

*BATTERHAM*  
v  
*GOLDBERG & ORS*  
[2024] HCASL 81  
S138/2023

- 1       The applicant requires an extension of time within which to seek special leave to appeal from orders of the Court of Appeal of the Supreme Court of New South Wales (White JA and Griffiths A-JA). The Court of Appeal dismissed the applicant's summons seeking leave to appeal from a decision of the primary judge (Lonergan J), which concluded that the applicant's proceeding was "frivolous and vexatious, disclosed no reasonable cause of action and was an abuse of process" because it sought to re-litigate matters that had already been "comprehensively considered and determined" in the Federal Court of Australia.
- 2       There is no reason to doubt the correctness of the decision of the Court of Appeal. An appeal to this Court would enjoy no prospects of success. Accordingly, it would be futile to grant the extension of time that is sought.
- 3       Special leave to appeal is refused.

Edelman J  
Jagot J

11 April 2024