Form 120

Rule 35.31(1)

Notice of withdrawal of application

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

**[Name of First Applicant]** [if 2 or more add "and another" or "and others"]

Applicant[s]

**[Name of First Respondent]** [if 2 or more add "and another" or "and others"]

Respondent[s]

The Applicant withdraws [\*either]the whole of the application [\*or if part of the application, specify part with reference to claim numbers in the relevant application].

[\*either]Each party consents to the withdrawal.

[\*or]The withdrawal is by consent on the following terms:

1. [specify in numbered paragraphs the terms of the consent].

Date: [eg 19 June 20..]

|  |
| --- |
| Signed by [Name]  [Insert capacity eg Applicant / Lawyer for the Applicant] |

[\*If the withdrawal is by consent, each party, or the party’s lawyer, must sign the notice of withdrawal]

[\*]Date: [eg 19 June 20..]

|  |
| --- |
| [\*]Signed by [Name]  [Capacity eg consenting Respondent / Lawyer for the consenting Respondent] |

[\* Delete if inapplicable]

*Note*

Under rule 35.31, a party who has filed a withdrawal under rule 35.31(1) must pay the costs of each other party to the application.