



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
Respondent

ORDER

REGISTRAR: REGISTRAR NG
DATE OF ORDER: 21 March 2018
WHERE MADE: Sydney

BY CONSENT, THE COURT ORDERS THAT:

Production by Allegro Funds Pty Ltd and Pizza Pan Group Pty Ltd

1. The Parties to these proceedings be permitted to uplift from the Registry for inspection and copying, and return within one day from the date of uplift, all documents produced by Pizza Pan Group Pty Ltd ACN 614 499 213 (S41) and Allegro Funds Pty Ltd ACN 128 886 053 (S40) pursuant to the subpoenas for production dated 6 February 2018 (the PH Documents).
2. Pursuant to section 37AI of the Federal Court of Australia Act 1976 (Cth), until further order, publication or other disclosure of the PH Documents be prohibited on an interim basis, except as stipulated in order 3 below.
3. Publication and disclosure of the PH Documents may be made to external solicitors and counsel retained by the parties in these proceedings.
4. Any party wishing to apply for leave to disclose the PH Documents otherwise than in accordance with these orders must give at least three business days' notice of the application to Pizza Pan Group Pty Ltd ACN 614 499 213 and Allegro Funds Pty Ltd ACN 128 886 053.



Other Subpoenas

5. Subject to Orders 1(A) and 3 of the orders of 7 March 2018, and order 4 of the orders of 14 March 2018, the undertakings provided by the parties in:
 - (a) Order 2 of the orders made on 28 February 2018;
 - (b) Order 4 of the orders made on 7 March 2018; and
 - (c) Order 5 of the orders made on 14 March 2018,Be extended for a further 7 days.
6. Any objection to access to documents produced in accordance with Annexure A Subpoenas, the Annexure A2 Subpoenas, or the Annexure A3 Subpoenas on the grounds of confidentiality, privilege, or any other ground be subject to Order 9 below.
7. The Subpoenas to Produce addressed to the persons described in Annexure **B4** be adjourned to **9.30am on 28 March 2018**.
8. Order 2 and 11 of the orders of 14 March 2018 are vacated.
9. In respect of any objection to access on the grounds of confidentiality, privilege, or any other grounds in relation to the Annexure A Subpoenas, the Annexure A2 Subpoenas, or the Annexure A3 Subpoenas.
 - (a) the person objecting to access file and serve an affidavit(s) in support setting forth the grounds and facts relied upon by **4.00pm on 28 March 2018**;
 - (b) any submissions or Affidavits in support of access to be file and served by **4.00pm on 4 April 2018**; and
 - (c) any dispute over access be listed before Justice Robertson on a date to be fixed.
10. If an objection is filed and served in accordance with order 9, the parties extend their undertaking in order 5 until the determination of the dispute over access.

In these orders,

Annexure A Subpoenas means the Subpoenas Produce addressed to the persons described in Annexure A of the orders of 28 February 2018.

Annexure A2 Subpoenas mean the Subpoenas to Produce addressed to the persons described in Annexure A2 of the orders of 7 March 2018.

Annexure A3 Subpoenas mean the Subpoenas to Produce addressed to the persons described in Annexure A3 of the orders of 14 March 2018.



Date that entry is stamped: 21 March 2018

Warrick Soden
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 (Rule 1.34).



Schedule

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Federal Court of Australia
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Second Respondent	VLADIMIR LASKY
Third Respondent	NATHAN PARROTT
Fourth Respondent	ALEXANDER GREEN
Fifth Respondent	DELIVERY COMMAND PTY LTD



Annexure B4

1. Kentucky Fried Chicken Pty Ltd
2. Laing O'Rourke Australia Pty Ltd
3. Laing O'Rourke Australia Constructions Pty Ltd
4. Lain O'Rourke (BMC) Pty Ltd
5. Lain O'Rourke Services Pty Limited
6. Yum! Restaurants Australia Pty Ltd