



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 another/others named in the schedule  
Respondent

### **ORDER**

**REGISTRAR:** REGISTRAR NG

**DATE OF ORDER:** 18 April 2018

**WHERE MADE:** Sydney

#### **THE COURT ORDERS THAT:**

1. The Subpoenas to Produce addressed to the persons described in Annexure **B6** be adjourned to **9.30am** on **16 May 2018**.
2. Subject to orders 1(a) and 3 of the orders of 7 March 2018, order 4 of the orders of 14 March 2018, and order 6 of the orders of 28 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;
  - (c) order 5 of the orders made on 14 March 2018,
  - (d) order 5 of the orders made on 28 March 2018,

be extended for a further 28 days, or until such time as the parties agree to a regime in relation to access to the documents the subject of the undertakings.




3. In respect of any objection to access on the grounds of confidentiality, privilege, or any other ground 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 **4pm** on **16 May 2018**;
  - (b) any submissions or affidavits in support of access to be filed and served by **4pm** on **23 May 2018**; and
  - (c) any dispute over access be listed before Justice Robertson on a date to be fixed.
4. If an objection is filed and served in accordance with order 3, the parties extend their undertakings in order 2 until the determination of the dispute over access.
5. Order 4 of the orders of 4 April 2018 is vacated.

In these orders,

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

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

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

  
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: NSD516/2016

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Second Respondent      VLADIMIR LASKY  
Third Respondent      NATHAN PARROTT  
Fourth Respondent      ALEXANDER GREEN  
Fifth Respondent      DELIVERY COMMAND PTY LTD

**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

**CROSS CLAIM**

Cross-Claimant      NAVMAN WIRELESS AUSTRALIA PTY LTD ACN 123 981  
457  
Cross Respondent      PRECISION TRACKING PTY LTD



## **Annexure B6**

1. Kentucky Fried Chicken Pty Ltd
2. Yum! Restaurants Australia Pty Ltd