



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

No: NSD1751/2018

TAKE-TWO INTERACTIVE SOFTWARE, INC and another named in the schedule of parties
First Applicant

THE PERSON/S KNOWN AS “CHRISTOPHER ANDERSON”, “CYRUS LESSER”, “SFINKTAH”, “KOROUGH ANDERSON” AND “KOROUGH JEDDIAN”
Respondent

ORDER

JUDGE: JUSTICE NICHOLAS

DATE OF ORDER: 28 SEPTEMBER 2018

WHERE MADE: Sydney

THE COURT ORDERS THAT:

Renaming the proceeding

1. The proceeding be renamed such that the Respondent’s description be amended to “Christopher Anderson”. Consequentially:
 - (a) the Applicants’ Originating Application and the Statement of Claim be taken to be amended accordingly;
 - (b) the Applicants are excused from any requirement to serve a copy of the renamed Originating Application on the Respondent;
 - (c) the Respondent is taken to have been served with a copy of the renamed Originating Application at the time orders D-3 and D-4 made on 21 September 2018 were complied with.



Service on the Respondent

2. The Applicants be permitted to serve documents on the Respondent, including the filed Statement of Claim, via email at the email address sfinktah@live.com, such service to be taken to comply with the service requirements under the *Federal Court Rules 2011* (Cth).

Disclosures necessary during execution of the search order

3. Order A20 dated 21 September 2018 be varied such that the words “(other than their general condition)” are added after the words “... anything observed at the premises ...” *nunc pro tunc*, and the Applicants’ lawyers be released from undertaking D2-5 in Schedule D2 to the orders dated 21 September 2018.
4. The words “until 4:30pm on the Return Date” in order A20 made on 21 September 2018 be amended to “until 9:15am on the Return Date”.
5. The independent lawyers and the independent computer experts be permitted to disclose to the Applicants’ solicitors, and the Applicants’ solicitors be permitted to disclose to the Applicants, information about whether any of the things removed by the independent lawyers and the independent computer experts from the **Parnell St Premises** (defined in order A5(g) dated 21 September 2018) includes any of the listed things identified in category A1-3 or A1-4 of Schedule A1 to the orders dated 21 September 2018.

Extension of time for the independent computer experts to do imaging, etc

6. Order A21(f) dated 21 September 2018 be amended by replacing the words “prior to the hearing on the Return Date,” with the words “on or before 12 October 2018”.
7. Order A21(g) dated 21 September 2018 be amended by replacing the words “at or prior to the hearing on the Return Date” with the words “on or before 12 October 2018”.
8. The time for Mr Saltzman, as independent lawyer, to provide a report (attaching a copy of any list made pursuant to the search order and a copy of any report received from the independent computer experts) pursuant to undertaking D3-3 in Schedule



D3 to the orders dated 21 September 2018, be extended to on or before 12 October 2018.

Progress of pleadings

9. The Respondent file and serve any Defence on or before 19 October 2018.
10. The Applicant file and serve any Reply on or before 26 October 2018.


Case management hearing

11. The proceeding be listed for a case management hearing on 31 October 2018 at 9:30am.

Suppression

12. Subject to order 13 below, and without prejudice to any further application for suppression orders any party may make, suppression orders D-11 and D-12 made on 21 September 2018 be lifted forthwith.
13. Suppression order D-11 made on 21 September 2018 is not lifted in the case of any information contained in Confidential Annexure DA-1 to the affidavit of David Andrews affirmed 18 September 2018.
14. Suppression order D-11 be lifted *nunc pro tunc* from 9.00 am on 25 September 2018 in respect of Mr Saltzman, as independent lawyer, in connection with the matters involving the Respondent's motor vehicle Registration No. "1AJ-2FU" and his discussions with the RACV and Brighton Ford, as deposed in the first affidavit of Darron Samuel Saltzman sworn 27 September 2018.

Date that entry is stamped: 28 September 2018


Registrar



Schedule of Parties

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Second Applicant: **ROCKSTAR GAMES, INC**