



Federal Court of Australia
District Registry: New South Wales Registry
Division: Fair Work

No: NSD189/2024

ANTOINETTE LATTOUF
Applicant

AUSTRALIAN BROADCASTING CORPORATION
Respondent

ORDER

REGISTRAR: Registrar Lee

DATE OF ORDER: 30 January 2025

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Leave be granted to the Applicant to have first access to inspect and copy in the Registry, the documents produced in accordance with the subpoena filed on 29 January 2025 and addressed to Dr Nigel Strauss (**Packet S2**).
2. Leave be also granted to the solicitors for the Applicant to uplift these documents, physically and/or electronically, for the purposes of inspection and copying, on the following conditions:
 - a. If original documents rather than copies have been produced, the solicitor provides to the Registry a letter of consent from the person to whom the subpoena is addressed;
 - b. Documents not leave the custody of the solicitor, or counsel instructed by the solicitor;
 - c. Documents be returned to the Registry in the same condition, order and packaging as when uplifted; and
 - d. Documents be returned promptly and, in any event, when an officer of the Registry so requests.
3. Any application objecting to access to the documents produced by Dr Nigel Strauss (**Packet S2**) is to be filed no later than 9.00 am on Friday 31 January 2025, and the objecting party is to provide to the Respondent and the Court an objection letter and



objection schedule that conforms to paragraph 7.5 of the Subpoenas and Notices to Produce Practice Note (GPN-SUBP).

4. The Applicant is to provide the Respondent's solicitors electronically with copies of any documents contained in Packet S2 in respect of which the Applicant does not make objection by 9.00 am on Friday 31 January 2025.
5. If an application is not filed by the time stipulated in order 3 above, leave is granted to the parties to inspect and copy in the Registry, the documents produced (Packet S2) on the conditions as outlined in order 2 above, from 10.00 am on Friday 31 January 2025.
6. On completion of this matter, the Registrar may return to the addressee of the subpoena any document without giving the issuing party any further notice.

Date orders authenticated: 30 January 2025


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).