

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)
Date of Lodgment:	1/05/2025 3:22:09 PM AEST
Date Accepted for Filing:	2/05/2025 11:45:49 AM AEST
File Number:	NSD689/2023
File Title:	BEN ROBERTS-SMITH v FAIRFAX MEDIA PUBLICATIONS PTY LTD (ACN 003 357 720) & ORS
Registry:	NEW SOUTH WALES 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.



Interlocutory application

No. NSD 689, 690 and 691 of 2023

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

BEN ROBERTS-SMITH

Appellant

FAIRFAX MEDIA PUBLICATIONS PTY LTD AND OTHERS

Respondents

To the Appellant and the Respondents.

Person 17, a witness in the proceedings below, 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

Date:

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

Filed on behalf of (name & role of party)	Person 17, Witness
Prepared by (name of person/lawyer)	Rebekah Giles, Lawyer for Person 17
Law firm (if applicable)	Giles George
Tel	1300 163 662
Email	rebekah.giles@gilesgeorge.com.au
Address for service (include state and postcode)	135 King Street Sydney NSW 2000



Interlocutory orders sought

1. Pursuant to s 37AI of the *Federal Court of Australia Act* 1976 (Cth) (the **Act**) an interim order (until further order of the Court) prohibiting the publication or disclosure of:
 - a. Pages 79 - 82 of Exhibit NM-1 to the affidavit of Nicholas McKenzie affirmed 14 April 2025 (Court book page ref: 812 – 815); and
 - b. Pages 1 - 7 of Confidential Exhibit NM-2 to the affidavit of Nicholas McKenzie affirmed 14 April 2025 (Court book page ref: 957-963).
2. This application be listed at _____ on _____ for determination.
3. Pursuant to ss 37AF of the Act and on the grounds referred to in s 37AG(1)(a) and (c) of the Act an order prohibiting the publication or disclosure of:
 - a. Pages 79 - 82 of Exhibit NM-1 to the affidavit of Nicholas McKenzie affirmed 14 April 2025 (Court book page ref: 812 – 815); and
 - b. Pages 1 - 7 of Confidential Exhibit NM-2 to the affidavit of Nicholas McKenzie affirmed 14 April 2025 (Court book page ref: 957-963),for a period of 10 years from the date of this order or until further order of the Court.
4. Paragraphs 1 and 3 of these orders do not prohibit disclosures to and between the following people, which are expressly permitted by these orders:
 - a. judges of this Court;
 - b. necessary Court staff (including transcription service providers);
 - c. the parties;
 - d. legal representatives of the parties instructed in these proceedings or an appeal from any decision made in the course of this proceeding, including in-house counsel of the first respondent;
 - e. legal representatives for the Commonwealth instructed in these proceedings or an appeal from any decision made in the course of this proceeding; and
 - f. judicial officers and necessary Court staff (including transcription service providers) of any court hearing an appeal from any decision made in the course of this proceeding.
5. Any other order that the Court deems fit or thinks necessary.

**Service on the Appellant and Respondents**

It is intended to serve this application on the Appellant and the Respondents.

Date: 1 May 2025



Signed by Rebekah Giles
Lawyer for the Applicant, Person 17