

Amended Interlocutory application

No. 527 of 2024

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

FORTESCUE LIMITED ACN 002 594 872 and others named in the schedule

Applicants

ELEMENT ZERO PTY LIMITED ACN 664 342 081 and others named in the schedule

Respondents

To the Applicants

The First, Second and Fourth Respondents apply for the interlocutory orders set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Time and date for hearing:

Place: Law Courts Building Queens Square, 184 Phillip Street, SYDNEY NSW 2000

The Court ordered that the time for serving this application be abridged to

Date:

.....
Signed by an officer acting with the authority
of the District Registrar

.....
Filed on behalf of (name & role of party) The First, Second and Fourth Respondents
Prepared by (name of person/lawyer) Michael John Williams, Partner
Law firm (if applicable) Gilbert + Tobin
Tel (02) 9263 4271 Fax (02) 9263 4111
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(include state and postcode) 200 Barangaroo Avenue, Barangaroo NSW 2000

Interlocutory orders sought

1. Pursuant to section 37AF of the *Federal Court of Australia Act 1976* (Cth) and on the ground referred to in s 37AG(1)(a) and/or s 37AG(1)(c) of the *Federal Court of Australia Act 1976* (Cth), until further Court order, there is to be no disclosure (by publication or otherwise) of the following information contained within annexure PAD-2 to the affidavit of Paul Dewar affirmed 1 May 2024, annexure PAD-6 to the affidavit of Paul Dewar affirmed 9 May 2024 and annexure PAD-8 to the affidavit of Paul Dewar affirmed 14 May 2024:
 - a. the residential addresses of the Fourth Respondent;
 - b. residential addresses of the persons who visited the office of First Respondent (including employees and contractors of the First Respondent); and
 - c. photographs of minors.
2. Pursuant to section 37AF of the *Federal Court of Australia Act 1976* (Cth) and on the ground referred to in s 37AG(1)(a) of the *Federal Court of Australia Act 1976* (Cth), until further Court order, there is to be no disclosure (by publication or otherwise) of:
 - a. Confidential Exhibit MJW-2 to the First Affidavit of Michael John Williams sworn 29 May 2024; and
 - b. Pages 54 to 65 of Confidential Exhibit MJW-3 to the Second Affidavit of Michael John Williams sworn 29 May 2024.
3. Liberty to apply.
4. Costs reserved.

Service on the Applicants

It is intended to serve this application on all Applicants.

Date: ~~3 July 2024~~ 9 July 2024



Michael John Williams by his Partner
Rebecca Mary Dunn

Lawyer for the First, Second and Fourth
Respondents

Schedule

No. NSD 527 of 2024

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

Applicants

Second Applicant: **FORTESCUE FUTURE INDUSTRIES PTY LTD**
ACN 625 711 373

Third Applicant: **FMG PERSONNEL SERVICES PTY LTD**
ACN 159 057 646

Respondents

Second Respondent: **BARTLOMIEJ PIOTR KOLODZIEJCZYK**

Third Respondent: **BJORN WINTHER-JENSEN**

Fourth Respondent: **MICHAEL GEORGE MASTERMAN**