



Federal Court of Australia
District Registry: Victoria Registry
Division: General

No: VID1023/2023

MOIRA DEEMING
Applicant

JOHN PESUTTO
Respondent

ORDER

REGISTRAR: Judicial Registrar Legge

DATE OF ORDER: 6 March 2025

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. Orders 5-7 of the orders of O'Callaghan J made by consent on 19 December 2024 be vacated.
2. The respondent file and serve any Costs Response (as referred to at para 4.13 of GPN-COSTS) by 4.00pm on 14 March 2025.
3. The respondent file and serve any written submissions addressing the law as to costs on relevant issues (as referred to at para 4.15 of GPN-COSTS) not exceeding 5 pages in length by 4.00pm on 21 March 2025;
4. The applicant file and serve any written submissions addressing the law as to costs on relevant issues (as referred to at para 4.15 of GPN-COSTS) not exceeding 5 pages in length by 4.00pm on 28 March 2025.
5. The proceeding be adjourned to a case management hearing before Senior National Judicial Registrar Legge on a date to be fixed as soon as practicable after 28 March 2025.



6. The respondent file a further copy of the affidavit of Peter Llewellyn Bartlett sworn on 6 March 2025, without the exhibits to that affidavit, which affidavit (without any exhibits) will be uploaded to the online Court file in the proceeding.
7. The respondent pay the applicant's costs of the mention on 6 March 2025.
8. There be liberty to apply.

Date orders authenticated: 7 March 2025

Sia Lagos
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

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).