

NOTICE OF FILING

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File Number: VID1023/2023
File Title: MOIRA DEEMING v JOHN PESUTTO
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink, reading "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.

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Form 59
Rule 29.02(1)

Affidavit

No. VID1023/2023

Federal Court of Australia
District Registry: Victoria
Division: General

Moira Deeming

Applicant

John Pesutto

Respondent

Affidavit of: **Peter Llewellyn Bartlett**
Address: 447 Collins Street, Melbourne VIC 3000
Occupation: Solicitor
Date: 16 August 2024

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3	Annexure PLB-2, being copy of copy of a screenshot of search results for flights from Melbourne, Australia to London, United Kingdom on 5 October 2024 on the Skyscanner website at URL https://www.skyscanner.com.au taken on 16 August 2024	-	8
4	Annexure PLB-3, being a copy of a screenshot of search results for accommodation in Melbourne, Australia for a	-	11

Filed on behalf of (name & role of party) John Pesutto
Prepared by (name of person/lawyer) Peter Bartlett
Law firm (if applicable) Minter Ellison
Tel +61 3 8608 2677 Fax -
Email Peter.Bartlett@minterellison.com
Address for service Level 20, 447 Collins Street, Melbourne, Victoria, 3000
(include state and postcode)

Document number	Details	Paragraph	Page
	period of five nights commencing 30 September 2024 on Booking.com at the URL https://booking.com taken on 14 August 2024		
5	Annexure PLB-4, being an email from the solicitors for the applicant dated 15 August 2024	–	15

I, **Peter Llewellyn Bartlett**, Solicitor, of 447 Collins Street Melbourne, in the State of Victoria, say an oath:

1. I am a partner of MinterEllison and am the lawyer for the Respondent in these proceedings. I am authorised to swear this affidavit on behalf of the Respondent.
2. Nothing in this affidavit or its annexures is intended to waive any client legal or legal professional privilege. To the extent that any part of this affidavit may be construed as a waiver of privilege, I withdraw and do not rely on that part of the affidavit.
3. This affidavit is relied upon in support of the Respondent's Interlocutory Application seek an order pursuant to section 47A(1) of the *Federal Court of Australia Act 1976* (Cth) that the evidence of Dr Matt Bach be given by audio-visual link (**AVL**) (**Application**).
4. Mr Dean Levitan, a solicitor assisting me in this matter, has made enquiries with a view to ascertaining Dr Bach's capacity to give evidence in person or via AVL. Unless stated otherwise, I depose to the matters set out in this section of the affidavit based upon information provided to me by Mr Levitan, which I believe to be true.

Inconvenience to Dr Bach

5. Based on my understanding of the witnesses that are likely to be cross-examined in these proceedings, the likely order of the trial, and Dr Bach's availability (as set out below), I anticipate that Dr Bach will give evidence in the third week of the hearing, being the week commencing 30 September 2024.
6. On 9 August 2024, Mr Levitan enquired with Dr Bach regarding his capacity to travel to Australia for the purpose of giving evidence in this proceeding from mid-September – early October 2024.
7. I am informed by Mr Levitan that Dr Bach informed Mr Levitan that:
 - (a) Dr Bach is employed as Assistant Headmaster and Head of the Lower School at Brighton College, England, where he is responsible for the pastoral care of 100 pupils – 55 of whom will be entirely new to the school when the school year commences on 28 August 2024;




- (b) He is a father to two children, aged 2 and 6 respectively, and shares caring responsibility with his wife who works part-time. In order to ensure their children will be taken care of, Dr Bach's wife would need to take time off from work should Dr Bach be required to attend Court in Australia in person;
- (c) Dr Bach's absence from the school will generate significant administrative and managerial difficulties for his employer given Dr Bach's responsibilities and role in assisting children settle into the school year, which is a significant transition period;
- (d) He teaches classes every day, and this year will teach two year 12 classes, one year 11 class, and one year 9 class, and that his absence for the purpose of this proceeding would have a significant deleterious impact upon approximately 80 students' learning;
- (e) He is scheduled to undertake a work trip to China to engage with Chinese families considering sending their children to Brighton College between 13-23 September 2024; and
- (f) Being required to attend in-person will cause significant inconvenience to Dr Bach, his employer, and his family.

