



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

No: NSD215/2019

**THE OWNERS - STRATA PLAN 87231**

Applicant

**3A COMPOSITES GMBH** and another named in the schedule

Respondent

**ORDER**

**REGISTRAR:** REGISTRAR O'CONNOR

**DATE OF ORDER:** 01 May 2019

**WHERE MADE:** Sydney

**THE COURT ORDERS THAT:**

1. Leave be granted to the Applicant to have First Access to inspect and copy in the Registry, the documents produced in accordance with the Subpoenas addressed to Bayside Council (S1) for 6 hours until 1.00pm on 1 May 2019 and general access to the parties thereafter on documents produced where privileged is not claimed.
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:
  - b. 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.
  - c. Documents not leave the custody of the solicitor, or counsel instructed by the solicitor.
  - d. Documents be returned to the Registry in the same condition, order and packaging as when uplifted.
  - e. 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.

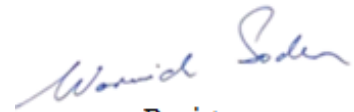


4. On completion of this matter, the Registrar may return to the addressee of the subpoena any document without giving the issuing party any further notice.

**THE COURT NOTES THAT:**

5. The Applicant will do everything reasonable and necessary to uplift any documents produced by Bayside Council pursuant to the subpoena the subject of Orders 1, promptly in the morning of 1 May 2019 following the making of Order 1.
6. The Applicant will provide the Second Respondent with an electronic copy of any documents from Bayside Council over which privilege is not claimed, as soon as practicable and if possible, within 6 hours window the subject of Order 1.
7. The Applicant will notify the Second Respondent within the 6 hours window the subject of Order 1 if it becomes apparent to the Applicant that a proper review for the identification of privileged documents cannot be concluded by 1pm on 1 May 2019.

**Date that entry is stamped: 1 May 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**

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Second Respondent      HALIFAX VOGEL GROUP PTY LIMITED