



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD1056/2024

ENERGY RESOURCES OF AUSTRALIA LTD ABN 71 008 550 865

Applicant

**MINISTER FOR RESOURCES AND MINISTER FOR NORTHERN AUSTRALIA
(COMMONWEALTH)** and others named in the schedule

Respondent

ORDER

REGISTRAR: Registrar Rubinstein

DATE OF ORDER: 28 August 2024

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. The following be adjourned to the Return of Subpoena List before a Registrar at 9.30 am on Wednesday, 11 September 2024 at Law Courts Building, Queens Square, Sydney, to be heard remotely by MS Teams:
 - a) the Notice to Produce filed on 7 August 2024 and addressed to the first respondent;
and
 - b) the Notice to Produce filed on 7 August 2024 and addressed to the third respondent.
2. Leave be granted for the parties to approach the Registry for consent orders to be made on the papers in Chambers.
3. Liberty to apply on 3 days' notice to relist the matter before the Registrar.

THE COURT NOTES THAT:

- A. The parties are presently in communication regarding the production of material in response to the Notices to Produce over which there may be a claim for legal professional privilege, with a view to resolving or confining the issues in dispute.



Date orders authenticated: 28 August 2024

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).



Schedule

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Second Respondent	COMMONWEALTH OF AUSTRALIA
Third Respondent	MINISTER FOR MINING AND MINSTER FOR AGRIBUSINESS AND FISHERIES (NORTHERN TERRITORY)
Fourth Respondent	NORTHERN TERRITORY
Fifth Respondent	JABILUKA ABORIGINAL LAND TRUST
Sixth Respondent	NORTHERN LAND COUNCIL