

NOTICE OF FILING

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment: 13/09/2024 12:11:17 PM AEST
Date Accepted for Filing: 13/09/2024 12:11:22 PM AEST
File Number: NSD701/2024
File Title: BRUCE LEHRMANN v NETWORK TEN PTY LIMITED ACN 052 515 250
& ANOR
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. NSD701 of 2024

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

BRUCE LEHRMANN

Appellant

NETWORK TEN PTY LIMITED ACN 052 515 250 and another
Respondents

Affidavit of: **Marlia Ruth Saunders**
Address: Level 14, 60 Martin Place, Sydney NSW 2000
Occupation: Lawyer
Date: 13 September 2024

Contents

Document number	Details	Paragraph	Page
1	Affidavit of Marlia Ruth Saunders affirmed on 13 September 2024	1-11	1
2	Annexure "MRS-13", being copy of an article published on the website www.smh.com.au	9(a)	3
3	Annexure "MRS-14", being copy of an article published on the website www.dailymail.co.uk	9(b)	6

I Marlia Ruth Saunders of Level 14, 60 Martin Place, Sydney NSW 2000, Lawyer, affirm:

- I am a Partner at Thomson Geer, solicitors for the First Respondent.
- I am authorised to make this affidavit on behalf of the First Respondent.

Filed on behalf of (name & role of party) Respondents, being Network Ten Pty Limited and Lisa Wilkinson
 Prepared by (name of person/lawyer) Marlia Saunders
 Law firm (if applicable) Thomson Geer
 Tel 02 8248 5836 Fax _____
 Email msaunders@tglaw.com.au
Address for service Level 14, 60 Martin Place, Sydney NSW 2000
 (include state and postcode)

[Version 3 form approved 02/05/2019]

Legal/88362427_5 *Clausley Todd*

msaunders

- 3. In prayer 1 of his application filed on 2 August 2024, the Appellant seeks that order 2 made by Justice Lee in the Federal Court of Australia on 27 June 2024 be stayed pursuant to r 36.08(2) of the *Federal Court Rules 2011* (Cth) (**Stay Application**).
- 4. I make this affidavit in opposition to the Stay Application and in reply to the affidavit of Zali Burrows affirmed 6 September 2024 (**Burrows Affidavit**).
- 5. I make this affidavit from my own knowledge, except where I have stated otherwise. Where I depose to matters on information given to me, I believe that information to be true and correct.
- 6. I have previously affirmed one affidavit in this proceeding on 21 June 2024, which was accepted for filing on 24 June 2024.


Statements made on behalf of the Appellant

- 7. On 15 February 2021, the Respondent broadcast an interview with Brittany Higgins on its program *The Project* at or about 6:30pm, in which Ms Higgins alleged she had been raped in Australian Parliament House by a male colleague. Ms Higgins did not name the alleged perpetrator.
- 8. On or about 6 August 2021, the Appellant was charged with one count of sexual intercourse without consent. Prior to being charged, the Appellant had not been identified in the mainstream media as being the subject of Ms Higgins' allegations.
- 9. On or about 7 August 2021, the Appellant was identified by name as the person charged and comments were attributed to the Appellant's legal representative in which he said the Appellant would defend the charge and denied any sexual activity took place were reported, including in the following articles:
 - (a) an article published on the website www.smh.com.au. Annexed to this affidavit and marked "**MRS-13**" is a copy of that article; and
 - (b) an article published on the website www.dailymail.co.uk. Annexed to this affidavit and marked "**MRS-14**" is a copy of that article.

Affirmed by the deponent)
 at Sydney)
 in New South Wales)
 on 13 September 2024)
 Before me:)



 Signature of deponent



 Signature of Amelia Causley Todd
 Solicitor
 Level 14, 60 Martin Place, Sydney NSW 2000
 An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law.

Annexure Certificate

No. NSD701 of 2024

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

BRUCE LEHRMANN

Appellant

NETWORK TEN PTY LIMITED & ANOR

Respondents

This is annexure marked "**MRS-13**" referred to in the affidavit of MARLIA RUTH SAUNDERS affirmed on 13 September 2024 before me:



Signature of Amelia CausleyTodd

Solicitor

Level 14, 60 Martin Place, Sydney NSW 2000
An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law.

Politics Federal Workplace culture

This was published 3 years ago

Bruce Lehrmann identified as man charged with sexual assault of Brittany Higgins

James Massola and David Crowe

August 7, 2021 – 5:09pm

Former Liberal staffer Bruce Lehrmann has been publicly identified as the 26-year-old man charged with sexually assaulting Brittany Higgins in 2019.

