



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

No: NSD1908/2016

GAVIN SMITH and others named in the schedule
Applicant

DEPARTMENT OF DEFENCE and another named in the schedule
Respondent

ORDER

REGISTRAR: REGISTRAR NG

DATE OF ORDER: 17 April 2019

WHERE MADE: Sydney

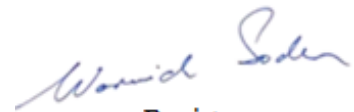
THE COURT ORDERS THAT:

1. Leave be granted to the parties to inspect and copy in the Registry, the documents produced in accordance with the Subpoenas addressed to Chubb (S18).
2. Leave be also granted to the solicitors for the parties to uplift these documents, for the purposes of inspection and copying, on the following conditions:
 - (a) If original documents rather than copies have been produced, the solicitor provides to the Registry a letter of consent from the person to whom the subpoena is addressed.
 - (b) Documents not leave the custody of the solicitor, or counsel instructed by the solicitor.
 - (c) Documents be returned to the Registry in the same condition, order and packaging as when uplifted.
 - (d) Documents be returned promptly and, in any event, when an officer of the Registry so requests.
3. The applicant for this order to notify the parties not appearing today of these orders.
4. On completion of this matter, the Registrar may return to the addressee of the subpoena any document without giving the issuing party any further notice.



5. The balance of the outstanding Subpoenas addressed to Chubb Fire & Security Pty Ltd be adjourned to 9.30 am on Wednesday, 8 May 2019 at Law Courts Building, Queens Square, Sydney.
6. The date by which any notice of objection in relation to the documents produced in response to the Chubb Subpoena or any application to set aside that subpoena be filed, be extended to 8 may 2019.

Date that entry is stamped: 17 April 2019


Registrar

Subsection 35A (5) of the *Federal Court of Australia Act 1976* (the *Act*) provides that a party to proceedings in which a Registrar has exercised any of the powers of the Court under subsection 35A (1) of the Act may, within the time prescribed by the Rules of Court, or within any further time allowed in accordance with the Rules of Court, apply to the Court to review that exercise of power.

Rule 3.11 provides that a party may apply to the Court under subsection 35A (5) of the Act for review of the exercise of a power of the Court by a Registrar and that any application must be made within 21 days after the day on which the power was exercised. A party seeking a review can apply to the Court to dispense with any requirement of the Rules (Rule1.34).



Schedule

No: NSD1908/2016

Federal Court of Australia
District Registry: New South Wales
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Second Applicant	KIM SMITH
Third Applicant	ANN AND LINDSAY CLOUT SMSF PTY LTD ACN 154 516 006
Fourth Applicant	ANN CLOUT
Fifth Applicant	LINDSAY CLOUT
Sixth Applicant	JOHN ARTHUR HEWITT
Seventh Applicant	CHANTEL WALKER
Eighth Applicant	MARSHALLS TRANSPORT PTY LTD
Ninth Applicant	NICHOLAS MARSHALL
Tenth Applicant	MELISSA MARSHALL
Respondent	COMMONWEALTH OF AUSTRALIA (DEPARTMENT OF DEFENCE)