



Issued: 13 February 2017 12:55 PM

JUDGMENT/ORDER

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Equity General
Registry	Supreme Court Sydney
Case number	2017/00045726

TITLE OF PROCEEDINGS

First Plaintiff	Seven Network (Operations) Limited ACN 052845262
Second Plaintiff	Seven West Media Limited
First Defendant	Amber Harrison

DATE OF JUDGMENT/ORDER

Date made or given	13 February 2017
Date entered	13 February 2017

TERMS OF JUDGMENT/ORDER

This matter is listed for Duty (Equity) on 14 February 2017 10:00 AM before the Supreme Court - Civil at Supreme Court Sydney.

His Honour Justice McDougall's orders

1. On the undertaking of the plaintiff's solicitor to pay any necessary filing fee that may be chargeable, I grant the plaintiff leave to file in court the summons initialled by me and dated today's date.
2. Make that summons returnable forthwith before me.
3. Note the summons filed in court today the two affidavits of Ruveni Desaa Kelleher affirmed today's date and exhibits RDK1 and RDK3 to those affidavits
4. Direct that Exhibit RDK3 be kept confidential and that its contents not be disclosed to anyone apart from the parties and their legal representatives until the further order of the court.
5. I note that the plaintiffs by Senior Counsel give to the court the usual undertaking as to damages I make orders in accordance with paragraphs 1 to 6 as amended of the short minutes of order initialled by me and dated today's date
6. I direct that these orders be entered forthwith.

THE COURT ORDERS THAT:

1 Leave be given to file in court:

- a. the affidavits of Ruveni Kelleher dated 13 February 2017.
- 2 Until 5pm on 14 February 2017, and upon the Plaintiffs giving the usual undertaking as to damages, the Defendant be enjoined from:
 - a. from disclosing, copying or reproducing any Confidential Information;
 - b. either directly or indirectly, giving any interviews to any medium or media, or from making, authorising or procuring any public statement, publication, off the record comment, background information, publications, press releases, press conferences, or from participating in social media, about the Company, any of the Beneficiaries or any of the other Group Members, the Termination, the Employment, the Relationship, the Expenses or the First Deed;
 - c. whether by herself, or otherwise, making any statement publicly or otherwise about the Termination, the Relationship, the First Deed, the Expenses, the Company, any of the Beneficiaries

or any of the other Group Members;

d. making any adverse statement about, publicly disparaging or otherwise bringing into disrepute the Company, any of the Beneficiaries or any of the other Group Members;

e. whether directly or indirectly, causing, permitting, soliciting, inducing or encouraging any other person to make any adverse statement, whether publicly or otherwise, or to publicly disparage or otherwise bring into disrepute the Company, any of the Beneficiaries or any of the Group Members;

f. from disclosing the Second Deed and the contents of it (including the matters recited) to any person other than where disclosure: (a) is required by law; (b) is made for the purpose of or in connection with enforcement of the Deed; (c) is made in connection with any claim or demand regarding the operation of the Deed where the extent of its operation is an issue in any such proceedings; or (d) is made with the prior written consent of the Plaintiffs.

3 Leave be granted for the plaintiffs to serve:

a. a Notice to Produce in the form of Annexure A to the Summons, such Notice to be made returnable before the Equity Duty Judge on 10am on 14 February 2017. (Notice to Produce).

4 The time for service of the Summons, the affidavits of Ruveni Kelleher dated 13 February 2017, this Short Minute of Order, the Notice to Produce be abridged until 3pm on 13 February 2017.

5 Service of the documents in order 4 above may be effected upon the Defendant by:

a. email to shane@patronlegal.com.au;

b. courier to Mr Shane Wescott, Patron Legal, Level 11, 65 York Street, Sydney NSW 2000;

c. email to amberharrison22@hotmail.com, passionforproduct@gmail.com and amberharrison22@icloud.com.

6 The proceedings be listed before the Duty Judge on 14 February 2017 at 10:00am.

Note: Capitalised words or expressions in these Short Minutes of Order are defined as follows:

Beneficiaries means each of the Group Members and each of their current and former directors, officers, representatives, agents and employees.

Company means the first plaintiff and includes the plaintiff's successors, transferees and assigns.

Confidential Information includes all confidential information, including, but not limited to:

a. any information (whether written, oral or in electronic form) concerning the Company or any of the other Beneficiaries, or any of its Related Bodies Corporate including but not limited to information of a commercial, operational, marketing and sales, technical, accounting or financial type (including client and contact lists, research results and analysis, price lists, data bases, source codes and methodologies, trade secrets, proprietary systems and know-how) of which the Defendant is aware of or has generated in the course of, or in connection with the Employment (including but not limited to confidential information belonging to a third party and text messages, email communications, photographs and all other forms of electronic and physical documents and communications (whether original or copies) including "screen dump" and whether sent to or by the Defendant and remained in her possession or control as at the date of Termination);

b. any information developed, created or otherwise arising from the information in paragraph (a) above; and

c. all copies, notes and records based on incorporating the information referred to in paragraphs (a) to (b) above.

Employment means the employment of the Defendant with the First Plaintiff and Pacific Magazines Pty Ltd, a related entity of the First Plaintiff, since 1 July 2009.

Expenses means approximately \$262,000 of unauthorised personal expenditure on the corporate credit card of the Defendant.

First Deed means a Deed of Release entered into by the Defendant and First Plaintiff on or about 1 August 2014.

Group means the Company and all Related Bodies Corporate of the Company from time to time, jointly or severally and Group Member means any member of the Group.

Related Bodies Corporate has the meaning given to it in the Corporations Act 2001 and includes the successors, transferees and assigns of each Related Bodies Corporate.

Relationship means the sexual relationship between the Defendant and a senior executive officer of Seven (being the chief executive officer of the Second Defendant).

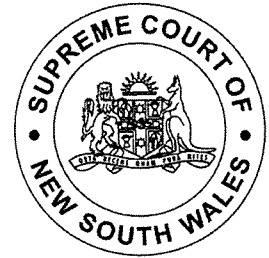
Second Deed means a Deed of Release entered into by the Defendant and the Plaintiffs on or about 14 November 2014.

Termination means the termination of the employment of the Defendant on the grounds of redundancy on and from 14 November 2014.

NOTE:

To Amber Harrison. If you disobey paragraph 2 of this order you will be liable to sequestration of property and to imprisonment.

SEAL AND SIGNATURE



Signature N. Abdi (L.S.)
Capacity Chief Clerk
Date 13 February 2017

If this document was issued by means of the Electronic Case Management System (ECM), pursuant to Part 3 of the Uniform Civil Procedure Rules (UCPR), this document is taken to have been signed if the person's name is printed where his or her signature would otherwise appear.