Mr Lehrmann will fight to defend himself from one charge of sexual intercourse without consent when he appears in the ACT Magistrates Court on September 16.



Former Liberal staffer Bruce Lehrmann.

Mr Lehrmann's case is listed on the ACT Magistrates Court website to be heard at 9.30am on September 16.

His lawyer, barrister John Korn from Ada Evans Chambers in Sydney, said his client "absolutely and unequivocally denies that any form of sexual activity took place whatsoever. He will defend the charge.

"The only thing that matters is what the charge alleges and he absolutely, unequivocally denies that any form of sexual activity took place at all."



Brittany Higgins speaking to the media after meeting with Prime Minister Scott Morrison in April 2021. DOMINIC LORRIMER

ACT Police said in a statement on Friday that a man would “face one charge of sexual intercourse without consent. The maximum penalty for this offence is 12 years’ imprisonment.

“Detectives from ACT Policing’s Criminal Investigations Sexual Assault and Child Abuse Team, the specialist team dedicated to investigating sexual assaults in the ACT, first received a report in April 2019.

“The investigation remained open and in February 2021 a formal complaint was made. Detectives have since spoken to a number of witnesses and collected evidence as part of the investigation.”

Ms Higgins went public in February with allegations that she had been raped by a colleague in the office of Senator Linda Reynolds in March 2019.

Police named Saturday, March 23, 2019, as the date of the alleged rape, which is the same date Ms Higgins named when she spoke to the media.

Ms Higgins’ rape allegations rocked the Morrison government, shocked Australia and triggered a cascade of further allegations about bad behaviour and sexual harassment in the corridors of Parliament House.

Her speech at the March 4 Justice on the lawns of Parliament House earlier this year quickly became an iconic moment.

It also triggered a raft of reviews and prompted other women to come forward and speak out about similar alleged experiences. Sex Discrimination Commissioner Kate Jenkins is conducting a review of Parliament House’s workplace culture.

In May, Ms Higgins met with Prime Minister Scott Morrison and Opposition Leader Anthony Albanese in their respective offices in Sydney to discuss what she alleges happened to her.

Mr Morrison responded to another review by senior public servant Stephanie Foster on July 26 with a promise to create an independent complaints mechanism for staff in Parliament for serious incidents within six weeks.

The Morrison government in its May federal budget outlined what it called a women’s economic security and safety package, which included extra money for a range of services, as well as appointing Anne Ruston as Minister for Women’s Safety, Jane Hume as Minister for Women’s Economic Security and Amanda Stoker as Assistant Minister for Women.

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James Massola is national affairs editor. He has previously been Sunday political correspondent and South-East Asia correspondent. Connect via [Twitter](#), [Facebook](#) or [email](#).



David Crowe is chief political correspondent for The Sydney Morning Herald and The Age. Connect via [Twitter](#) or [email](#).

Annexure Certificate

No. NSD701 of 2024

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

BRUCE LEHRMANN

Appellant

NETWORK TEN PTY LIMITED & ANOR

Respondents

This is annexure marked "**MRS-14**" referred to in the affidavit of MARLIA RUTH SAUNDERS affirmed on 13 September 2024 before me:



Signature of Amelia CausleyTodd

Solicitor

Level 14, 60 Martin Place, Sydney NSW 2000
An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law.

Brittany Higgins' accused rapist denies any sexual activity took place at all the night parliament staffer alleges she was assaulted - as he is hauled before court and faces 12 years jail

- Former Liberal staffer Brittany Higgins claimed she was raped by colleague
- Bruce Lehrmann has been identified as the man facing sexual assault charge
- Allegedly occurred in ex-defence minister Linda Reynolds' Parliament office
- Lawyers for Mr Lehrmann said he denies the allegation and will fight the charge

By ELIZA MCPHEE FOR DAILY MAIL AUSTRALIA

PUBLISHED: 19:03 AEST, 7 August 2021 | UPDATED: 08:53 AEST, 8 August 2021



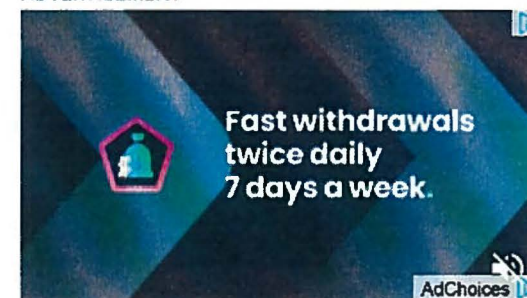
The man accused of raping former Liberal staffer **Brittany Higgins** in Parliament House two years ago has been identified as **Bruce Lehrmann**.

