

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: 6/02/2025 10:20:02 AM AEDT
Date Accepted for Filing: 6/02/2025 2:27:06 PM AEDT
File Number: VID1368/2024
File Title: AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION v HSBC
BANK AUSTRALIA LIMITED ACN 006 434 162
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: Case Management Hearing
Time and date for hearing: 07/02/2025, 2:00 PM
Place: COURT 9C (Level 9), Owen Dixon Commonwealth Law Courts Building
Level 7, 305 William Street, Melbourne



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. VID1368 of 2024

Federal Court of Australia
District Registry: Victoria
Division: General

Australian Securities and Investments Commission

Plaintiff

HSBC Bank Australia Limited (ACN 006 434 162)

Defendant

To the Plaintiff

The Defendant 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: 305 William Street, Melbourne VIC 3000

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) HSBC Bank Australia Limited (ACN 006 434 162)
Prepared by (name of person/lawyer) Lorraine Hui
Law firm (if applicable) Ashurst Australia
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(include state and postcode)



Interlocutory orders sought

1. Pursuant to s 37AF of the *Federal Court of Australia Act 1976* (Cth) (**Act**), the following documents are to be kept confidential and not published or otherwise disclosed to any person other than the plaintiff (and staff of the plaintiff), the defendant, any legal representatives retained by the plaintiff (including solicitors, barristers and any support staff of those solicitors and barristers), independent expert witnesses for the parties and the Court (and any Court staff or any other person assisting the Court), and not be capable of inspection pursuant to r 2.32 of the *Federal Court Rules 2011* (Cth) by a person who is not a party to the proceeding on the grounds that this order is necessary to prevent prejudice to the proper administration of justice under s 37AF(1)(a) of the Act:
 - (a) the text of the Statement of Claim highlighted in grey in Confidential Exhibit SE-1 to the Confidential Affidavit of Scott Malcolm Ellis affirmed on 6 February 2025; and
 - (b) the text highlighted in grey in the Confidential Affidavit of Scott Malcolm Ellis affirmed on 6 February 2025.

Service on the plaintiff

It is intended to serve this application on the plaintiff.

Date: 6 February 2025

A handwritten signature in black ink, appearing to read "L Hui", is written over a horizontal line.

Signed by Lorraine Hui
Lawyer for the defendant