

## NOTICE OF FILING

### Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)  
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)  
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File Number: NSD527/2024  
File Title: FORTESCUE LIMITED ACN 002 594 872 & ORS v ELEMENT ZERO PTY LIMITED ACN 664 342 081 & ORS  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



*Sia Lagos*

Registrar

### Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 59  
Rule 29.02(1)

## Affidavit

No. 527 of 2024

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

**Fortescue Limited (ACN 002 594 872)** and others

Applicants

**Element Zero Pty Limited (ACN 664 342 081)** and others

Respondents

Affidavit of: **Kevin Gar Yuen Huang**

Address: Level 4, 7 Macquarie Place, Sydney New South Wales 2000

Occupation: Lawyer

Date: 26 July 2024

I, Kevin Gar Yuen Huang, of Level 4, 7 Macquarie Place, Sydney New South Wales 2000,  
Lawyer, affirm:

1. I am a lawyer employed by Davies Collison Cave Law (**DCCL**), the lawyers acting for the Applicants in this proceeding.
2. I have read the Affidavit of Paul Alexander Dewar affirmed on 4 July 2024 (**Fifth Dewar Affidavit**) and the affidavit of Anand Indravadan Bhatt affirmed 1 May 2024 (**Bhatt Affidavit**).
3. I am authorised to make this affidavit on behalf of the Applicants.
4. I am not instructed, and do not intend in this affidavit, to waive privilege on behalf of the Applicants, nor do I have the authority to do so.

Filed on behalf of (name & role of party)	Fortescue Limited and others, the Applicants		
Prepared by (name of person/lawyer)	Paul Alexander Dewar, Principal Lawyer		
Law firm (if applicable)	Davies Collison Cave Law		
Tel	(02) 9293 1000	Fax	(02) 9262 1080
Email	PDewar@dcc.com		
<b>Address for service</b> (include state and postcode)	Level 4, 7 Macquarie Place Sydney NSW 2000		

**Internet search conducted on 26 July 2024**

- 5. On 26 July 2024, I conducted an internet search using the search engine Google.
- 6. In conducting this internet search, I inputted as my search term the subject line of the email in Annexure AIB-2 to the Bhatt Affidavit. This subject line also appears in the subject line of the emails dated 13 August 2020, 7:58AM and 12 August 2020, 9:34PM in Annexure AIB-3 to the Bhatt Affidavit.
- 7. Annexures AIB-2 and AIB-3 to the Bhatt affidavit are referred to at Item 36(a) in Annexure A to the Applicants' Further Amended Interlocutory Application dated 26 July 2024.
- 8. Upon conducting the internet search, I saw that the first Google search result contained the name of the entity described as "M entity" in paragraph 8(c) and Part B.3 of the Fifth Dewar Affidavit. Additionally, the webpage linked by that search result contained the name of "M entity" and was hosted by "M entity".

Affirmed by the deponent )  
 at Sydney )  
 in New South Wales )  
 on 26 July 2024 )  
 Before me: )



Signature of deponent



Signature of witness

STUART GREEN  
 AN AUSTRALIAN LEGAL PRACTITIONER  
 WITHIN THE MEANING OF THE LEGAL  
 PROFESSION UNIFORM LAW (NSW)  
 7 MACQUARIE PLACE, SYDNEY, 2000