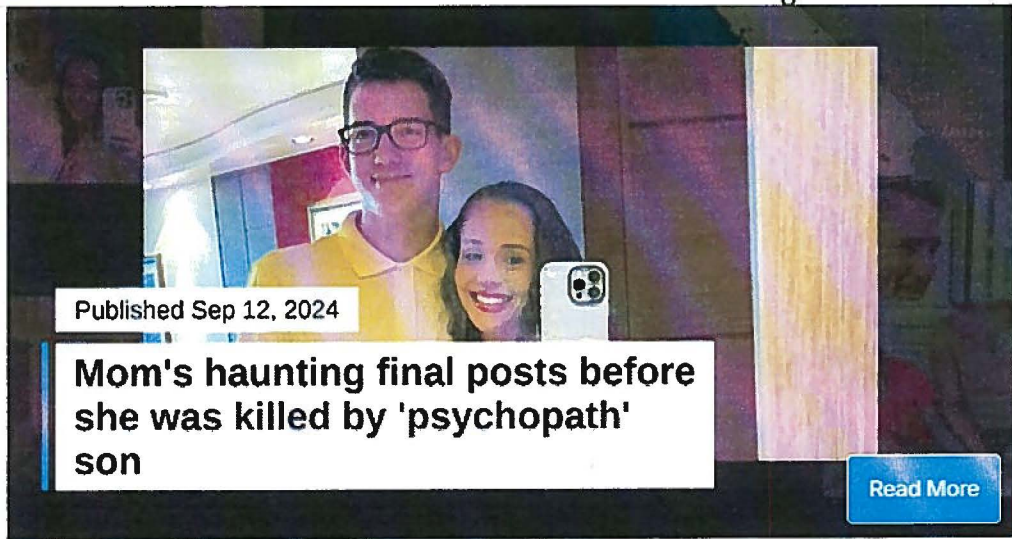
The 26-year-old Queensland, who also worked for the Liberal Party, will face one charge of sexual intercourse without consent when he appears before the court next month, which has a maximum sentence of 12 years in jail.

Ms Higgins made headlines in February when she claimed she was raped by a colleague in then **defence minister** Linda Reynolds' Parliament House office in March 2019.

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Published Sep 12, 2024

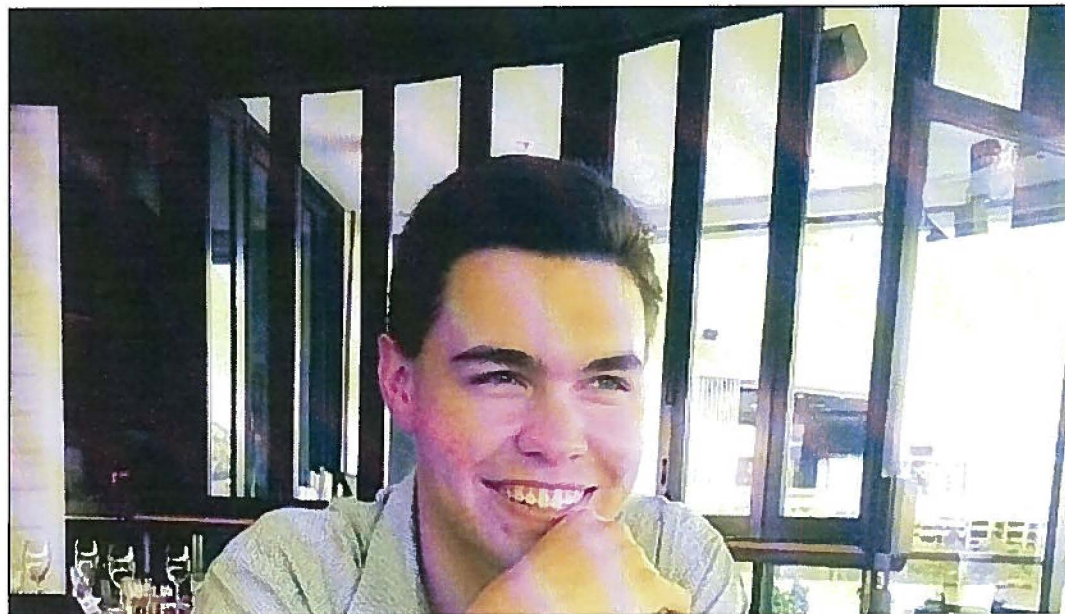
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Lawyers for Mr Lehrmann say he will fight the charge and denies the pair had sexual intercourse when they returned to the office.

