

## NOTICE OF FILING AND HEARING

### Filing and Hearing Details

Document Lodged: Interlocutory Application - Form 35 - Rule 17.01(1)(a)  
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)  
Date of Lodgment: 24/09/2024 6:18:19 PM AEST  
Date Accepted for Filing: 25/09/2024 2:04:17 PM AEST  
File Number: NSD1056/2024  
File Title: ENERGY RESOURCES OF AUSTRALIA LTD ABN 71 008 550 865 v  
MINISTER FOR RESOURCES AND MINISTER FOR NORTHERN  
AUSTRALIA (COMMONWEALTH) &ORS  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA  
Reason for Listing: Case Management Hearing  
Time and date for hearing: 02/10/2024, 9:30 AM  
Place: Please check Daily Court List for details



*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 35  
Rule 17.01(1)

**FEDERAL COURT OF AUSTRALIA  
DISTRICT REGISTRY: NEW SOUTH WALES  
DIVISION: GENERAL**

**NO NSD 1056 OF 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  
Respondents

**INTERLOCUTORY APPLICATION**

To: The Applicant

Energy Resources Australia

The First Respondent and Second Respondent applies 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:** Level 17, Law Courts Building  
184 Phillip St  
Queens Square  
SYDNEY NSW 2000

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

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Filed on behalf of the First Respondent and Second Respondent ,  
Commonwealth Minister for Resources and Commonwealth of Australia

File ref: 24007108

Prepared by: Madisen Scott  
AGS lawyer within the meaning of s 55I of the *Judiciary Act 1903*

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### **URGENT INTERIM ORDER SOUGHT**

1. Until further order of the Court, compliance with r 30.28(3) of the *Federal Court Rules 2011* (Cth) (**Rules**) be dispensed with in relation to:
  - 1.1. the notice to produce served by the applicant on the first respondent dated 16 September 2024, and
  - 1.2. the notice to produce served by the applicant on the second respondent dated 16 September 2024.

### **INTERLOCUTORY ORDERS SOUGHT**

1. Pursuant to r 1.32 of the Rules,
  - 1.1. the notice to produce served by the applicant on the first respondent dated 16 September 2024, and
  - 1.2. the notice to produce served by the applicant on the second respondent dated 16 September 2024.

be set aside.
2. The Applicant pay the First and Second Respondent's costs of this interlocutory application.

### **SERVICE ON THE APPLICANT**

It is intended to serve this application on the Applicant

Date: 24 September 2024

  
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Grace Ng  
AGS lawyer  
for and on behalf of the Australian Government Solicitor  
Lawyer for the First Respondent and Second Respondent



## SCHEDULE

**FEDERAL COURT OF AUSTRALIA  
DISTRICT REGISTRY: NEW SOUTH WALES  
DIVISION: GENERAL**

**NO NSD 1056 OF 2024**

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