



Federal Court of Australia

District Registry: Victoria Registry

Division: General

No: VID504/2026

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

EQUITY TRUSTEES SUPERANNUATION LIMITED (ACN 055 641 757)

Defendant

ORDER

JUDGE: Justice Neskovcin

DATE OF ORDER: 11 September 2026

WHERE MADE: Melbourne

THE COURT NOTES THAT:

The orders made on 11 September 2026 contained an error which is amended and replaced by these orders pursuant to r 39.05(h) of the *Federal Court Rules 2011* (Cth).

THE COURT ORDERS THAT:

Separation of Liability and Relief

1. The issue of liability be heard and determined separately from, and prior to, any issue relating to relief (including penalty and compensation for any loss). Any documents filed in accordance with order 8 below are to address matters of liability only.

Discovery

2. By 25 September 2026, any party seeking discovery in respect of liability is to serve on the other party a document detailing the proposed discovery it seeks. To the extent a party seeks discovery by categories, the party must provide a draft list of proposed categories.
3. By 2 October 2026, the parties are to provide their responses to the proposed discovery sought under order 2.
4. By 9 October 2026, the parties are to confer on any aspects of the discovery which are not agreed.



5. By 16 October 2026:
 - (a) with respect to any aspects of the discovery in respect of liability which are agreed by consent, the parties are to provide a short minute of consent to her Honour's chambers; and
 - (b) with respect to any aspects of the discovery in respect of liability which are not agreed by consent, the parties are to file and serve an application for discovery, and any evidence and any submissions in support of that application **(Discovery Application)**.
6. By 30 October 2026, the parties are to file any evidence and submissions in response to any Discovery Application sought against it pursuant to order 5(a)(b).
7. The Discovery Application is listed for a hearing on a date to be determined by the Court not before 30 October 2026.

Evidence

8. By 4.00pm on 12 February 2027, the plaintiff is to file and serve all evidence (lay and expert) on which it intends to rely at trial and a preliminary list of all documents to be tendered at trial.

Other Matters

9. The matter is listed for a case management hearing at 10.00am on 26 February 2027.
10. Costs are reserved.
11. Liberty to apply.

Date orders authenticated: 11 September 2026


Registrar

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