Website](#) | [LinkedIn](#)

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient, please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

From: Peta Tumpey <ptumpey@hwle.com.au>
Sent: Tuesday, 17 March 2026 9:06 AM
To: Kevin Lynch <kevin.lynch@jws.com.au>
Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>
Subject: RE: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919]

Thank you Kevin

9.45 is suitable to Jennifer and I. We will call you on your landline around that time and note that the purpose of the call is to simply open communications between us.

For clarity, we are not in a position to share any client information with you in this call.

Regards,

Peta

Peta Tumpey
Partner



Level 9, 5 Martin Place | Sydney NSW 2000
T +61 2 9334 8894 | M 0437 473 577 | E ptumpey@hwle.com.au
HWLE.COM.AU

ADELAIDE | BRISBANE | CANBERRA | DARWIN | HOBART | MELBOURNE | NORWEST | PERTH | SYDNEY

Cyber fraud warning - please note that HWLE Lawyers will not notify you of a change to the firm's bank account details via email. If you are in any doubt, please telephone your known contact at the firm, with their known contact details, to verbally confirm the relevant bank account details prior to transferring funds electronically. Similarly, we may contact you to verify payment details in particular circumstances.

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. Please do not click on any links or open attachments unless you recognise the sender and have verified that the communication is genuine. This notice should not be deleted or altered.

From: Kevin Lynch <kevin.lynch@jws.com.au>
Sent: Tuesday, 17 March 2026 8:48 AM
To: Peta Tumpey <ptumpey@hwle.com.au>
Cc: Jennifer Huby <jhuby@hwle.com.au>; Joseph El Hagg <Joseph.ElHagg@jws.com.au>
Subject: Re: Kyle and Jackie O - ARN [HWLE-MATTER.C0146137.1409919]

This message is from an external sender

[Report Suspicious](#)

Thanks Peta and Jennifer.

Can we make it 9:45? I don't think we will be long.

I don't have any agenda. I thought it would be useful to open a line of communication.

At some point it would be useful to have a better high level understanding of what transpired between Ms Henderson and ARN and timing, given the ARN market release and Ms Henderson's agent's subsequent statement.

Regards

On 17 Mar 2026, at 7:57 am, Peta Tumpey <ptumpey@hwle.com.au> wrote:

Hi Kevin,

I will call you at 9.15 if that window is free for you.

I will include my partner Jennifer Huby who is also copied into this email.

Can you please provide us with a heads up of what you would like to discuss ?

Regards,

Peta Tumpey
Partner



Level 9, 5 Martin Place | Sydney NSW 2000
T +61 2 9334 8894 | M 0437 473 577 | E ptumpey@hwle.com.au
HWLE.COM.AU

ADELAIDE | BRISBANE | CANBERRA | DARWIN | HOBART | MELBOURNE | NORWEST | PERTH | SYDNEY

Cyber fraud warning - please note that HWLE Lawyers will not notify you of a change to the firm's bank account details via email. If you are in any doubt, please telephone your known contact at the firm, with their known contact details, to verbally confirm the relevant bank account details prior to transferring funds electronically. Similarly, we may contact you to verify payment details in particular circumstances.

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. Please do not click on any links or open attachments unless you recognise the sender and have verified that the communication is genuine. This notice should not be deleted or altered.

From: Kevin Lynch <kevin.lynch@jws.com.au>

Sent: Monday, 16 March 2026 6:58 PM

To: Peta Tumpey <ptumpey@hwle.com.au>

Subject: Kyle and Jackie O - ARN

This message is from an external sender

[Report Suspicious](#)

Dear Ms Tumpey.

I hope you are well.

I act for Kyle Sandilands and his company, Qasar Media Services Pty Limited.

The lawyers For CBC and ARN, HSFK, have advised us that you act for Ms Henderson.

Do you have time for a call in the morning?

Regards

Kevin Lynch
Partner | Johnson Winter Slattery

D +61 2 8274 9585
M +61 412 468 174
E kevin.lynch@jws.com.au

[Website](#) | [LinkedIn](#)

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

Kevin Lynch

Partner | Johnson Winter Slattery

D +61 2 8274 9585
M +61 412 468 174
E kevin.lynch@jws.com.au

[Website](#) | [LinkedIn](#)

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient, please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

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

Kyle Dalton Sandilands and others

Applicants

Commonwealth Broadcasting Corporation Pty Ltd (ACN 000 019 796) and another

Respondents

ANNEXURE "KSL-3"

This is the annexure marked "**KSL-3**" now produced and shown to **KEVIN SEBASTIAN LYNCH** at the time of swearing his affidavit before me on 23 April 2026.



