



Federal Court of Australia

District Registry: South Australia

Division: General

No: SAD18/2017

On Appeal from a single Judge of the Federal Court of Australia

LINDSAY KOBELT

Appellant

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION

Respondent

ORDER

JUDGES: JUSTICE BESANKO, JUSTICE GILMOUR and JUSTICE WIGNEY

DATE OF ORDER: 20 February 2018

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. The Appellant is granted leave to file forthwith an Amended Notice of Appeal, wherein:
 - (a) The words “The Appellant appeals from the whole of the judgment of the Federal Court given on 13 December 2016” at the bottom of page one of the Notice of Appeal dated 24 January 2017 are amended to read “The Appellant appeals from the whole of the judgment of the Federal Court given on 13 December 2016 and orders 1, 3 and 4 from the judgment of the Federal Court given on 13 April 2017”; and
 - (b) Under the heading “Orders sought”, paragraph 3A is inserted after paragraph 3, which reads “Set aside orders 1, 3 and 4 of the orders made on 13 April 2017.”
2. The appeal is allowed in part.
3. Orders 2, 3 and 4 of the orders made on 13 December 2016 in Federal Court proceeding number SAD 100 of 2014 (the Proceeding) be set aside.
4. Orders 1, 3 and 4 of the orders made on 13 April 2017 in the Proceeding be set aside.



5. The Applicant to the Proceeding, and Respondent to this appeal is to pay 85% of the costs of the Respondent to the Proceeding and 85% of the Appellant's costs on the appeal.

Date that entry is stamped: 27 February 2018

Warwick Soden
Registrar