



Federal Court of Australia
District Registry: Victoria
Division: General

No: VID1375/2017

PAWEL KUTERBA
Applicant

SIRTEX MEDICAL LIMITED (ACN 78 166 122)
Respondent

ORDER

REGISTRAR: REGISTRAR ALLAWAY

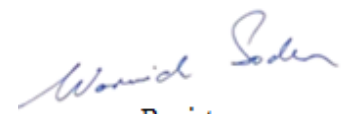
DATE OF ORDER: 11 April 2018

WHERE MADE: Melbourne

THE COURT ORDERS BY CONSENT THAT:

1. Subject to any further order by Justice Murphy, the interlocutory application filed by Australian Funding Partners Limited (*AFPL application*) on 11 April 2018 be listed for hearing before Justice Murphy at a date and time to be advised.
2. The applicant file and serve any evidence in respect of the AFPL application by 18 April 2018.
3. Australian Funding Partners Limited file and serve any submissions in respect of the AFPL application by 24 April 2018, not exceeding 5 pages.
4. The applicant file and serve any submissions in respect of the AFPL application by 27 April 2018, not exceeding 5 pages.
5. The further return of the subpoenas addressed to Australian Funding Partners Limited and Elliott Legal Pty Ltd be adjourned to the date and time referred to in paragraph 1 of these orders.
6. Cost be reserved.
7. Liberty to apply.

Date that entry is stamped: 11 April 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).