Signature of witness

Name of witness: Danya Ishaaani Balakrishnan
Capacity of witness: Solicitor

Danya Balakrishnan

From: Stephanie Lambros <slambros@hwle.com.au>
Sent: Wednesday, 22 April 2026 4:37 PM
To: Kevin Lynch
Cc: Peta Tumpey; Rachelle Duffy
Subject: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [HWLE-MATTER.C0146137.1409919]
Attachments: Letter from HWLE to Mr Stephenson dated 26 February 2026.pdf; Letter from HSFK to HWLE dated 3 March 2026.pdf; Letter from HWLE to HSFK dated 4 March 2026.pdf; Letter from HSFK to HWLE dated 9 March 2026.pdf
Importance: High

Private & Confidential

Dear Mr Lynch

We refer to your request for documents and our recent correspondence with the Court **below**.

As requested, please find **attached** the letters we have referred to at paragraphs [30], [44] and [60]-[61] of the Statement of Claim filed in the proceeding numbered NSD507/2026, as follows:

1. letter from HWLE to Mr Stephenson dated 26 February 2026;
2. letter from HSFK to HWLE dated 3 March 2026;
3. letter from HWLE to HSFK dated 4 March 2026; and
4. letter from HSFK to HWLE dated 9 March 2026.

We trust that these documents will be treated as **strictly confidential** by your client and that they will not be used for any purpose other than to assist in the preparation of your clients' submissions due tomorrow in relation to the case management hearing on Friday, in accordance with the principles in *Hearne v Street* [2008] HCA 36, as set out in your email to us at 2.32 pm on 21 April 2026, and your email to Justice Stewart's Chambers at 3.35 pm on 21 April 2026.

For the avoidance of doubt, the provision of these letters does not characterise them as being included in evidence in either of the proceedings (NSD507/2026 and NSD442/2026), and is not an admission that our clients will ultimately rely on these documents in their evidence in these proceedings.

Yours sincerely

Peta Tumpey
Partner

Stephanie Lambros
Senior Associate

HWLE
LAWYERS

Level 9, 5 Martin Place |
Sydney NSW 2000
T +61 2 9334 8894 | M 0437
473 577 | E
ptumpey@hwle.com.au
HWLE.COM.AU

HWLE
LAWYERS

Level 9, 5 Martin Place |
Sydney NSW 2000
T +61 2 9334 8476 | E
slambros@hwle.com.au
HWLE.COM.AU

Cyber fraud warning - please note that HWLE Lawyers will not notify you of a change to the firm's bank account details via email. If you are in any doubt, please telephone your known contact at the firm, with their known contact details, to verbally confirm the relevant bank account details prior to transferring funds electronically. Similarly, we may contact you to verify payment details in particular circumstances.

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. Please do not click on any links or open attachments unless you recognise the sender and have verified that the communication is genuine. This notice should not be deleted or altered.

From: Rachelle Duffy

Sent: Wednesday, 22 April 2026 10:33 AM

To: 'Associate.StewartJ@fedcourt.gov.au' <Associate.StewartJ@fedcourt.gov.au>

Cc: Peta Tumpey <ptumpey@hwle.com.au>; Stephanie Lambros <slambros@hwle.com.au>;

'kevin.lynch@jws.com.au' <kevin.lynch@jws.com.au>; 'michael.gonski@hsfkramer.com'

<michael.gonski@hsfkramer.com>; 'nerida.jessup@hsfkramer.com' <nerida.jessup@hsfkramer.com>;

'nakul.bhagwat@hsfkramer.com' <nakul.bhagwat@hsfkramer.com>; 'tiffany.mace@hsfkramer.com'

<tiffany.mace@hsfkramer.com>; 'danya.balakrishnan@jws.com.au' <danya.balakrishnan@jws.com.au>;

'alessandra.hayward@hsfkramer.com' <alessandra.hayward@hsfkramer.com>;

'bec.tannenbaum@hsfkramer.com' <bec.tannenbaum@hsfkramer.com>; 'joseph.elhagg@jws.com.au'

<joseph.elhagg@jws.com.au>; 'Angelina.Lockley@jws.com.au' <Angelina.Lockley@jws.com.au>;

'nsd4422026@fedcourt.gov.au' <nsd4422026@fedcourt.gov.au>; 'nsd5072026@fedcourt.gov.au'

<nsd5072026@fedcourt.gov.au>

Subject: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [HWLE-MATTER.C0146137.1409919]

Dear Associate

We refer to your correspondence **below**.

