



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

No: NSD1555/2019

CIGNO PTY LTD ACN 612 373 734
Applicant

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION
Respondent

ORDER

JUDGE: JUSTICE STEWART

DATE OF ORDER: 31 October 2019

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. The applicant have leave to file an amended originating application deleting s 39B of the *Judiciary Act 1903* (Cth), and in substitution thereof, inserting s 1337B(1) of the *Corporations Act 2001* (Cth), as the source of the Court's jurisdiction.
2. By 7 November 2019, the applicant to file and serve the amended originating application.
3. By 19 December 2019, the respondent to file and serve any affidavits and documents on which it intends to rely at the hearing.
4. By 17 February 2020, the applicant to:
 - (a) file and serve any affidavits and documents in reply; and
 - (b) file and serve a hard copy and electronic copy of the court book containing all the affidavits and documents on which the parties intend to rely.
5. By 24 February 2020:
 - (a) If any party requires another party's witness for cross-examination it is to notify such other party and the Associate of Stewart J by email and shall include in such notice an estimate of the length of time required for cross-examination;
 - (b) If any party intends to take an objection to another party's evidence it shall serve a schedule which:
 - i. identifies each objection;



- ii. sets out the detailed basis for the objection including a reference to authority or legislation relied on;
 - iii. contains a column for the other party to include its response to the objection including any authority or legislation relied on; and
 - iv. contains a column for any ultimate rulings on objections to be recorded.
6. By 24 February 2020, the applicant to file and serve its outline of submissions which are to be easily legible using a font size of at least 12 points and one and a half line spacing throughout, including in any footnotes and annexures, and limited to no more than 20 pages.
7. By 9 March 2020, a party receiving a schedule of objections to its evidence as contemplated by Order 5(b), to re-serve such schedule with the column referred to in Order 5(b)(iii) completed;
8. By 9 March 2020, the respondent to file and serve its outline of submissions with the same requirements and limitations as set out in Order 6.
9. By 16 March 2020, the applicant to file and serve its submissions in reply with the same requirements and limitations as set out in Order 6 save that they shall be no more than 10 pages.
10. By 23 March 2020:
 - (a) Both parties to file lists of authorities in accordance with the Lists of Authorities and Citations Practice Note (GPN-AUTH).
 - (b) The applicant to file a hard copy and electronic copy of the joint bundle of Part A authorities, comprising both parties' Part A authorities.
 - (c) Both parties to email to the Associate of Stewart J any objection schedules duly completed as contemplated by Orders 5 and 7 and updated after having first conferred with each other in a genuine effort to limit any objections remaining in contention.
11. The proceeding be listed for a one-day hearing commencing at 10.15am on 30 March 2020.

Date that entry is stamped: 31 October 2019


Registrar