



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

JUDGE: JUSTICE ROBERTSON

DATE OF ORDER: 12 July 2018

WHERE MADE: Sydney

BY CONSENT, THE COURT ORDERS THAT:

1. Subject to orders 2 and 3, pursuant to section 37AI of the Federal Court of Australia Act 1976 (Cth), until further order, publication or other disclosure of the documents described in **Schedules 1 and 2** is prohibited on an interim basis, on the ground that it is necessary to prevent prejudice to the proper administration of justice.
2. Order 1 does not prevent the disclosure of documents described in Schedule 1 made:
 - (a) by each entity in respect of documents produced by that entity (subject to any existing obligations of confidence);
 - (b) to external solicitors and counsel retained by the parties in these proceedings;
 - (c) to any of:
 - (i) Mr Craig Ryan, General Counsel, Company Secretary of Domino's;
 - (ii) Mr Wayne McMahon, Group Chief Information Officer of Domino's;
 - (iii) Mr Phillip Harrys, Group Director Digital Development of Domino's;
 - (iv) Mr Nicholas Knight, Chief Executive Officer for Australia and New Zealand of Domino's;
 - (v) Mr Andrew Megson, Head of Franchise Operations of Domino's Australia and New Zealand;



- (vi) Ms Renee Rametta, Business Analyst of Domino's; and
- (vii) such other persons as are reasonably required by Domino's or Navman Wireless, following a request by the solicitor's for either of those parties to the solicitors for Precision Tracking for consent, which consent shall not be unreasonably withheld,

subject to the terms of the existing undertakings given by any of the individuals listed above or, in the absence of same, the provision of an undertaking to the Court in a form acceptable to the Respondents.

3. Order 1 does not prevent the disclosure of documents described in Schedule 2 made to:

- (a) Mr Craig Ryan, General Counsel and Company Secretary of Domino's;
- (b) Mr Nicholas Knight, Chief Executive Officer for Australia and New Zealand of Domino's;
- (c) such other persons as are reasonably required by Domino's or Navman Wireless, following a request by the solicitor's for either of those parties to the solicitors for Precision Tracking for consent, which consent shall not be unreasonably withheld,

but only to the extent that it is necessary for Domino's or Navman Wireless to provide instructions to their external lawyers or to give evidence in this proceeding, and subject to the terms of the existing undertakings given by any of the individuals listed above or, in the absence of same, the provision of an undertaking to the Court in a form acceptable to the Respondents.

4. Order 1 does not prevent the disclosure of any of the documents described in Schedules 1 and 2 made:

- (a) by each entity in respect of documents produced by that entity (subject to any existing obligations of confidence);
- (b) to external solicitors and counsel retained by the parties in these proceedings;
- (c) to the second, third or fourth respondents, subject to the terms of the existing undertakings given by each of them;
- (d) subject to any existing obligations of confidence, by any of the respondents in respect of any documents which are in the possession, custody or power of the respondents other than by reason of access to the documents produced pursuant to a subpoena.



Date that entry is stamped: 12 July 2018

Warrick Soden
Registrar



Schedule

No: NSD516/2016

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

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



Schedule 1

Annexure A Subpoenas

The subpoenas to produce addressed to the persons described in Annexure A of the orders of 28 February 2018.

Addressee(s)	Documents subject to interim suppression/non-publication order*
George Weston Foods Ltd	004.pdf 005.pdf 006.pdf
Sendle Pty Limited	All documents
Toll Pty Limited	All documents
Uniguard Pty Limited	All documents

Annexure A2 Subpoenas

The subpoenas to produce addressed to the persons described in Annexure A2 of the orders of 7 March 2018.

Addressee(s)	Documents subject to interim suppression/non-publication order*
Macquarie University	Macquarie University Invoices.pdf
PhonePost Pty Ltd	All documents
Telstra Corporation Limited	Email 16.pdf Email 17.pdf Email 18.pdf Email 22.pdf Email 23.pdf Email 24.pdf Email 26.pdf Email 27.pdf Email 28.pdf

Annexure A3 Subpoenas



The subpoenas to produce addressed to the persons described in Annexure A3 of the orders of 14 March 2018.

