

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged:	Interlocutory Application - Application to Set Aside a Subpoena - Form 35 - Rule 17.01(1)(a)
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	24/04/2025 9:37:17 AM AEST
Date Accepted for Filing:	24/04/2025 10:22:50 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 of 2023

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

Ben Roberts-Smith VC MG

Appellant

Fairfax Media Publications Pty Limited and others named in the schedule

Respondents

To the Appellant

Peter Bartlett, the addressee (subpoena recipient) to the subpoena filed by the Appellant on 22 April 2025 addressed to him, 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: Federal Court of Australia, Law Courts Building, 184 Phillip Street, Queens Square, Sydney NSW 2000

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)

Peter Bartlett, addressee (subpoena recipient) to subpoena filed by the
Appellant on 22 April 2025

Prepared by (name of person/lawyer)

Lucy Williams and Julia Hewitt

Law firm (if applicable) K&L Gates

Tel +61 2 9513 2341

Fax +61 2 9513 2399

Email lucy.williams@klgates.com; julia.hewitt@klgates.com

Address for service Level 31, 1 O'Connell Street, Sydney NSW 2000
(include state and postcode)

**Interlocutory orders sought**

1. This Interlocutory Application be made returnable and, if convenient to the Court, listed for hearing at 10.15am on 29 April 2025.
2. The Appellant's subpoena to give evidence addressed to Peter Bartlett filed 22 April 2025 be set aside.
3. Costs.

Service on the Appellant

It is intended to serve this application on the Appellant.

Date: 23 April 2025

A handwritten signature in blue ink, appearing to be "Lucy Williams", is written above a horizontal dotted line.

Signed by Lucy Williams
Lawyer for Peter Bartlett, addressee
(subpoena recipient)



Schedule

No. NSD 689 of 2023

Federal Court of Australia

District Registry: New South Wales

Division: General

Second Respondent: Nick McKenzie

Third Respondent: Chris Masters

Fourth Respondent: David Wroe