

Interlocutory application

No. NSD474 of 2024

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

ESAFETY COMMISSIONER

Applicant

X CORP.

Respondent

To the Applicant and the Respondent

The following organisations:

1. Electronic Frontier Foundation (**EFF**) and
2. The Foundation for Individual Rights and Expression (**FIRE**)

apply 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: 10:30 am 10 May 2024

Place: Federal Court of Australia, Law Courts Building, Queens Square, Sydney NSW 2000

Filed on behalf of (name & role of party)	Electronic Frontier Foundation and The Foundation for Individual Rights and Expression		
Prepared by (name of person/lawyer)	Kevin Lynch		
Law firm (if applicable)	Johnon Winter Slattery		
Tel	+61 8274 9555	Fax	+61 2 8274 9500
Email	Kevin.lynch@jws.com.au		
Address for service (include state and postcode)	Level 14, 50 Bridge Street, Sydney NSW 2000		

The Court ordered that the time for serving this application be abridged to

Date: 9 May 2024

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

Interlocutory orders sought

1. This interlocutory application be returnable instanter.
2. Pursuant to rule 9.12(1) of the *Federal Court Rules 2011* (Cth), each of Electronic Frontier Foundation (**EFF**) and the Foundation for Individual Rights and Expression (**FIRE**) be granted leave to intervene in the proceeding to make submissions on the extra territorial effect of the relief sought by the Applicant.
3. Alternatively, and pursuant to sections 5(2) and 23 of the *Federal Court Act 1976* (Cth), and/or the Court's inherent power, each of EFF and FIRE:
 - (a) be appointed as *amicus curiae* in the proceeding; and
 - (b) participate by way of submissions on the extra territorial effect of the relief sought by the Applicant.
4. Any other order that the Court sees fit to make.

Service on the Applicant and Respondent

It is intended to serve this application on all Applicants and Respondents.

Date: 9 May 2024



Signed by Kevin Lynch
Lawyer for EFF and FIRE