Expense of in-person attendance

- 8. On 14 August 2024, I caused a search to be conducted for flights from London, United Kingdom to Melbourne, Australia on 29 September 2024 on Skyscanner at the URL <https://www.skyscanner.com.au>. Annexed to this affidavit and marked **PLB-1** is the screenshot of these search results caused to be taken on 14 August 2024.
- 9. On 14 August 2024, Mr Levitan caused a search to be conducted for flights from Melbourne, Australia to London, United Kingdom on 5 October 2024 on Skyscanner at the URL <https://www.skyscanner.com.au>. Annexed to this affidavit and marked **PLB-2** is the screenshot of these search results caused to be taken on 14 August 2024.
- 10. On 14 August 2024, Mr Levitan caused a search to be conducted for accommodation in Melbourne, Australia for a period of five nights commencing 30 September 2024 on Booking.com at the URL <https://booking.com>. Annexed to this affidavit and marked **PLB-3** is the screenshot of these search results caused to be taken on 14 August 2024.

Logistical arrangements in the United Kingdom

- 11. In my opinion, based upon my experience in conducting litigation through AVL means, adequate technological and logistical arrangements can be made to facilitate Dr Bach giving his evidence remotely via AVL.




- 12. I consider that MinterEllison's office in London is a suitable location from which Dr Bach can give his evidence remotely. MinterEllison's London office is located at 6 Dowgate Hill, London EC4 2SU, United Kingdom.
- 13. I have visited MinterEllison's office in London on numerous occasions, and accordingly, I am very familiar with its facilities.
- 14. I believe that the MinterEllison office in London has suitable facilities to enable Dr Bach to give evidence via AVL which will guarantee the following conditions in accordance with the Court's requirements:
 - i. A stable internet connection;
 - ii. An IP address;
 - iii. Compatibility with Microsoft Teams;
 - iv. Private and secure conference rooms;
 - v. Audio-visual equipment suitable for cross-examination including television, webcam, backup speakerphone and uninterruptible power supply; and
 - vi. Religious text upon which an oath may be sworn.
- 15. A solicitor in the employ of MinterEllison can attend and ensure the logistical and technical requirements are satisfied, including access to an information technology contact within the firm that can provide further assistance if required.
- 16. On 15 August 2024, I received an email from the solicitors for the applicant stating that the applicant opposes the Application. Annexed to this affidavit and marked **PLB-4** is a copy of that email.

Sworn by the deponent
 at Melbourne in Victoria
 on 16 August 2024
 Before me:

)
)
)
)
)


 Signature of deponent



Signature of witness

Benjamin Reid
 447 Collins Street, Melbourne, Victoria, 3000
 An Australian Legal Practitioner within the
 meaning of the Legal Profession Uniform Law
 (Victoria)

Annexure Certificate

No. VID1023/2023

Federal Court of Australia
District Registry: Victoria
Division: General

Moira Deeming

Applicant

John Pesutto

Respondent

PLB-1

This is the annexure marked '**PLB-1**' referred to in the Affidavit of **Peter Llewellyn Bartlett** sworn on 16 August 2024.

A copy of a screenshot of search results for flights from London, United Kingdom to Melbourne, Australia on 29 September on the Skyscanner website at URL <https://www.skyscanner.com.au> taken on 16 August 2024



Skyscanner Help English (UK) Australia \$AUD Log in

[Flights](#) [Hotels](#) [Car Hire](#)

London (LHR) - Melbourne (MEL) · 1 adult, Business Class Sun, 29 Sep

Additional bag fees may apply

Get Price Alerts Searching Emirates Sort by Best

Best \$5,012 28h 20 **Cheapest \$3,528** 46h 42 **Fastest \$13,730** 28h 30

Book direct for better deals
Book at ethad.com to avoid paying extra More info

21:50 LHR → 05:05 MEL 1 stop AUM	\$12,690 Select →
06:40 LHR → 20:00 MEL 2 stops ANM, BKK	\$5,012 Select →
17:15 LHR → 04:30 MEL 2 stops DIB, BKK	\$5,648 Select →
12:30 LHR → 20:00 MEL 1 stop BKK	\$7,249 Select →
Like these flights? We'll let you know when prices go up or down. Track prices	
21:30 LHR → 14:40 MEL 1 stop DIB	\$4,870 Select →
Emirates Enjoy Emirates lounge access With chauffeur-driven airport transfers More info	\$12,558 Select →
21:25 LHR → 07:30 MEL 1 stop BKK	\$7,245 Select →
17:10 LHR → 09:35 MEL 2 stops AMS, ANM	\$5,982 Select →
22:10 LHR → 08:40 MEL 1 stop GAT	\$7,717 Select →
19:05 LHR → 09:50 MEL 2 stops IST, COX	\$5,061 Select →