Addressee(s)	Documents subject to interim suppression/non-publication order*
Southern Cross Group	All documents
Jimmy Brings Australia Pty Limited	All documents
Luxury Afloat Hawkesbury River & Brooklyn Pty Limited	All documents

* Documents are described in this Schedule by the file names of the electronic versions of the documents sent by the lawyers acting for Domino's Pizza Enterprises Limited to the lawyers acting for the Respondents.



Schedule 2

Annexure A Subpoenas

The subpoenas to produce addressed to the persons described in Annexure A of the orders of 28 February 2018.

Addressee(s)	Documents subject to interim suppression/non-publication order*
Guzman y Gomez Pty Ltd Guzman y Gomez (Holdings) Pty Ltd Guzman y Gomez Franchising Pty Ltd	010.pdf.
Quick Service Restaurants Holdings Pty Ltd	001.pdf 002.pdf 004.pdf 005.pdf 006.pdf 009.pdf 011.pdf 012.pdf 015.pdf 016.pdf 017.pdf 018.pdf 019.pdf 020.pdf 021.pdf 022.pdf

Tranche 1 Documents

The documents referred to in order 1 of the orders of 16 May 2018.

Documents subject to interim suppression/non-publication order*

1217507587_1_AUMatters(DA00-E00000026001).PDF
1217507589_1_AUMatters(DA00-E00000030001).PDF
1217507590_1_AUMatters(DA00-E00000034001).PDF
1217507591_1_AUMatters(DA00-E00000037001).PDF
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1217507606_1_AUMatters(DA00-E00000062001).PDF



1217507644_1_AUMatters(DA00-E00000130001).PDF
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1217507655_1_AUMatters(DA00-E00000161001).PDF
1217507656_1_AUMatters(DA00-E00000162001).PDF
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1217507585_1_AUMatters(DA00-E00000019001).PDF
1217507586_1_AUMatters(DA00-E00000022001).PDF



Tranche 2 Documents

The documents referred to in order 1 of the orders of 30 May 2018.

Documents subject to interim suppression/non-publication order*

KFC.001.001.0003.pdf
KFC.001.001.0012.pdf
KFC.001.001.0017.pdf
KFC.001.001.0056.pdf
KFC.001.001.0057.pdf
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KFC.003.001.0002.pdf
KFC.003.001.0004.pdf
KFC.003.001.0006.pdf
KFC.003.001.0007.pdf
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KFC.003.001.0054.pptx
KFC.003.001.0070.pdf
KFC.003.001.0071.pdf
KFC.004.001.0001.pdf
KFC.004.001.0002.pdf
KFC.006.001.0003.pdf
KFC.006.001.0012.pdf
KFC.006.001.0013.pdf
KFC.006.001.0018.pdf
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KFC.007.001.0002.pdf
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- KFC.007.001.0257.pdf
- KFC.007.001.0258.pdf
- KFC.007.001.0264.pdf
- KFC.007.001.0265.pdf
- KFC.007.001.0270.pdf
- KFC.007.001.0271.pdf
- KFC.007.001.0273.pdf
- KFC.007.001.0275.pdf
- KFC.007.001.0276.pdf
- KFC.007.001.0277.pdf
- KFC.007.001.0282.pdf
- KFC.007.001.0283.pdf
- KFC.007.001.0321.pdf
- KFC.007.001.0323.pdf
- KFC.007.001.0325.pdf
- KFC.007.001.0327.pdf
- KFC.007.001.0329.pdf
- KFC.007.001.0339.pdf
- KFC.007.001.0340.pdf
- KFC.007.001.0340.xlsx
- KFC.007.001.0343.pdf
- KFC.007.001.0344.pdf



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KFC.007.001.0355.pdf
KFC.007.001.0356.pdf
KFC.007.001.0360.pdf
KFC.007.001.0361.pdf
KFC.007.001.0361.xlsx
KFC.007.001.0365.pdf
KFC.007.001.0366.pdf
KFC.007.001.0366.xlsx
KFC.007.001.0367.pdf
KFC.007.001.0368.pdf
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Tranche 3 Documents

The documents referred to in order 1 of the orders of 13 June 2018.

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KFC.006.001.0057.pdf
KFC.006.001.0068.pdf
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KFC.007.001.0376.pdf

* Documents are described in this Schedule by the file names of the electronic versions of the documents sent by the lawyers acting for Domino's Pizza Enterprises Limited to the lawyers acting for the Respondents.