



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID519/2021

OFFICE OF SENATOR PATRICK

Applicant

AUSTRALIAN INFORMATION COMMISSIONER

Respondent

ORDER

JUDGE: JUSTICE WHEELAHAN

DATE OF ORDER: 16 March 2022

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Pursuant to r 40.51 of the *Federal Court Rules 2011* (Cth) the maximum costs as between party and party that may be recovered in the proceeding in relation to the trial of the applications marked “separate question” in Appendix A to the further amended originating application dated 10 December 2021 is \$80,000.
2. Order 8 of the order made on 8 December 2021 is set aside.
3. Orders 2 and 3 of the order made on 2 March 2022 are set aside.
4. The applicant’s application for interlocutory relief under r 40.51 of the *Federal Court Rules 2011* (Cth) in the further amended originating application dated 10 December 2021 is otherwise dismissed.
5. Costs of the interlocutory application are in the cause.
6. The proceeding is listed for a case management hearing at 9.30 am on 25 March 2022.

OTHER MATTERS:

- A. These orders are by consent.



B. The parties informed the court of their agreement that the “cause” referred to in order 5 is the determination of the applications marked “separate question” in Appendix A to the further amended originating application dated 10 December 2021.

Date that entry is stamped: 16 March 2022.

Sia Lagos
Registrar