Found flights? Now find a hotel
Get results from all the top hotel sites right here on Skyscanner
[Explore hotels](#)

Sun, 29 Sep - Mon, 30 Sep

Car hire in Melbourne
Don't stop at flights - find deals on wheels too.
[Car hire from \\$24 per day](#)

Stops
None
 1 stop from \$4,870
 2+ stops from \$3,528

Departure times
Outbound 00:00 - 23:59

Journey duration
21.5 hours - 52.0 hours

Airlines
oneworld Star Alliance
SkyTeam
 Air India from \$3,597
 American Airlines from \$9,281
 ANA (All Nippon Airways) from \$20,598
 British Airways from \$12,979
 Cathay Pacific from \$10,818
 China Eastern from \$5,436
 China Southern from \$5,222
 Emirates from \$10,380
 Ethad Airways from \$10,814
 Finnair from \$10,308
 KLM from \$17,258
 Malaysia Airlines from \$7,968
 Oman Air from \$7,513
 Qantas from \$10,369
 Qatar Airways from \$9,318
 Royal Jordanian from \$5,118
 Singapore Airlines from \$12,418
 SriLankan Airlines

Skyscanner Help English (UK) Australia \$AUD Login

Flights Hotels Car Hire

London (LHR) - Melbourne (MEL) 1 adult, Economy Sun, 29 Sep

Show whole month Get Price Alerts 271 results Sort by Best Additional bag fees may apply

Stops

- None
- 1 stop from \$1,133
- 2+ stops from \$928

Departure times

Outbound 00:00 - 23:59

Journey duration

21.5 hours - 61.0 hours

Airlines

oneworld Star Alliance SkyTeam

- Air Canada from \$2,274
- Air France from \$2,022
- Air India from \$1,033
- Air New Zealand from \$2,231
- American Airlines from \$5,177
- ANA (All Nippon Airways) from \$5,862
- Australia Airlines from \$5,513
- British Airways from \$2,596
- Cathay Pacific from \$1,888
- China Eastern from \$2,047
- China Southern from \$2,081
- Emirates from \$2,038
- Etihad Airways from \$1,752
- Finnair from \$2,159
- Gulf Air from \$3,217
- JAL from \$5,157
- KLM from \$1,997
- Lufthansa from \$5,305

Best \$1,627 22h 00

Cheapest \$928 40h 25

Fastest \$2,568 21h 30

Book direct for better deals

21:50 LHR → 05:05 MEL 1 stop AUA \$2,386

12:30 LHR → 20:00 MEL 1 stop BKK \$1,627

21:25 LHR → 07:30 MEL 1 stop BKK \$1,554

17:15 LHR → 04:30 MEL 2 stops LAR BKK \$1,403

Like these flights?

Track prices

This flight emits 7% less CO2e than a typical flight on this route

21:50 LHR → 05:05 MEL 1 stop AUA \$1,998

Emirates Fly to Melbourne with Emirates

22:15 LHR → 05:30 MEL 1 stop DKB \$2,938

This flight emits 20% less CO2e than a typical flight on this route

06:40 LHR → 20:00 MEL 2 stops JPN BKK \$1,530

This flight emits 6% less CO2e than a typical flight on this route

09:45 LHR → 06:30 MEL 1 stop CEE \$1,133

This flight emits 19% less CO2e than a typical flight on this route

11:00 LHR → 19:15 MEL 1 stop AUA \$1,930

Found flights? Now find a hotel

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Car hire in Melbourne

Car hire from \$34 per day

Annexure Certificate

No. VID1023/2023

Federal Court of Australia
District Registry: Victoria
Division: General

Moira Deeming

Applicant

John Pesutto

Respondent

PLB-2

This is the annexure marked '**PLB-2**' referred to in the Affidavit of **Peter Llewellyn Bartlett** sworn on 16 August 2024.

