



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD1108/2024

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

ASX LIMITED (ACN 008 624 691)

Defendant

ORDER

JUDGE: Justice Markovic

DATE OF ORDER: 9 September 2024

WHERE MADE: Sydney

THE COURT ORDERS BY CONSENT THAT:

1. Pursuant to r 30.01 of the *Federal Court Rules 2011* (Cth), all questions of liability be heard and determined separately and in advance of any questions concerning penalty or other relief.
2. By 16 September 2024, the plaintiff is to provide the defendant with a list of:
 - (a) all documents obtained by the plaintiff during its investigation into the defendant which resulted in this proceeding (**Investigation**) either:
 - i. pursuant to notices issued under the *Australian Securities and Investments Commission Act 2001* (Cth) (**ASIC Act**) or the *Corporations Act 2001* (Cth);
 - or
 - ii. as voluntary productions by third parties; and
 - (b) transcripts of all voluntary interviews, or examinations conducted pursuant to s 19 of the ASIC Act in relation to the Investigation, and copies of all documents referred to in those transcripts,
save for any documents obtained from the defendant.
3. The list referred to in Order 2 above is to include details of:
 - (a) the date and title (if known) of each document; and
 - (b) document identification numbers for each document.



4. By 19 September 2024, the plaintiff is to provide the defendant with a USB, portable hard drive device or electronic download link containing the documents referred to in the list provided in accordance with Order 2 above, save for any documents or transcripts or parts thereof:
 - (a) over which a claim of privilege is made; or
 - (b) which are the subject of an objection (notified to the plaintiff by 18 September 2024) from any person who produced the document to the plaintiff, or participated in the interview or examination (**Objection Documents**).
5. By 20 September 2024, the plaintiff provide the defendant with a list of the Objection Documents, and copies of any reasons provided by the objecting party in support of their objection.
6. By 27 September 2024, the defendant is to notify the plaintiff as to whether or not it accepts the reasons provided by the objecting party in support of their objection.
7. By 27 September 2024, the defendant is to make any requests for elaboration or particularisation in relation to the plaintiff's Concise Statement.
8. By 14 October 2024, the plaintiff is to provide its response to any requests made by the defendant in accordance with Order 7 above.
9. By 31 October 2024, the defendant is to file and serve a Concise Response to the plaintiff's Concise Statement.
10. By 21 November 2024, the plaintiff is to file and serve any Reply to the defendant's Concise Response.
11. The proceeding be listed for case management hearing on 4 December 2024 at 9.30 am.
12. Costs be costs in the cause.
13. Liberty to restore on three days' notice.

Date orders authenticated: 9 September 2024


Registrar

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