

## NOTICE TO PRODUCE

### COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
Registry	Sydney
Case number	3425 of 2006

### TITLE OF PROCEEDINGS

First plaintiff	<b><u>Nine Network Australia Pty Ltd</u></b>
Number of plaintiffs	1
First defendant	<b><u>Seven Network Limited</u></b>
Second defendant	<b><u>Mark Llewellyn</u></b>
Third Defendant	<b><u>Blimey Holdings Pty Ltd</u></b> (ACN 101 558 847)
Fourth Defendant	<b><u>Glenn Dyer</u></b>
Number of defendants	4

### ISSUED BY

Issued by	<b><u>Nine Network Australia Pty Ltd ACN 008 685 407</u></b>
Address	Deacons Lawyers 1 Alfred Street, Circular Quay, Sydney NSW 2000 DX 368 Sydney phone: 02 9330 8000 fax: 02 9330 8111 andrew.stewart@deacons.com.au

### HEARING

Date	5 July 2006
Time	9:00am
Place	Supreme Court of NSW

### NOTICE TO THE AGE COMPANY LIMITED ("THE AGE")

You are required to produce documents or things for inspection by the plaintiff by 9:00am on 5 July 2006.

You must produce the following documents or things:

1. All Documents which constitute a copy of the whole or any part of an affidavit sworn by Mark Llewellyn on 23 June 2006 (**Affidavit**).

2. All Documents (including soft copies of emails and other computer files in electronic format) under the cover of which a copy of the Affidavit was received by The Age or a Related Body Corporate or any employee, agent or officer of either The Age or a Related Body Corporate, or forwarded or sent by The Age or any employee, agent or officer of either The Age or a Related Body Corporate to any other person, whether an employee, agent or officer of The Age or not.
3. All Documents which record or refer to the source from which any copy of the Affidavit was obtained by either The Age or a Related Body Corporate, or any employee, agent or officer of either The Age or Related Body Corporate, or any statement as to the identity of such source or any statement of any belief or supposition as to such source.

Please note that in this notice to produce:

**"Documents"** includes but is not limited to:

- (1) Correspondence, facsimiles, notes or diary notes, memoranda, board reports, minutes or draft minutes, agendas, reports or draft reports, or other written records of any kind;
- (2) Electronic files, emails, computer disks or other storage devices of any kind containing electronic files or emails;
- (3) Documents recording or retaining any legal advice, including any document over which privilege is claimed; and
- (4) Any paper or other material in which there is writing or printing or on which there are marks, figures or symbols having a meaning for persons qualified to interpret them and any disk, tape, or other article from which sounds, images or other records of information are capable of being produced;

**"Related Body Corporate"** has the meaning given to it in section 9 of the Corporations Act 2001.

#### **SIGNATURE**

Signature of solicitor



Name

Andrew Stewart

Solicitor for the plaintiff

Date

29 June 2006

#### **HOW TO RESPOND**

##### **If you are required to produce documents or things for inspection**

You must comply with this notice within a reasonable time after being served. This usually means that you must comply within 14 days after being served with the notice.

To comply with this notice:

- You must produce the documents or things in accordance with this notice
- If you do not produce any of the documents, you must serve a notice on the party who issued the notice which states:
  - That the document is a privileged document, or
  - That the document is, to the best of your knowledge, information and belief, in the possession of a person who is identified in the notice, or
  - That you have no knowledge, information or belief as to the existence or whereabouts of the document.

For further information, see rule 21.11 of the Uniform Civil Procedure Rules.

### **If you are required to produce documents or things to the court**

Unless the court orders otherwise, you must produce the documents and things that are in your possession to the court in accordance with this notice.

Alternatively, you may post or deliver the documents and things to the registrar of the court at the registry address that is listed below. The registrar must receive the documents and things at least 2 days before the date of the hearing.

For further information, see rule 34.2 of the Uniform Civil Procedure Rules.

### **REGISTRY ADDRESS**

NSW Supreme Court Registry  
Levels 4-5  
Law Court Building  
184 Phillip Street  
Sydney

### **If you are required to produce documents or things to an examiner**

Unless the court orders otherwise, you must produce the documents and things that are in your possession to the examiner in accordance with this notice.

For further information, see rule 34.2 of the Uniform Civil Procedure Rules.

**PARTY DETAILS**

**Parties to the proceedings**

**PLAINTIFFS**

Nine Network Australia Pty Limited  
Plaintiff

**DEFENDANTS**

Seven Network (Operations) Limited  
First Defendant

Mark Llewellyn  
Second Defendant

Blimey Holdings Pty Limited  
Third Defendant

Glenn Dyer  
Fourth Defendant