

COMMONWEALTH OF AUSTRALIA

Copyright Act 1968

IN THE COPYRIGHT TRIBUNAL

FILE NO. CT 2 of 2022

FREE TV AUSTRALIA LIMITED (ACN 101 842 184)

Applicant

PHONOGRAPHIC PERFORMANCE COMPANY OF AUSTRALIA LIMITED (ACN 000 680 704)

Respondent

ORDER

TRIBUNAL: ROFE J (Deputy President)

DATE: 19 JUNE 2025

WHERE MADE: SYDNEY



THE TRIBUNAL ORDERS BY CONSENT THAT:

1. Orders 1 to 5 of the orders of made by Rofe J on 5 May 2025 (**5 May Orders**) be vacated.
2. There be an expert conclave between Mr Battrick, Dr Reitman and Dr Eisenach (the **Valuation and Economic Experts**) concerning the valuation and economic issues on which they agree and the valuation and economic issues on which they disagree (**Expert Topics**).
3. By 18 June 2025, the parties endeavour to agree on Expert Topics, and provide to the Tribunal an agreed list of Expert Topics.
4. The Valuation and Economic Experts are to participate in tripartite expert conferences, during the period 7 to 15 July 2025, 23 to 25 July 2025, and, if necessary, 4 to 29 August 2025, such conferences to be conducted in accordance with Part 7 of the **Federal Court** of Australia's Expert Evidence Practice Note (**GPN-EXPT**), and, on or before 29 August 2025, produce a joint tripartite report that identifies the topics posed and sets

out the areas of agreement, partial agreement and disagreement, in respect of any matters in which they have expertise, and, where there is disagreement or partial agreement, short reasons for each Valuation and Economic Expert's position and cross-referring to their reports where their respective reasoning is set out.

5. A registrar of the Federal Court be appointed to act as the facilitator of the tripartite expert conferences referred to in order 4 in accordance with paragraph 7.2 of the GPN-EXPT.
6. By 5 September 2025, the applicant file the tripartite expert report referred to in order 4.

Date that entry is stamped: 19 June 2025



.....

The Hon Justice Helen Rofe, Deputy President