



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD689/2023

BEN ROBERTS-SMITH

Appellant

FAIRFAX MEDIA PUBLICATIONS PTY LTD (ACN 003 357 720) and others named in
the schedule

Respondents

ORDER

JUDGE: Justice Perram, Justice Katzmann and Justice Kennett

DATE OF ORDER: 1 May 2025

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Pursuant to section 37AF of the *Federal Court of Australia Act 1976* (Cth) and on the grounds that are referred to in section 37AG(1)(a) and (c) of the Act, the publication or disclosure of pages 79 to 82 of exhibit NM-1 to the affidavit of Nicholas David McKenzie affirmed 14 April 2025, which is at court book pages 812 to 815, and pages 1 to 7 of confidential exhibit NM-2 to the affidavit of Mr McKenzie affirmed 14 April 2025, which is at court book 957 to 963, is prohibited.
2. Order 1 does 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;
 - 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.

Date orders authenticated: 1 May 2025

Sia Lagos
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



Schedule

No: NSD689/2023

Federal Court of Australia

District Registry: New South Wales Registry

Division: General

Interested Person	DEAN LEVITAN
Interested Person	PETER BARTLETT
Interested Person	PERSON 17
Second Respondent	NICK MCKENZIE
Third Respondent	CHRIS MASTERS
Fourth Respondent	DAVID WROE