



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD755/2024

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Applicant

AUSFINANCIAL PTY LTD (ACN 118 176 631)

Respondent

ORDER

JUDGE: Justice Downes

DATE OF ORDER: 6 March 2026

WHERE MADE: Brisbane

THE COURT ORDERS BY CONSENT THAT:

Pleadings

1. The Respondent is to file and serve any amended Defence by 31 March 2026.
2. The Applicant is to file and serve any Reply to any amended Defence by 16 April 2026.

Evidence

3. By 20 July 2026 the Applicant is to file and serve any lay or expert evidence on which it intends to rely at the liability hearing.
4. By 31 August 2026, the Respondent is to file and serve any lay or expert evidence on which it intends to rely at the liability hearing.
5. By 14 September 2026, the Applicant is to:
 - (a) File and serve any expert or lay evidence in reply on which it intends to rely at the liability hearing;



- (b) provide the Respondent with a list of documents on which it intends to rely during the liability hearing of this matter (Applicant's Tender Bundle) and arrange for electronic service of all documents referred to in the Applicant's Tender Bundle on the Respondent.
6. By 28 September 2026, the Respondent is to provide the Applicant with a list of documents on which it intends to rely during the liability hearing of this matter (Respondent's Tender Bundle) and arrange for electronic service of all documents referred to in the Respondent's Tender Bundle on the Applicant.
7. By 24 September 2026, any experts engaged for the Applicant and the Respondent are to have conferred and prepared in draft a joint report specifying the issues agreed by each expert and, in respect of matters not agreed, the reasons for the experts not agreeing (Joint Expert Report).
8. By 1 October 2026, the Applicant is to file and serve any Joint Expert Report.

Objections to Evidence

9. By 21 September 2026, the Applicant and the Respondent are to exchange a schedule of objections to the admissibility of evidence (including affidavits and documents), which identifies the grounds of the objection.
10. By 28 September 2026, junior counsel for each of the parties are confer with a registrar for the purposes of narrowing the objections to evidence.
11. By 5 October 2026, the Applicant is to file and serve a consolidated schedule of objections that contains:
- (a) a list of objections to evidence that are pressed by the Applicant and the Respondent and, in respect of each such objection, the grounds of the objection and the Applicant's and Respondent's response to those grounds;



- (b) a list of any evidentiary rulings in respect of evidence that are agreed between the parties;

Witnesses

- 12. By 7 September 2026, the Applicant and the Respondent are to exchange a list of deponents who are required for cross-examination.

Submissions

- 13. By 5 October 2026, the Applicant is to file and serve its written opening and a List of Authorities (in accordance with the Federal Court's Lists of Authorities and Citations Practice Note published 21 September 2022 (**GPN-AUTH**)) for the purposes of the hearing on liability.
- 14. By 12 October 2026, the Respondent is to file and serve its written opening and a List of Authorities (in accordance with the Federal Court's Lists of Authorities and Citations Practice Note published 21 September 2022 (**GPN-AUTH**)) for the purposes of the hearing on liability.

Court eBook

- 15. The Court eBook is to be provided to the Court in electronic format, comply with GPN-eBooks and comprise:
 - (a) as *Part A*, the latest version only of the pleadings relied upon by the parties;
 - (b) as *Part B*, the Applicant's and Respondent's outline of opening submissions;
 - (c) as *Part C*, the Applicant's and Respondent's Tender Bundles; and
 - (d) as *Part D*, the affidavits which the Applicant and Respondent intend to read.
- 16. By 28 September 2026, the Applicant is to provide the Respondent with a draft index to the Court eBook.
- 17. By 5 October 2026, the Respondent is to notify the Applicant of any proposed additions or amendments to the draft index to the Court eBook.



18. By 12 October 2026, the Applicant is to provide to the Associate to the trial Judge and serve on the Respondent the Court eBook.

Case Management Hearing

19. The matter be listed for a case management hearing at 9.30 am on 10 September 2026.

General

20. Costs of each case management hearing are costs in the cause.

Date orders authenticated: 6 March 2026


Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



Schedule

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