'My client absolutely and unequivocally denies that any form of sexual activity took place at all,' his lawyer John Korn told News.com.au.

'He will defend the charge.'



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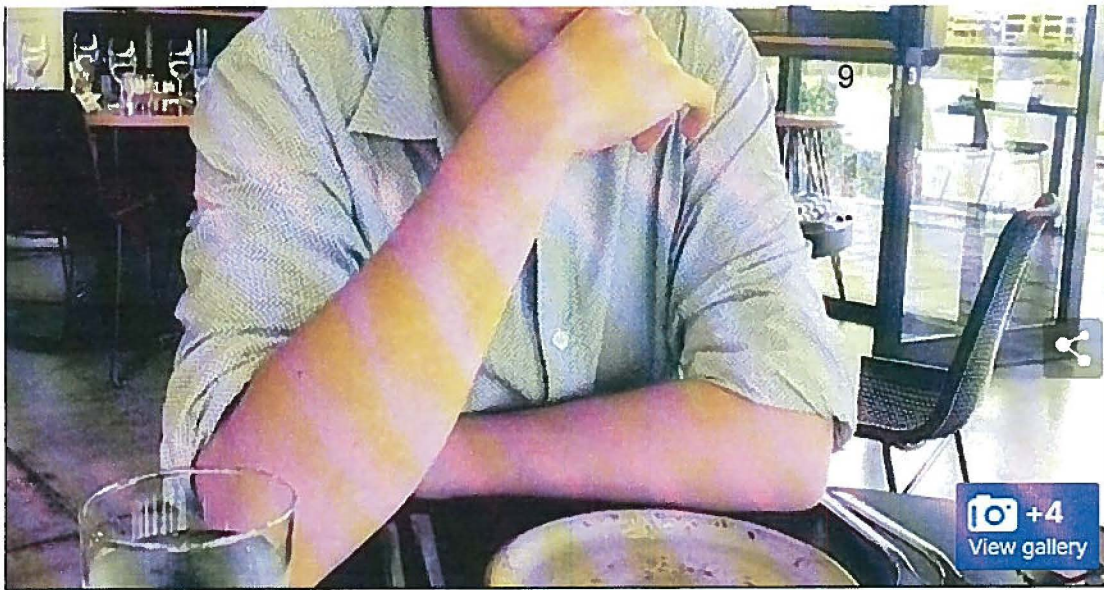


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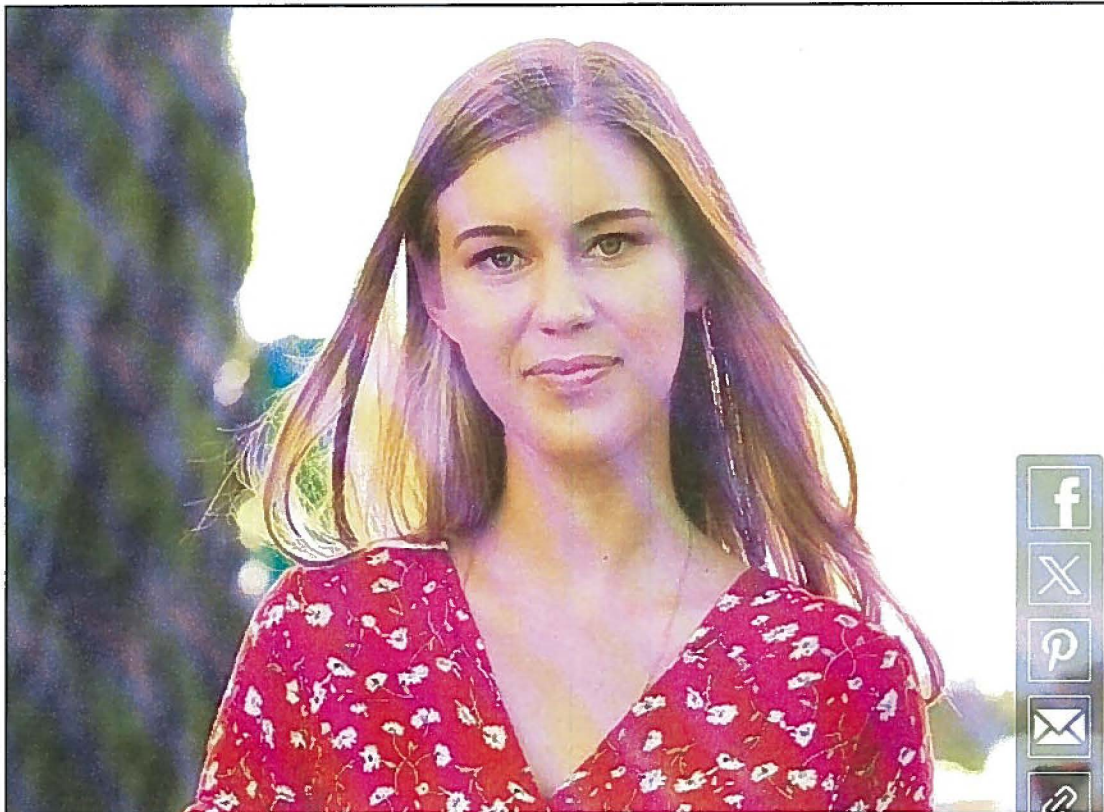