A copy of a screenshot of search results for flights from Melbourne, Australia to London, United Kingdom on 5 October on the Skyscanner website at URL <https://www.skyscanner.com.au> taken on 16 August 2024



Skyscanner Help English (UK) Australia \$ AUD Login

Flights Hotels Car Hire

Melbourne (MEL) - London (LHR) · 1 adult, Business Class Sat, 5 Oct

Show whole month Additional bag fees may apply

Get Price Alerts 315 results Sort by Best

Best \$5,249 22h 23
Cheapest \$3,034 47h 10
Fastest \$7,204 22h 20

Holafly Travel with Holafly's unlimited data eSIM. Stay connected in 200+ destinations, quickly, easily and with no extra charges. Sponsored **Get your travel eSIM**

QATAR	15:05 MEL	22h 23 1 stop DOH	07:30 LHR	13 deals from \$5,249	Select
QATAR	15:05 MEL	24h 43 1 stop DOH	06:50 LHR	11 deals from \$5,497	Select
QATAR	21:00 MEL	23h 1 stop DOH	13:00 LHR	10 deals from \$5,497	Select

Like these flights? We'll tell you when prices go up or down. Track prices

Book direct for better deals Book at etihad.com to avoid paying extra More info

ETIHAD	15:15 MEL	24h 30 1 stop AHA	06:45 LHR	Sponsored \$6,057	Select
ETIHAD	15:15 MEL	24h 30 1 stop AHA	06:45 LHR	16 deals from \$5,733	Select
THAI	23:30 MEL	22h 40 1 stop BKK	19:10 LHR	19 deals from \$4,297	Select
QATAR	15:05 MEL	24h 20 1 stop DOH	06:25 LHR	12 deals from \$5,937	Select
Virgin Atlantic	14:25 MEL	24h 55 1 stop HKG	06:20 LHR	19 deals from \$6,007	Select

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Get results from all the top hotel sites right here on Skyscanner. **Explore hotels**

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Flight Centre <https://secure.flightcentre.com.au>
London Flights from \$1461* - Fly to London from \$1461*
Book with Peace of Mind. Search. Compare. Book. Flights Online Now With Flight Centre. ★★★★★ rating for flightcentre.com.au

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Airlines Clear all

oneworld Star Alliance

SkyTeam

- Air Canada from \$1,339
- Air France from \$6,959
- Air India from \$4,753
- Air New Zealand from \$3,331
- American Airlines from \$8,976
- ANA (All Nippon Airways) from \$19,717
- British Airways from \$6,034
- Cathay Pacific from \$5,921
- China Eastern from \$4,426
- China Southern from \$4,517
- EgyptAir from \$3,190
- Emirates from \$1,019
- Etihad Airways from \$5,733
- Fiji Airways from \$9,271
- Finnair from \$6,289
- Japan Airlines from \$7,350
- KLM from \$9,205

Skyscanner Help English (UK) Australia \$ AUD Log in

Flights Hotels Car Hire

Melbourne (MEL) - London (LHR) · 1 adult, Economy Sat, 5 Oct

Show whole month Additional bag fees may apply

Get Price Alerts 267 results Sort by Best

Best \$964 **Cheapest** \$719 **Fastest** \$1,862

Stops

- None
- 1 stop from \$740
- 2+ stops from \$719

Departure times

Outbound 00:00 - 23:59

Journey duration

22.5 hours - 57.0 hours

Airlines

oneworld Star Alliance

SkyTeam Value Alliance

- Air Canada from \$1,554
- Air France from \$1,550
- Air India from \$740
- Air New Zealand from \$2,991
- Emirates Airlines from \$1,474
- ANA (All Nippon Airways) from \$8,684
- Australian Airlines from \$1,656
- British Airways from \$1,349
- Cathay Pacific from \$1,119
- China Eastern from \$1,040
- China Southern from \$1,112
- EgyptAir from \$2,321
- Emirates from \$1,431
- Etihad Airways from \$964
- Fiji Airways from \$1,549
- Finnair from \$1,681
- JAL (Japan Airlines) from \$1,265
- KLM from \$1,592

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This flight emits 8% less CO2e than a typical flight on this route

	15:15 MEL	24h 50m	1 stop DHH	06:45 LHR	14 deals from \$964	Select
	15:05 MEL	24h 00m	1 stop DCH	06:25 LHR	13 deals from \$970	Select
	21:00 MEL	22h 15m	1 stop DCH	13:15 LHR	0 deals from \$970	Select

