



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID1375/2017

PAWEL KUTERBA and another named in the schedule
Applicant

SIRTEX MEDICAL LIMITED (ACN 78 166 122)
Respondent

ORDER

REGISTRAR: JUDICIAL REGISTRAR ALLAWAY

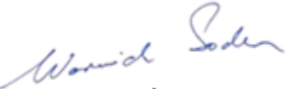
DATE OF ORDER: 22 August 2018

WHERE MADE: Melbourne

THE COURT ORDERS BY CONSENT THAT:

1. Leave is granted to the applicants to uplift, inspect and copy the contents of the USB drive produced by ASX Compliance Pty Ltd (*ASX Compliance*) in response to the subpoena addressed to ASX Compliance dated 10 August 2018 and to receive the password for the USB drive (*access password*). The USB drive is to be returned to the registry by 4:30pm on 23 August 2018.
2. The parties have leave to uplift, inspect and copy the contents of the USB drive from 9:00am on 24 August 2018 and to receive the access password, with the USB drive to be returned to the registry by the uplifting party within 48 hours of any uplift.
3. The access password is to remain confidential to the parties.
4. The applicant is to notify the respondent and ASX Compliance of these orders as soon as practicable.
5. On completion of this matter, the USB drive is to be destroyed in accordance with the request by ASX Compliance that it do so, without further notice to the parties.
6. Liberty to apply.
7. Costs reserved.

Date that entry is stamped: 22 August 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

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Second Applicant TODD HAYWARD