

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: 9/05/2024 6:51:57 PM AEST
Date Accepted for Filing: 10/05/2024 8:48:46 AM AEST
File Number: NSD474/2024
File Title: ESAFETY COMMISSIONER v X CORP.
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: To Be Advised
Time and date for hearing: To Be Advised
Place: To Be Advised

WILL BE HEARD TODAY IE 10 MAY 2024 AT 10.30AM.



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)

INTERLOCUTORY APPLICATION

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

NO NSD 474 OF 2024

ESAFETY COMMISSIONER

Applicant

X CORP

Respondent

To: the Respondent

The Applicant 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:

Federal Court of Australia
Level 17, Law Courts Building
184 Phillip Street
Queens Square, SYDNEY NSW 2000

Date:

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

Filed on behalf of the Applicant, eSafety Commissioner
Prepared by: Matthew Garey
AGS lawyer within the meaning of s 551 of the *Judiciary Act*
1903

Address for Service:
The Australian Government Solicitor,
Level 10, 60 Martin Place, Sydney, NSW 2000
Matthew.Garey@ags.gov.au

File ref: 24003626

Telephone: 02 958 17625
Lawyer's Email:
Matthew.Garey@ags.gov.au
Facsimile: 02 6169 3054



INTERLOCUTORY ORDERS SOUGHT

1. Pursuant to s 37AF of the *Federal Court of Australia Act 1976* (Cth) (the **Act**) and on the grounds referred to in s 37AG(1)(a), (b) and (c) of the Act, there be no disclosure, by publication or otherwise, of:
 - 1.1. specific Uniform Resource Locaters (**URLs**) which contain the video and audio of the stabbing of Bishop Mar Mari Emmanuel that occurred at Wakeley, Sydney on 15 April 2024 (**Stabbing Video**);
 - 1.2. the names and contact details of employees of ACMA working to the eSafety Commissioner other than Toby Allan Dagg; and
 - 1.3. the Confidential Affidavit of Toby Allan Dagg dated 9 May 2024.
2. The Applicant and Respondent are to prepare and provide to the Court for public access on the online court file, copies of any documents filed and/or tendered in the proceeding which contain any of the information referred to in paragraphs 1.1 and 1.2 of Order 1, with redactions applied to that information:
 - 2.1. within 2 business days of the date of these orders for documents that have already been filed in the proceeding; or
 - 2.2. otherwise within 2 business days of the document being filed.
3. Order 1 does not prevent disclosures to and between the following authorised persons:
 - 3.1. Judges of this Court;
 - 3.2. necessary Court staff (including transcription service providers);
 - 3.3. the parties;
 - 3.4. legal representatives of the parties instructed in these proceedings;
 - 3.5. witnesses or proposed witnesses in the proceedings;
 - 3.6. Commonwealth officers acting in the course of their duties; and
 - 3.7. judicial officers and necessary staff of any court hearing an appeal from any decision made in the course of this proceeding.
4. Order 1 does not prevent disclosure of the information referred to in that Order by a Commonwealth officer acting in the course of their duties.
5. Order 1 operates throughout the Commonwealth of Australia.
6. Order 1 operates for two years or until further order.



7. No person is to be allowed to access the material referred to in order 1 on the Court file until further order.

8. Order 6 operates for two years or until further order.

SERVICE ON THE RESPONDENT

It is intended to serve this application on the Respondent.

Date: 9 May 2024

A handwritten signature in blue ink, appearing to read 'M. Garey'.

.....
Matthew Garey
AGS lawyer
for and on behalf of the Australian Government Solicitor
Lawyer for the Applicant