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	21:00 MEL	22h 00m	1 stop DCH	13:00 LHR	10 deals from \$1,003	Select
--	-----------	---------	------------	-----------	-----------------------	------------------------

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	12:30 MEL	22h 50m	2 stops BKK, DKB	06:25 LHR	14 deals from \$777	Select
	15:05 MEL	24h 00m	1 stop DCH	06:25 LHR	8 deals from \$1,052	Select

This flight emits 9% less CO2e than a typical flight on this route

	23:45 MEL	24h 30m	1 stop HYG	15:15 LHR	14 deals from \$1,119	Select
	21:00 MEL	22h 00m	1 stop DCH	13:15 LHR	9 deals from \$1,052	Select

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Book Malaysia Airlines, the national carrier of Malaysia with full service Malaysian hospitality.

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tripsinsider.com <https://www.tripsinsider.com/...>
\$39 Last Minute Flight Deals - 2024 Deals - Unsold Seats - 60%
Cheap Flights From Melbourne To London? Last Minute Price Drops on Int. & Domestic Airfare. Compare Today!

Annexure Certificate

No. VID1023/2023

Federal Court of Australia
District Registry: Victoria
Division: General

Moira Deeming

Applicant

John Pesutto

Respondent

PLB-3

This is the annexure marked '**PLB-3**' referred to in the Affidavit of **Peter Llewellyn Bartlett** sworn on 16 August 2024.

A copy of a screenshot of search results for accommodation in Melbourne, Australia for a period of five nights commencing 30 September 2024 on Booking.com at the URL <https://booking.com> taken on 14 August 2024



Booking.com
AUD [List your property](#) [Register](#) [Sign in](#)

Stays
 Flights
 Flight + Hotel
 Car rentals
 Attractions
 Airport taxis

Melbourne CBD ×

Mon 30 Sept — Sat 5 Oct

1 adult · 0 children · 1 room ▼

Search

[Home](#) > [Australia](#) > [Victoria](#) > [Melbourne](#) > Search results

Show on map

Melbourne CBD: 907 properties found

↓↑ Sort by: Top picks for solo travellers

Your results include some shared accommodations, such as dormitory beds. [Show private rooms only](#) ×

Filter by:

Your budget (per night)

AUD 20 - AUD 500+

Deals

All deals 64

Popular filters for this area

- Free cancellation 763
- Hotels 136
- No prepayment 122
- 4 stars 514
- Free WiFi 846
- Very good: 8+ 557
Based on guests' reviews
- Private bathroom 518
- Book without credit card 1

Property type

- Entire homes & apartments 831
- Apartments 784
- Hotels 136
- Holiday homes 21
- Hostels 8

Show all 9 ▼

Bed preference

Oaks Melbourne on William Suites

★★★★★

Melbourne CBD, Melbourne [Show on map](#) Metro access

Studio Apartment with Balcony

Entire studio · 1 bathroom · 1 kitchen · 35m²
1 large double bed

Good 7.9

4,765 reviews

5 nights · 1 adult

AUD 877

Includes taxes and charges

See availability >

InterContinental Melbourne The Rialto, an IHG Hotel

★★★★★

Melbourne CBD, Melbourne [Show on map](#)

Classic King Room

1 extra-large double bed

✓ Free cancellation

Only 6 rooms left at this price on our site

Very good 8.2

1,083 reviews

5 nights · 1 adult

AUD 1,536

Includes taxes and charges

See availability >

Causeway 353 Hotel

★★★★★

Melbourne CBD, Melbourne [Show on map](#)

Deluxe King Room

1 extra-large double bed

✓ Free cancellation

✓ No prepayment needed – pay at the property

Very good 8.1

8,562 reviews

Location 9.3

5 nights · 1 adult

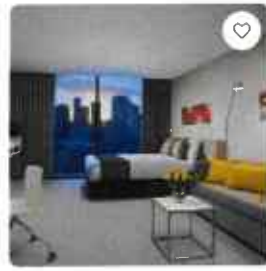
AUD 974

Includes taxes and charges

See availability >

ME_223640586_1

- Twin beds 164
- Double bed 888
- Reservation policy**
- Free cancellation 763
- Book without credit card 1
- No prepayment 122
- Room facilities**
- Private bathroom 518
- Air conditioning 859
- Balcony 353
- Kitchen/kitchenette 814
- Sea view 51
- Show all 25 ▾
- Brands**
- Oaks Hotels & Resorts 7
- Quest Apartment Hotels 4
- Mantra 4
- Novotel 3
- Mercure 3
- Adina 3
- Vibe Hotels 3
- Best Western 2
- ibis 2
- Marriott Hotels & Resorts 2
- Show all 20 ▾
- Landmarks**
- Federation Square 314
- Meals**
- Self catering 814
- Breakfast included 71
- Breakfast & dinner included 2
- Facilities**
- Parking 448
- Free WiFi 846
- Restaurant 75
- Pets allowed 35