The Applicants in the Henderson proceeding (NSD507/2026) will provide the Applicants in the Sandilands proceeding (NSD442/2026) a copy of the letters referred to at paragraphs [30], [44] and [60]-[61] of the Statement of Claim filed in the Henderson proceeding.

Yours faithfully

Peta Tumpey

Partner

HWLE
LAWYERS

Level 9, 5 Martin Place |
Sydney NSW 2000
T +61 2 9334 8894 | M 0437
473 577 | E
ptumpey@hwle.com.au
HWLE.COM.AU

Rachelle Duffy

Solicitor

HWLE
LAWYERS

Level 9, 5 Martin Place |
Sydney NSW 2000
T +61 2 9138 2357 | E
rlduffy@hwle.com.au
HWLE.COM.AU

Cyber fraud warning - please note that HWLE Lawyers will not notify you of a change to the firm's bank account details via email. If you are in any doubt, please telephone your known contact at the firm, with their known contact details, to verbally confirm the relevant bank account details prior to transferring funds electronically. Similarly, we may contact you to verify payment details in particular circumstances.

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. Please do not click on any links or open attachments unless you recognise the sender and have verified that the communication is genuine. This notice should not be deleted or altered.

From: Associate StewartJ <Associate.StewartJ@fedcourt.gov.au>

Sent: Tuesday, 21 April 2026 3:53 PM

To: Kevin Lynch <kevin.lynch@jws.com.au>; Rachelle Duffy <rlduffy@hwle.com.au>; Peta Tumpey <ptumpey@hwle.com.au>; Stephanie Lambros <slambros@hwle.com.au>; michael.gonski@hsfkramer.com; nerida.jessup@hsfkramer.com; nakul.bhagwat@hsfkramer.com; tiffany.mace@hsfkramer.com; Danya Balakrishnan <Danya.Balakrishnan@jws.com.au>; alessandra.hayward@hsfkramer.com; bec.tannenbaum@hsfkramer.com; Joseph El Hagg <Joseph.ElHagg@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>

Cc: nsd4422026@fedcourt.gov.au; nsd5072026@fedcourt.gov.au

Subject: RE: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [HWLE-MATTER.C0146137.1409919] [JWSDOCS-DOCUMENTS.FID5099092] [SEC=OFFICIAL]

This message is from an external sender

[Report Suspicious](#)

Dear practitioners

I have raised this matter with Justice Stewart, and his Honour has asked me to respond as follows.

Although there may be some debate as to whether the correspondence in question is necessary for the purposes of the case management hearing on Friday, it appears that the correspondence will have to be produced in due course and there is no reason why it should not be produced immediately. If the parties to the Henderson proceeding (NSD507/2026) wish to proffer any reason why it should not be ordered that the correspondence be provided to Mr Sandilands' solicitor forthwith then that should be done **by email by 10:30am tomorrow, 22 April 2026.**

Kind regards

Kyle Denning

Associate to the Hon Justice A M Stewart

Federal Court of Australia | Level 19 184 Phillip Street Sydney NSW 2000

phone: +61 2 8099 8317 | email: Associate.StewartJ@fedcourt.gov.au | www.fedcourt.gov.au

From: Kevin Lynch <kevin.lynch@jws.com.au>

Sent: Tuesday, 21 April 2026 3:35 PM

To: Associate StewartJ <Associate.StewartJ@fedcourt.gov.au>; Rachelle Duffy <rlduffy@hwle.com.au>; Peta Tumpey <ptumpey@hwle.com.au>; Stephanie Lambros <slambros@hwle.com.au>; michael.gonski@hsfkramer.com; nerida.jessup@hsfkramer.com; nakul.bhagwat@hsfkramer.com; tiffany.mace@hsfkramer.com; Danya Balakrishnan <Danya.Balakrishnan@jws.com.au>;

alessandra.hayward@hsfkramer.com; bec.tannenbaum@hsfkramer.com; Joseph El Hagg
<Joseph.ElHagg@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>

Cc: nsd4422026@fedcourt.gov.au; nsd5072026@fedcourt.gov.au

Subject: RE: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [HWLE-MATTER.C0146137.1409919] [SEC=OFFICIAL] [JWSDOCS-DOCUMENTS.FID5099092]

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Dear Associate

We write in relation to the above matter and ask that this email be brought to his Honour's attention.

