



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 18 Mar 2025 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

#### Details of Filing

File Number: A2/2025  
File Title: CD & Anor v. The Commonwealth of Australia  
Registry: Adelaide  
Document filed: Form 3 - Order-Consent orders made by Gageler CJ on 18.03.  
Filing party: HCA  
Date filed: 18 Mar 2025

#### Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. 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 and whenever the document is reproduced for use by the Court.

**Form 3 – Order**

Note: see rule 8.01.2

A2/2025

IN THE HIGH COURT OF AUSTRALIA  
ADELAIDE REGISTRY

BETWEEN:

**CD**  
First Plaintiff

**TB**  
Second Plaintiff

and

**THE COMMONWEALTH OF AUSTRALIA**  
Defendant



**ORDER**

JUSTICE: Gageler CJ

DATE GIVEN: 18 March 2025

INITIATING PROCESS: Consent

BY CONSENT THE COURT ORDERS THAT:

1. Pursuant to r 27.08.1 of the *High Court Rules 2004* (Cth), the questions of law stated by the parties in the special case be referred for the opinion of the Full Court for hearing on 13 and 14 May 2025.
2. Unless otherwise ordered or directed, Part 44 of the *High Court Rules 2004* (Cth) relating to written and oral submissions apply, with any necessary adaptation, to this proceeding.
3. On or before 4pm on 18 March 2025, the Plaintiffs file and serve a special case book in accordance with an index settled by the Registrar.
4. On or before 4pm on 31 March 2025, the Plaintiffs file and serve their submissions and chronology addressing the questions of law stated in the special case.
5. On or before 4pm on 4 April 2025, any intervener in support of the Plaintiffs file and serve submissions addressing the questions of law stated in the special case.
6. On or before 4pm on 17 April 2025, the Defendant file and serve their submissions addressing the questions of law stated in the special case.
7. On or before 4pm on 24 April 2025, any intervener in support of the Defendant or in support of neither party file and serve submissions addressing the questions of law stated in the special case.

This order was taken out by the Defendant.

8. On or before 4pm on 30 April 2025, the Plaintiffs file and serve their submissions in reply.
9. On or before 2 May 2025, the Plaintiffs file and serve the Joint Book of Authorities.

DATE AUTHENTICATED

18 March 2025



*R. M. Mervin*

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Deputy Registrar