Citadines on Bourke Melbourne ★★★★★

Melbourne CBD, Melbourne [Show on map](#) Metro access

Deluxe Studio Apartment
 Single studio - 1 bathroom - 33m²
 Beds: 1 double or 2 singles

Very good 8.3
 6,847 reviews
 Location 9.5

5 nights 1 adult
AUD 1,185
 Includes taxes and charges

[See availability >](#)



Ink Hotel Melbourne Southbank ★★★★★

Southbank, Melbourne [Show on map](#)

Standard Double Room
 1 double bed

Very good 8.4
 3,617 reviews

5 nights 1 adult
AUD 927
 Includes taxes and charges

[See availability >](#)



YTI Garden Hotel ★★★★★

Melbourne CBD, Melbourne [Show on map](#) Metro access

Studio - Min 2 Nights
 1 double bed

✓ Free cancellation

Good 7.1
 2,781 reviews

5 nights 1 adult
AUD 563
 Includes taxes and charges

[See availability >](#)



Space Hotel ★★★★★

Melbourne CBD, Melbourne [Show on map](#) Metro access

Bed in 6-Bed Mixed Dormitory Room with Shared Bathroom

Bed in dormitory
 1 bunk bed

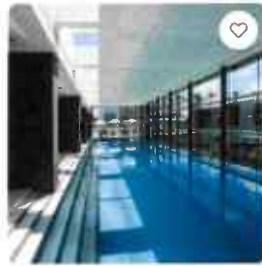
✓ Free cancellation

Very good 8.1
 2,335 reviews

5 nights 1 adult
AUD 251
 Includes taxes and charges

[See availability >](#)

- Room service 60
- Show all 14 ▾
- Online payment**
- Accepts online payments 750
- Property rating**
Find high-quality hotels and holiday rentals
- 2 stars 17
- 3 stars 108
- 4 stars 314
- 5 stars 34
- Unrated 254
- Certifications**
- Sustainability certification 4
- Guest review score**
- Superb: 9+ 263
- Very good: 8- 537
- Good: 7+ 688
- Pleasant: 6- 745
- Fun things to do**
- Fitness centre 360
- Indoor pool 316
- Fitness 125
- Sauna 119
- Hot tub/Jacuzzi 61
- Bedrooms and bathrooms**
- Bedrooms
- Bathrooms
- Neighbourhood**
- Melbourne CBD 907
- Guests' favourite area 876
- Southbank 233
- Collins Street 89
- Docklands 85
- West Melbourne 38



Crown Promenade Melbourne ★★★★★

Southbank, Melbourne [Show on map](#)

Standard King Room
1 extra-large double bed
✓ Free cancellation
✓ No prepayment needed - pay at the property

Fabulous
9023 reviews **8.7**
Location 9.4

5 nights 1 adult
AUD 1,265

Includes taxes and charges

[See availability >](#)



The Mansion Melbourne ★★★★★

East Melbourne, Melbourne [Show on map](#) [Metro access](#)

Bed in 12-Bed Mixed Dormitory Room
Bed in dormitory
1 bunk bed
✓ Free cancellation

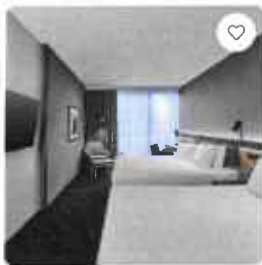
Only 3 beds left at this price on our site

Very good
663 reviews **8.5**

5 nights 1 adult
AUD 208

Includes taxes and charges

[See availability >](#)



Vibe Hotel Melbourne Docklands

Docklands, Melbourne [Show on map](#)