The solicitors for the other parties in NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor are on cc.

The Statement of Claim filed in NSD507/2026 refers at [30], [44] and [60]-[61] to correspondence between the applicants and first respondent in relation to the termination (or purported termination) of Ms Henderson and Henderson Media's Broadcast Services Agreement. The content of these documents is potentially relevant to the question of the issues the Court is considering at the case management hearing on Friday, including whether proceedings NSD507/2026 and NSD442/2026 should travel and/or be heard together.

In order to be able to be able to make submissions on these matters on Friday, the applicants in NSD442/2026 require copies of this correspondence. As at this time, the solicitors for the applicants in NSD507/2026 have not provided these documents in response to our requests. They were provided with a draft of this communication this morning.

We respectfully request that the Court order that the documents be provided to is by the applicants in NSD507/2026 by close of business 22 April 2026.

Should the Court wish to list the matter in relation to the above request, Counsel is able to attend at short notice.

Regards

Kevin Lynch

Partner | Johnson Winter Slattery

D+61 2 8274 9585

M+61 412 468 174

Ekevin.lynch@jws.com.au

Website | LinkedIn

Johnson Winter Slattery pays respect to Elders past and present of our nation's Aboriginal and Torres Strait Islander communities. We honour the deep spiritual, cultural and customary connections of Traditional Owners to the Australian landscape, including Australia's waterways, land, and sea country.

IMPORTANT NOTICE

This email and any attachments are confidential material and may be subject to legal or other professional privilege. If you are not the intended recipient, please tell us immediately by return email and delete it. Confidentiality and privilege are not waived and you must not disclose or use any of the material. Unauthorised access, use or reproduction in any form by any person other than the intended recipient is prohibited. We do not warrant that this email or any files transmitted with it are free of viruses or any other

electronic defect. Liability limited by a scheme approved under Professional Standards Legislation.

~*~

From: Associate StewartJ <Associate.StewartJ@fedcourt.gov.au>

Sent: Thursday, 16 April 2026 8:39 AM

To: Rachelle Duffy <rlduffy@hwle.com.au>; Peta Tumpey <ptumpey@hwle.com.au>; Stephanie Lambros <slambros@hwle.com.au>; Kevin Lynch <kevin.lynch@jws.com.au>; michael.gonski@hsfkramer.com; nerida.jessup@hsfkramer.com; nakul.bhagwat@hsfkramer.com; tiffany.mace@hsfkramer.com; Danya Balakrishnan <danya.balakrishnan@jws.com.au>; alessandra.hayward@hsfkramer.com; bec.tannenbaum@hsfkramer.com; Joseph El Hagg <joseph.elhagg@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>

Cc: nsd4422026@fedcourt.gov.au; nsd5072026@fedcourt.gov.au

Subject: RE: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [HWLE-MATTER.C0146137.1409919] [SEC=OFFICIAL]

OFFICIAL

Dear Practitioners

Thank you for your emails.

I confirm that the joint case management hearing on 24 April 2026 will be live streamed on the Court's YouTube channel.

Kind regards
Varun

Varun Rao

Associate to the Hon Justice A M Stewart

Federal Court of Australia | Level 19, 184 Phillip Street Sydney NSW 2000

phone: +61 2 8099 8592 | email: Associate.StewartJ@fedcourt.gov.au | www.fedcourt.gov.au

From: Rachelle Duffy <rlduffy@hwle.com.au>

Sent: Wednesday, 15 April 2026 7:57 PM

To: Associate StewartJ <Associate.StewartJ@fedcourt.gov.au>

Cc: Peta Tumpey <ptumpey@hwle.com.au>; Stephanie Lambros <slambros@hwle.com.au>; kevin.lynch@jws.com.au; michael.gonski@hsfkramer.com; nerida.jessup@hsfkramer.com; nakul.bhagwat@hsfkramer.com; tiffany.mace@hsfkramer.com; danya.balakrishnan@jws.com.au; alessandra.hayward@hsfkramer.com; bec.tannenbaum@hsfkramer.com; joseph.elhagg@jws.com.au; Angelina.Lockley@jws.com.au; nsd4422026@fedcourt.gov.au; nsd5072026@fedcourt.gov.au

Subject: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [HWLE-MATTER.C0146137.1409919]

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Dear Associate

Thank you, we acknowledge receipt of the **below** correspondence.

