

## NOTICE OF FILING AND HEARING

### Filing and Hearing Details

Document Lodged: Interlocutory Application (Human Rights Div 2.4 Exemption) - Form 35 - Rule 17.01(1)(a)  
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)  
Date of Lodgment: 5/08/2025 10:42:05 AM AEST  
Date Accepted for Filing: 5/08/2025 11:47:44 AM AEST  
File Number: NSD950/2025  
File Title: JOSEPH TOLTZ & ORS v NICK RIEMER & ANOR  
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.

Form 35  
Rule 17.01(1)



## Interlocutory application

No. NSD950 of 2025

Federal Court of Australia  
District Registry: NSW  
Division: Human Rights

**Joseph Toltz** and others  
Applicants

**Nick Riemer** and another  
Respondents

To the Applicants and the Second Respondent

The First Respondent 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:** 184 Philip Street Sydney

The Court ordered that the time for serving this application be abridged to

Date: 5 August 2025

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

Filed on behalf of (name & role of party) Nick Riemer, First Respondent  
Prepared by (name of person/lawyer) Michael Bradley  
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### Interlocutory orders sought

1. Pursuant to rule 16.21 of the *Federal Court Rules 2011* (Cth), the following parts of the Amended Statement of Claim filed in this proceeding on 30 July 2025 be struck out with no leave to replead.
  - a. The words “*or is eligible to be*” in paragraph 7.
  - b. In respect of paragraph 8:
    - i. the word “*descent*” in subparagraph 8(a); and
    - ii. the words “*and/or nationality*” in subparagraph 8(b).
  - c. In respect of paragraph 10:
    - i. the words “*predominantly Jewish people and/or Israeli*”; and
    - ii. the words “*A substantial proportion of Jewish and/or Israeli people identify themselves as Zionists*”.
  - d. Paragraph 21.
  - e. The words “*more than 5,000*” and “*some 1,400*” in paragraph 22.
  - f. Paragraphs 23 to 25 (inclusive).
  - g. Paragraph 28.
  - h. Paragraph 32.
  - i. The words “*that closely follows and mimics Dr Riemer. Further particulars are provided by letter of the Applicants’ solicitors of 30 July 2025*” in subparagraph (a) to the particulars to paragraph 34.
  - j. The images contained in paragraph 35.
  - k. Paragraph 87.
2. The Applicants pay the First Respondent’s costs of this application.
3. Such further or other order as the Court deems fit.

### Service on the Applicants and the Second Respondent

It is intended to serve this application on the Applicants and the Second Respondent.



Date: 5 August 2025

A handwritten signature in black ink, consisting of stylized initials and a long horizontal flourish.

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Signed by Michael Bradley  
Lawyer for the First Respondent