

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 6/04/2021 2:29:49 PM AEST and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Interlocutory Application - Form 35 - Rule 17.01(1)(a)
File Number:	NSD1485/2018
File Title:	BEN ROBERTS-SMITH v FAIRFAX MEDIA PUBLICATIONS PTY LTD (ACN 003 357 720) & ORS
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink that reads 'Sia Lagos'.

Dated: 7/04/2021 12:37:12 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 Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

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.



Form 35
Rule 17.01(1)

Amended Interlocutory application

No. NSD1485, 1486 and 1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General

Ben Roberts-Smith

Applicant

Fairfax Media Publications Pty Limited and Ors

Respondents

To the Applicant

The Respondents apply for the interlocutory orders set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Time and date for hearing:

Place: Law Courts Building, Queens Square, Phillip Street Sydney NSW 2000

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Date:

Signed by an officer acting with the authority
of the District Registrar

Filed on behalf of	Fairfax Media Publications Pty Limited, Nick McKenzie, Chris Masters and David Wroe, Respondents
Prepared by	Peter Bartlett
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Interlocutory orders sought

1. The Respondents be granted leave to issue a Subpoena to Give Evidence at the trial to each of the following persons:
 - (a) Person 24;
 - (b) Person 31;
 - (c) Person 40;
 - (d) Person 41;
 - (e) Person 42;
 - (f) Person 43;
 - (g) Person 56;
 - (h) Person 69;
 - (i) Person 70;
 - (j) Emma Roberts-Smith;
 - (k) Danielle Scott-Flanders;
 - (l) John McLeod.
2. The respondents be granted leave to amend their Defence to include particulars in the document entitled "SECRET — Confidential —Additional truth particulars" to be served in accordance with the s38B orders made on 5 March 2021.
3. The Respondents be granted leave to file and serve an Outline of Evidence for Person 18.
4. The Respondents be granted leave to file and serve an Outline of Evidence for John McLeod.
5. Such further or other order as the Court thinks fit.

Service on the Applicant

It is intended to serve this application on the Applicant and on the Commonwealth of Australia.



Date: April 2021

A handwritten signature in blue ink, appearing to read "P. Bartlett", is written over a horizontal line.

Signed by Peter Bartlett
Lawyer for the Respondents