



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD584/2019

**PLAINTIFF S111A/2018**

Applicant

**MINISTER FOR HOME AFFAIRS** and others named in the schedule

Respondent

**ORDER**

**JUDGE:** JUSTICE MORTIMER

**DATE OF ORDER:** 23 May 2022

**WHERE MADE:** Melbourne

**THE COURT ORDERS THAT:**

1. Subject to order 2 below:
  - a. the respondents pay the applicant's costs of and incidental to the commencement of the proceeding in the High Court on 17 April 2018, and pay the applicant's costs of the proceeding up until 16 May 2019, to be fixed by way of a lump sum; and
  - b. the respondents pay the applicant's costs of the proceeding, from 29 October 2020, to be fixed by way of a lump sum.
2. The respondents must pay only 70% of the applicant's lump sum costs referred to in order 1(b), but must pay all of the applicant's lump sum costs referred to in order 1(a).
3. If the parties cannot agree on appropriate lump sums payable under order 1, then the question of appropriate lump sum costs be referred to a Registrar of the Court for determination.
4. Any existing costs orders, and orders reserving costs, be vacated.

Date that entry is stamped: 23 May 2022

*Sia Lagos*  
Registrar



**Schedule**

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Second Respondent      COMMONWEALTH OF AUSTRALIA

Third Respondent      DIRECTOR-GENERAL OF SECURITY