



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID94/2021

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

RETAIL EMPLOYEES SUPERANNUATION PTY LTD (ACN 001 987 739)

Defendant

ORDER

JUDGE: JUSTICE BEACH

DATE OF ORDER: 09 April 2021

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

1. By 28 April 2021, the plaintiff file and serve a statement of claim.
2. By 26 May 2021, the defendant file and serve a defence to the plaintiff's statement of claim.
3. By 9 June 2021, the plaintiff file and serve any reply to the defendant's defence.
4. By 23 April 2021, the plaintiff produce to the defendant:
 - (a) all documents produced to it pursuant to notices issued under the *Australian Securities and Investments Commission Act 2001* (Cth) (ASIC Act) and the *Corporations Act 2001* (Cth); and
 - (b) all transcripts of examinations conducted by it pursuant to s 19 of the ASIC Act, together with copies of all documents referred to in those transcripts (with the exception of any documents or parts of documents that are the subject of an outstanding objection notified to the plaintiff by any person who has been notified of this order by the plaintiff (Objection Documents)),

in the course of its investigation of the matters the subject of the proceeding.



5. By 23 April 2021, the plaintiff provide the defendant with a list of the Objection Documents (with any reasons provided by the objecting party in support of their objection).
6. By 16 July 2021, the plaintiff provide the defendant with a draft proposed statement of:
 - (a) agreed facts and facts in dispute; and
 - (b) issues in dispute,(a Statement of Agreed Facts).
7. By 6 August 2021, the defendant provide the plaintiff with its comments on the draft Statement of Agreed Facts.
8. Subject to any further order of the Court, pursuant to s 37AF of the *Federal Court of Australia Act 1976* (Cth), member-identifying information is not to be made available to the public.
9. The following defined terms apply for the purposes of orders 10 to 11:
 - (a) “Relevant Documents” means the parties’ pleadings, and any annexures to those documents.
 - (b) “Public Access” means a version of the Relevant Documents labelled “Public Access” in which any member-identifying information is redacted.
 - (c) “Restricted Access” means an unredacted version of the Relevant Documents.
10. The Relevant Documents must be filed and served in two versions, being the:
 - (a) Restricted Access version; and
 - (b) Public Access version.
11. The Restricted Access versions must not be disclosed, except to and between the following persons:
 - (a) the Court;
 - (b) the parties and their officers, directors or employees; and
 - (c) the parties’ legal advisers, including general counsel, external solicitors and counsel and support staff.



12. The matter be listed for a further case management hearing at 9.30 am on 18 August 2021.
13. Costs reserved.
14. Liberty to apply.

Date that entry is stamped: 9 April 2021

Sia Lagos
Registrar