



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD516/2016

DOMINO'S PIZZA ENTERPRISES LTD

Applicant

PRECISION TRACKING PTY LTD and others named in the schedule

First Respondent

ORDER

JUDGE: JUSTICE ROBERTSON

DATE OF ORDER: 29 July 2016

WHERE MADE: Sydney

THE COURT ORDERS THAT:

On the amended interlocutory application by Domino's Pizza Enterprises Limited:

1. Subject to a signed confidentiality undertaking in the form annexed to the interlocutory application filed 11 July 2016 being provided to the first respondent/cross-claimant's solicitors by each of the following persons, each such person shall be permitted to receive schedules 1, 2 and 3 to the statement of cross-claim and the mp4 video file attached to the email from Odette Gourley of Corrs Chambers Westgarth, solicitors for the first respondent/cross-claimant, to Liam Prescott of DLA Piper, solicitors for the applicant/first cross-respondent, dated 18 July 2016:
 - 1.1 Mr Craig Ryan, General Counsel, Company Secretary of the applicant/first-cross respondent;
 - 1.2 Mr Wayne McMahon, Group Chief Information Officer of the applicant/first cross-respondent;
 - 1.3 Mr Phillip Harrys, Group Director Digital Development of the applicant/first cross-respondent;
 - 1.4 Mr Nicholas Knight, Chief Executive Officer for Australia and New Zealand of the applicant/first cross-respondent;
 - 1.5 Ms Renee Rametta, Business Analyst of the applicant/first cross-respondent; and



- 1.6 such other persons as are reasonably required by the applicant/first cross-respondent, following a request by the solicitors for the applicant/first cross-respondent to the solicitors for the first respondent/cross-claimant for consent, which shall not be unreasonably withheld, for that person to be permitted access.
2. Precision Tracking Pty Ltd pay 90% of Domino's Pizza Enterprises Ltd's costs of the interlocutory application.
3. Liberty to apply on three days' notice, including in respect of order 1.6 above.

On the amended interlocutory application by Navman Wireless Australia Pty Ltd:

4. Subject to:
 - (a) a signed confidentiality undertaking in the form annexed to the interlocutory application filed 11 July 2016 being provided to the first respondent/cross-claimant's solicitors by each of the following persons; and
 - (b) General Counsel of the second cross-respondent personally explaining to each of those persons the serious ramifications of any breach of the undertaking and explaining to each of them the implied undertaking given to the Court that any document provided to the Court may only be used by the receiving party for the purposes of the proceeding and no other purpose;

each such person shall be permitted to receive schedules 1, 2 and 3 to the statement of cross-claim and the mp4 video file attached to the email from Odette Gourley of Corrs Chambers Westgarth, solicitors for the first respondent/cross-claimant, to Chelsea Parker of DibbsBarker, solicitors for the second cross-respondent, dated 20 July 2016:

- 4.1 Mr Mark Schwarz, General Counsel of the second cross-respondent;
- 4.2 Mr Daron Brinson, National Integration Solutions Manager of the second cross-respondent;
- 4.3 Mr Andrew Franchuk, independent consultant of the second cross-respondent;
- 4.4 Mr Chris Parkhurst, Software Development Manager of the second cross-respondent;
- 4.5 Mr Zane Thompson, Global Account Director (Domino's) of the second cross-respondent; and
- 4.6 such other persons as are reasonably required by the second cross-respondent, following a request by the solicitors for the second cross-respondent to the solicitors for the first respondent/cross-claimant for consent, which shall not be unreasonably withheld, for that person to be permitted access.



5. Precision Tracking Pty Ltd pay 90% of Navman Wireless Australia Pty Ltd's costs of the interlocutory application.
6. Liberty to apply on three days' notice, including in respect of order 4.6 above.

Date that entry is stamped: 29 July 2016

Warrick Soden
Registrar



Schedule

No: NSD516/2016

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Second Respondent VLADIMIR LASKY
Third Respondent NATHAN PARROTT
Fourth Respondent ALEXANDER GREEN

CROSS CLAIM

Cross-Claimant PRECISION TRACKING PTY LTD
Cross-Respondent DOMINO'S PIZZA ENTERPRISES LTD
Second Cross-
Respondent NAVMAN WIRELESS AUSTRALIA PTY LTD ACN 123 981
457