EXCLUSIVE John Travolta reveals his love for 'breathtaking' Aussie blonde actress - and he's NOT talking about Olivia Newton-





Mr Lehrmann (pictured) accused of raping former Liberal staffer Brittany Higgins in Parliament House has been ordered to appear before court next month



love for 'breathtaking' Aussie blonde actress - and he's NOT talking about Olivia Newton-John



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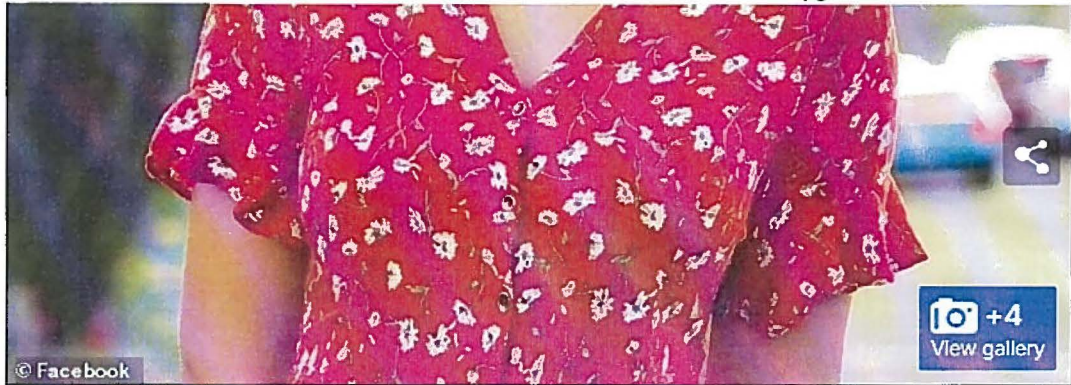
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Former Liberal staffer Brittany Higgins (pictured) alleged she was raped in Parliament House

The alleged incident was reported in April 2019 but Ms Higgins did not make a formal complaint until February this year.

Police investigated and have ordered the alleged attacker to appear before court in September.

The Australian Federal Police said in a statement: 'A 26-year-old man has been summonsed to appear before the ACT Magistrates Court for an alleged sexual assault in 2019.

'Police will allege the man had sexual intercourse with a woman without consent at Parliament House on Saturday, 23 March 2019.

TRENDING



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Woman cements herself to a car during final day of anti-war protests

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Mom's haunting final posts before she was killed by 'psychopath' son

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Young woman's grim act in the middle of the street sparks traffic chaos as Melbourne riots enter third day



© AAPIMAGE

Ms Higgins (pictured in April with boyfriend David Sharaz)



married him for the money': Daughter who won inheritance fight against 's...



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Young woman's grim act in the middle of the street sparks traffic chaos as Melbourne riots enter third day



Former Liberal staffer Brittany Higgins (pictured) was hospitalised over concerns for her well-being, before her boyfriend David Sharaz revealed she was recovering well

'Detectives from ACT Policing's Criminal Investigations - Sexual Assault and Child Abuse Team, the specialist team dedicated to investigating sexual assaults in the ACT, first received a report in April 2019.

'The investigation remained open and in February 2021 a formal complaint was made. Detectives have since spoken to a number of witnesses and collected evidence as part of the investigation.

'Officers today (Friday, 6 August 2021) served the man's legal representative with a summons to appear before the ACT Magistrates Court on 16 September 2021.'

In June Ms Higgins was hospitalised over concerns for her well-being, before her boyfriend David Sharaz revealed she was recovering well.

He said she was 'receiving the support she needs after months of sustained political pressure' - after she was critical of the Liberal Party for the way her complaint was handled.

Ben Wallace

Bruce Lehrmann

Brittany Higgins

Share or comment on this article: Brittany Higgins accused rapist Bruce Lehrmann denies any sexual activity took place



0:08

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