

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 2/10/2019 3:09:47 PM AEST and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Statement of Agreed Facts
File Number: NSD989/2019
File Title: AUSTRALIAN BROADCASTING CORPORATION v MARTIN KANE & ORS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads 'Warwick Soden'.

Dated: 2/10/2019 3:16:46 PM AEST

Registrar

Important Information

As required by the Court's Rules, 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 and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



SUPPLEMENTARY STATEMENT OF AGREED FACTS

FEDERAL COURT OF AUSTRALIA
DISTRICT REGISTRY: NEW SOUTH WALES
Division: General

No NSD 989 of 2019

AUSTRALIAN BROADCASTING CORPORATION

Applicant

MARTIN KANE

and others named in the Schedule
Respondents

PART I INTRODUCTION

1. The parties agreed and filed with the Court a statement of agreed facts and issues on 24 September 2019 (the **Statement**). This statement of agreed facts is intended to be read together with, and supplement, the Statement.

PART II FACTS

2. Paragraph 71 of the Statement contains an error and should read:

On ~~18 July 2019~~ 30 May 2019, McBride was committed to stand trial in respect of the alleged McBride offences pursuant to s 88B of the *Magistrates Court Act 1930* (ACT), on his application and with the prosecutor's consent (**McBride proceeding**).

Date: 2 October 2019

.....
Kristy Alexander
AGS lawyer
for and on behalf of the Australian Government Solicitor
Lawyer for the Respondents

.....
Michael Rippon
Lawyer for the Applicant

Filed on behalf of the Second and Third Respondents
Prepared by: Tristan Lockwood
AGS lawyer within the meaning of s 55I of the *Judiciary Act 1903*

File ref: 19004307

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Schedule

FEDERAL COURT OF AUSTRALIA
DISTRICT REGISTRY: NEW SOUTH WALES
Division: General

No NSD 989 of 2019

Respondents

Second Respondent

Commissioner of the Australian Federal Police

Third Respondent

Agent Ian Brumby of the Australian Federal Police

Date: 2 October 2019