

Order NOT Entered

**IN THE FEDERAL COURT OF AUSTRALIA
NEW SOUTH WALES DISTRICT REGISTRY**

No: (P)NSD1554/2006

**AMWAY OF AUSTRALIA
First Applicant**

**ANTHONY WILLIAM GREIG
Second Applicant**

**CLIFONE PTY LTD
First Respondent**

**TREVOR RICHARD CHATHAM
Second Respondent**

ORDER

JUDGE: Justice Madgwick

DATE OF ORDER: 16 August 2006

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. The application in these proceedings be returnable instanter.
2. The applicants have leave to file in Court the application in these proceedings and the affidavit of Anthony William Greig sworn 16 August 2006.
3. Time for the service of the Application in these proceedings and the affidavit of Anthony William Greig sworn 16 August 2006 be abridged to 9.30 am on 21 August 2006.
4. Service may be effected by the personal service of a true facsimile copy created by electronic or telephonic transmission of the documents referred to in order 3 hereof (excluding the exhibits) upon the undertaking of the solicitors for the Applicants to serve sealed copies of the relevant documents as soon as practicable and in any event by no later than 7 pm on 16 August 2006, with the exhibits to be served by 9am on 17 August 2006 in electronic form (with a notation that a hard copy is to follow) and by noon on 17 August 2006 in hard copy form.

5. Until further order of the Court, and upon the applicants by their counsel giving the usual undertaking as to damages, order that each of the respondents be restrained, by themselves, their servants or agents, from:
 - (a) using or disclosing any confidential information of the first applicant, including the database and name details maintained at a2k.com.au;
 - (b) contacting any IBO in connection with the activities of the first or second applicants;
 - (c) directly or indirectly supplying, selling or promoting the products of another multilevel marketing company to any IBO;
 - (d) publishing in any manner, except to the respondents' named legal advisers for the purpose of receiving legal advice, the correspondence at pages 181-273 of exhibit "AWG1" to the affidavit of Anthony William Greig sworn 16 August 2006;
 - (e) publishing, whether via email, the world wide web, letter or otherwise, any statement that:
 - (i) The second applicant has committed perjury;
 - (ii) Peter Williams has accepted the second applicant's perjury as acceptable behaviour;
 - (iii) Any or all of the first applicant or the second applicant or Peter Williams or Mike Mohr believe that it is acceptable behaviour for an Amway employee to lie on oath;
 - (iv) Denigrates or disparages the first applicant or any of its employees;
 - (v) The chances of a person making substantial income from an Amway business are very remote;
 - (vi) A substantial income from an Amway business, even if achieved, is unlikely to be able to be maintained;
 - (vii) Amway acts capriciously to deprive business owners of their businesses or incomes.or any statement to similar effect to any of the statements set out above.
 - (f) publishing, whether via email, the world wide web, letter or otherwise, any statement to the effect either of the applicants has engaged in criminal conduct.
6. In these orders, "IBO" means an Independent Business Owner contracted to the first applicant for the distribution of the first applicant's products.
7. The proceedings be adjourned to 9.30am on 21 August 2006.

8. Access to confidential exhibit AWG2 be limited to the parties and their legal advisers.
9. Costs reserved.

Date that entry is stamped:

Deputy District Registrar