

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged:	Originating Application - Form 15 - Rule 8.01(1)
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	6/07/2023 8:31:52 PM AEST
Date Accepted for Filing:	7/07/2023 12:48:20 PM AEST
File Number:	VID510/2023
File Title:	JULIAN FIDGE v PFIZER AUSTRALIA PTY LTD & ANOR
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

The Court ordered that the time for serving this application be abridged to _____ [Registry will insert date, if applicable].

Date:

.....
Signed by an officer acting with the authority
of the District Registrar

Details of claim

On the grounds stated in the application and accompanying affidavits, the Applicant seeks the following orders:

1. That the Court dispense with the requirements of the usual undertaking as to damages set out in Practice Note GPN-UNDR.
2. That the Court hear and determine forthwith the originating motion filed in these proceedings.
3. That the Court give judgment on the originating motion without further application by the Applicant.
4. Injunctions pursuant to section 147(1) of the *Gene Technology Act 2000*:
 - a. Restraining the First Respondent, via its employees, agents or otherwise, until further order of this Court, from dealing with any of the Covid-19 mRNA injectable products:
 - i. COMIRNATY (tozinameran) (mRNA) (Monovalent); and
 - ii. COMIRNATY Original/Omicron BA.1 (tozinameran and riltozinameran) (Bivalent 1); and
 - iii. Bivalent (COMIRNATY Original/Omicron BA.4-5 COVID-19 vaccine) booster dose (Bivalent 2); and/or
 - b. Restraining the Second Respondent, via its employees, agents or otherwise, until further order of this Court, from dealing with any of the Covid-19 mRNA injectable products:
 - iv. SPIKEVAX (elasomeran, original) (Monovalent); and
 - v. SPIKEVAX Original/Omicron vaccine (Bivalent).
 - c. Directing the First and Second Respondents to instruct and or advise all Australian Commonwealth, State, and Territory governments, departments, agen-

cies, either directly or via their employees, agents, contractors or otherwise, until further order of this Court, from dealing with any of the Covid-19 mRNA injectable products described 5.a.i. - iii. And 5.b.i. - ii.

d. Directing the First and Second Respondents to instruct and or advise all Australian health practitioners licensed or permitted to administer the Covid-19 mRNA products from dealing with any of the Covid-19 mRNA injectable products described in 5.a.i. - iii. And 5.b.i. - ii.

5. Costs.

6. Such further or other orders as this Honourable Court deems fit.

Applicant's address

The Applicant's address for service is:

Place: PJ O'Brien & Associates

Email: [REDACTED]

The Applicant's address is [REDACTED]
[REDACTED]

Service on the Respondents

It is intended to serve this application on all Respondents.

Date: 6 July 2023



Signed by Catherine Louise Ashby-Koppens

Principal PJ O'Brien

Lawyer for the Applicant