We confirm that the Applicants in proceeding numbered NSD507/2026 do not object to the case management hearing listed on 24 April 2026 only being live streamed.

Yours faithfully

Peta Tumpey
Partner

Rachelle Duffy
Solicitor

HWLE
LAWYERS

Level 9, 5 Martin Place |
Sydney NSW 2000
T +61 2 9334 8894 | M 0437
473 577 | E
ptumpey@hwle.com.au
HWLE.COM.AU

HWLE
LAWYERS

Level 9, 5 Martin Place |
Sydney NSW 2000
T +61 2 9138 2357 | E
rlduffy@hwle.com.au
HWLE.COM.AU

ADELAIDE | BRISBANE | CANBERRA | DARWIN | HOBART | MELBOURNE | NORWEST | PERTH | SYDNEY

Cyber fraud warning - please note that HWLE Lawyers will not notify you of a change to the firm's bank account details via email. If you are in any doubt, please telephone your known contact at the firm, with their known contact details, to verbally confirm the relevant bank account details prior to transferring funds electronically. Similarly, we may contact you to verify payment details in particular circumstances.

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. Please do not click on any links or open attachments unless you recognise the sender and have verified that the communication is genuine. This notice should not be deleted or altered.

From: Associate StewartJ <Associate.StewartJ@fedcourt.gov.au>

Sent: Tuesday, 14 April 2026 11:15 AM

To: Peta Tumpey <ptumpey@hwle.com.au>; Stephanie Lambros <slambros@hwle.com.au>; Rachelle Duffy <rlduffy@hwle.com.au>

Cc: Kevin Lynch <kevin.lynch@jws.com.au>; Gonski, Michael <michael.gonski@hsfkramer.com>; Jessup, Nerida <nerida.jessup@hsfkramer.com>; nakul.bhagwat@hsfkramer.com; Mace, Tiffany <tiffany.mace@hsfkramer.com>; Danya Balakrishnan <danya.balakrishnan@jws.com.au>; Hayward, Alessandra <alessandra.hayward@hsfkramer.com>; Tannenbaum, Bec <bec.tannenbaum@hsfkramer.com>; Joseph El Hagg <joseph.elhagg@jws.com.au>; Angelina Lockley <Angelina.Lockley@jws.com.au>; nsd4422026@fedcourt.gov.au; nsd5072026@fedcourt.gov.au

Subject: FW: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [SEC=OFFICIAL]

This message is from an external sender

[Report Suspicious](#)

OFFICIAL

Dear Practitioners

I refer to my email below.

Chambers would be grateful if the solicitors for the **applicants in proceeding NSD507/2026** could kindly confirm receipt of the below email and confirm their clients' position regarding live streaming of the joint case management hearing on 24 April 2026.

Kind regards
Varun

Varun Rao

Associate to the Hon Justice A M Stewart
Federal Court of Australia | Level 19, 184 Phillip Street Sydney NSW 2000
phone: +61 2 8099 8592 | email: Associate.StewartJ@fedcourt.gov.au | www.fedcourt.gov.au

From: Associate StewartJ <Associate.StewartJ@fedcourt.gov.au>

Sent: Thursday, 2 April 2026 3:29 PM

To: Kevin Lynch <kevin.lynch@jws.com.au>; ptumpey@hwle.com.au; Gonski, Michael <michael.gonski@hsfkramer.com>; Jessup, Nerida <nerida.jessup@hsfkramer.com>; slambros@hwle.com.au; rlduffy@hwle.com.au; Joseph El Hagg <joseph.elhagg@jws.com.au>; Mace, Tiffany <tiffany.mace@hsfkramer.com>; Danya Balakrishnan <danya.balakrishnan@jws.com.au>; Hayward, Alessandra <alessandra.hayward@hsfkramer.com>; Tannenbaum, Bec <bec.tannenbaum@hsfkramer.com>
Cc: nsd4422026@fedcourt.gov.au; nsd5072026@fedcourt.gov.au

