

WILCZYNSKI & ANOR
v
OKNALUX PTY LTD & ANOR
[2024] HCASL 308
A18/2024

1 The applicants seek special leave to appeal from the whole of a judgment of the Federal Court of Australia (McEvoy J) dismissing as incompetent an appeal from orders of the Federal Court of Australia (O'Sullivan J) granting leave to discontinue defamation proceedings against the applicants and requiring the respondents to pay the applicants' disbursements, with no other order made as to costs.

2 The decision of McEvoy J is clearly correct and an appeal to this Court would enjoy no prospects of success. No question of principle falls for determination in this application.

3 Special leave to appeal is refused.

Gordon J
Steward J

5 December 2024