

HBSY PTY LTD ACN 151 894 049

v

LEWIS

[2025] HCADisp 235

S97/2025

- 1 The applicant seeks special leave to appeal from the whole of the judgment of the Full Court of the Federal Court of Australia (Markovic, Downes and Kennett JJ), which ordered that the applicant pay the respondent's costs of the applicant's unsuccessful appeal to the Full Court (not including the respondent's costs of the application for an extension of time to appeal).
- 2 The costs order was based on the Full Court's interpretation of Order 3 of this Court in *HBSY Pty Ltd v Lewis* (2024) 98 ALJR 1211; 419 ALR 280. The Full Court's interpretation of that order was correct. The proposed appeal is otherwise not a suitable vehicle for the issue of principle it seeks to raise.
- 3 Special leave to appeal is refused with costs.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J
Beech-Jones J

9 October 2025