Subject: NSD442/2026 - Sandilands & ors v Cth Broadcasting Corp & anor; NSD507/2026 - Henderson & anor v Cth Broadcasting Corp & anor [SEC=OFFICIAL]

OFFICIAL

Dear Practitioners

NSD442/2026 KYLE DALTON SANDILANDS & ORS v COMMONWEALTH BROADCASTING CORPORATION PTY LTD ACN 000 019 796 & ANOR
NSD507/2026 JACQUELINE ELLEN HENDERSON & ANOR v COMMONWEALTH BROADCASTING CORPORATION PTY LTD (ACN 000 019 796) & ANOR

I refer to the above two matters. Both matters are docketed to Justice Stewart. Please ensure that all correspondence with Chambers is directed to this email address and that any relevant party is copied in.

[Joint case management hearing on 24 April 2026 \(not before 10:15am\)](#)

Currently, proceeding NSD442/2026 (**the Sandilands proceeding**) is listed for case management before Justice Stewart on 24 April 2026. Given that proceeding NSD507/2026 (**the Henderson proceeding**) has now been filed, and noting the obvious overlap in the circumstances giving rise to the claims in both proceedings, his Honour has decided to list both matters on that date for joint case management.

Both proceedings have therefore been listed for joint case management on 24 April 2026. To enable other matters on his Honour's list that day to be dealt with first, **the joint case management hearing is listed for 'not before' 10.15am.**

[Affidavits, submissions and proposed orders](#)

His Honour directs the parties to prepare short written submissions (no more than a few pages identifying the principal contentions to be advanced and authorities to be relied on), **to be filed and served by 10.15am on 23 April 2026**, which address the following two topics:

1. Whether the two proceedings should travel together, including whether they should be heard together; and
2. What level of expedition or urgency there is in either proceeding, but particularly having regard to what the prospects are of an order for specific performance ultimately being made in the Sandilands proceeding.

If any party is to rely on **any evidentiary material** (in addition to that previously filed and read by the applicants in the Sandilands proceeding) for the consideration of the above issues, then that material should be filed and served **by 5.00pm on 21 April 2026.**

Any proposed orders (whether competing or agreed) should use the **attached** template and be provided to Chambers, along with appearances, **by 10:15am on 23 April 2026**.

Pleadings

Under existing orders, the respondents' defence/s and any cross-claim/s in the Sandilands proceeding are due to be filed and served by 21 April 2026. It would obviously greatly assist the discussion of the issues raised above if the respondents were at least able to articulate at the joint case management hearing (if not before) what defences and cross-claims, if any, they intend to plead in the Henderson proceeding. **They are requested to be in a position to do so.**

Open justice

His Honour would also like to discuss with the parties at the joint case management hearing whether the parties have any objection to the establishment of an open online court file for these matters, and if such a file is to be established, what process to adopt for the redaction of personal information such as addresses, email addresses and phone numbers. The parties are requested to confer prior to the joint case management hearing for this purpose.

Also, the Court has received several applications in the Henderson proceeding for access to the unrestricted documents. Under the *Federal Court Rules 2011* (Cth) r 2.32(2), those documents are not normally made available until after the first case management hearing. However, in this case the respondents have been served, they have entered an appearance and they have had the opportunity to consider the documents. His Honour therefore intends on releasing the documents under r 2.32(4). **The respondents are invited to make any submissions against that course by 5.00pm on 8 April 2026, failing which the documents will be released.**

Finally, given the media interest in these proceedings, his Honour intends for the joint case management hearing on 24 April 2026 to be live-streamed on the Court's YouTube channel.

Confirmation of receipt

All parties to each proceeding are requested to confirm receipt of this email and also confirm whether they have any objection to the joint case management hearing being live-streamed, as soon as practicable.

Kind regards
Varun

Varun Rao

Associate to the Hon Justice A M Stewart
Federal Court of Australia | Level 19, 184 Phillip Street Sydney NSW 2000
phone: +61 2 8099 8592 | email: Associate.StewartJ@fedcourt.gov.au | www.fedcourt.gov.au