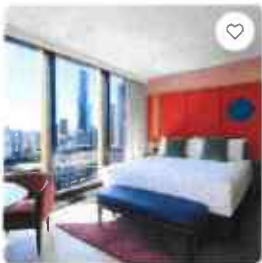
Guest Room King
Multiple bed types
✓ Free cancellation
✓ No prepayment needed - pay at the property
Only 3 rooms left at this price on our site

Very good
3141 reviews **8.4**

5 nights 1 adult
AUD 1,052

Includes taxes and charges

[See availability >](#)



Quincy Hotel Melbourne ★★★★★

Melbourne CBD, Melbourne [Show on map](#)

Quincy Queen or Twin Room
Beds: 1 double or 2 singles
Only 3 rooms left at this price on our site

Fabulous
6199 reviews **8.6**

5 nights 1 adult
AUD 948

Includes taxes and charges

[See availability >](#)

Annexure Certificate

No. VID1023/2023

Federal Court of Australia
District Registry: Victoria
Division: General

Moira Deeming

Applicant

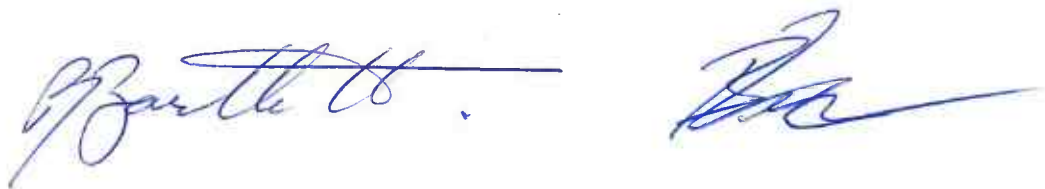
John Pesutto

Respondent

PLB-4

This is the annexure marked '**PLB-4**' referred to in the Affidavit of **Peter Llewellyn Bartlett** sworn on 16 August 2024.

A copy of an email from the solicitors for the applicant to the solicitors for the respondent dated 15 August 2024



Cohen Dietrich

From: Jeremy Marel <jeremy.marel@gilesgeorge.com.au>
Sent: Thursday 15 August 2024 02:26 PM
To: Peter Bartlett; Dean Levitan; Tess McGuire
Cc: Petar Strkalj; Patrick George
Subject: RE: VID1023/2023 MOIRA DEEMING v JOHN PESUTTO [ME-ME.FID7676918]
[SEC=OFFICIAL]

Dear Colleagues,

We refer to order 15 of the proposed orders which had been provided to Justice O'Callaghan on 8 August – as follows:

15. *Should the applicant require Dr Matt Bach's attendance for cross-examination, in accordance with section 47A(1) of the Federal Court of Australia Act 1976 (Cth), Dr Bach is permitted to give evidence at the hearing of these proceedings via audio-visual link.*

Given that we think there will be a real dispute about Dr Bach's evidence, particularly in relation to his evidence as to what occurred at the meetings on 19 March 2023 referred to at [19]-[37] of his affidavit, and that his credit will likely be the subject of challenge, and in light of his Honour's comments at the case management hearing (at T3.21-28), we do not consent to leave being granted under s 47A(1) of the *Federal Court of Australia Act 1976 (Cth)* for Dr Bach to give evidence remotely.

Kind regards,

Jeremy Marel
Special Counsel

Giles / George

m/ 0404 617 354
t/ 1300 163 662

Sydney + Melbourne

Tip the balance in your favour

www.gilesgeorge.com.au

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From: Jeremy Marel
Sent: Thursday, August 8, 2024 3:35 PM
To: Associate O'CallaghanJ <Associate.OCallaghanJ@fedcourt.gov.au>
Cc: EA - O'Callaghan J <EA.OCallaghanJ@fedcourt.gov.au>; Tess McGuire <Tess.McGuire@minterellison.com>; Dean Levitan <Dean.Levitan@minterellison.com>; Peter Bartlett <Peter.Bartlett@minterellison.com>; Petar Strkalj <petar.strkalj@gilesgeorge.com.au>; Patrick George <patrick.george@gilesgeorge.com.au>
Subject: RE: VID1023/2023 MOIRA DEEMING v JOHN PESUTTO [ME-ME.FID7676918] [SEC=OFFICIAL]

Dear Associate,

We act for the Applicant, Moira Deeming.

The Respondent's solicitors have consented to, and are copied in to, this email.