



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID345/2022

AUSTRALIAN CONSERVATION FOUNDATION INCORPORATED

Applicant

WOODSIDE ENERGY LTD and another named in the schedule

Respondents

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 10 August 2023

WHERE MADE: Melbourne

THE COURT ORDERS BY CONSENT THAT:

Discovery Categories

1. Annexure A to the orders dated 31 July 2023 be amended by inserting the additional Discovery Categories (as defined in those orders) and further preliminary note, as set out in **Annexure A** to these orders.

Evidence

2. Subject to further order, by 4.00 pm AEST on 11 April 2024, the respondents file and serve any evidence on which they intend to rely in the proceeding.
3. Subject to further order, by 4.00 pm AEST on 9 May 2024, the applicant file and serve any evidence in reply.

Case management hearing

4. The case management hearing listed on 8 August 2023 be vacated.
5. The matter be listed for a case management hearing at 4.30 pm AEST on a date to be fixed.

Electronic discovery plan

6. The electronic discovery plan set out in **Annexure B** to these orders is approved for the purposes of paragraph 3.11(b) of the *Technology and the Court Practice Note (GPN-TECH)* dated 25 October 2016.



Other

7. There be liberty to apply.
8. Costs be reserved.

Date that entry is stamped: 10 August 2023

Sia Lagos
Registrar



Annexure A

Preliminary note

For the purposes of paragraphs 7A and 7B below, 'current' means 'not having been abandoned, superseded, or converted to an executed agreement'.

- 7A Any current Memorandum of Understanding, Heads of Agreement or key term sheet that records an agreement between any Woodside entity and a third party purchaser to negotiate an agreement for the sale of gas by the relevant Woodside entity (or entities) to the other party or any other party, which gas is likely to include gas sourced from the Scarborough Fields or Greater Scarborough Fields, redacted other than terms addressing the following:
- (a) the destination markets for gas;
 - (b) the identity of buyers and end users;
 - (c) the length of the agreement; and
 - (d) the volume of gas contracted.
- 7B Any current draft agreement for the sale of gas between any Woodside entity and a third party purchaser, which gas is likely to include gas sourced from the Scarborough Fields or Greater Scarborough Fields, redacted other than terms addressing the following:
- (a) the destination markets for gas;
 - (b) the identity of buyers and end users;
 - (c) the length of the agreement; and
 - (d) the volume of gas contracted.



Annexure B

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Electronic Discovery Plan

**Australian Conservation Foundation Incorporated v Woodside Energy Ltd and another
(VID345/2022)**



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Electronic Discovery Plan

Australian Conservation Foundation Incorporated v Woodside Energy Ltd and another (VID345/2022) (the *Proceeding*)

1 Introduction

This electronic discovery plan outlines the protocols for each party to follow for the electronic exchange of discovered documents in the *Proceeding*. It has been prepared in accordance with the Federal Court *Technology and the Court Practice Note (GPN-TECH)* dated 25 October 2016 and *Default Document Management Protocol* prepared in accordance with *Federal Court Practice Note CM 6 (CM 6)*, *Electronic Technology in Litigation* dated 25 September 2009. GPN-TECH has superseded CM 6, but the Default Document Management Protocol under CM 6 may still be used as the updated template Standard Document Management Protocol is currently under development by the Court.

Documents to be discovered by the parties in the *Proceeding* are to be exchanged electronically. It is important that all parties follow the protocols to minimise document management and technology costs. The primary purpose of the protocols is to ensure that each party can use the same software to view its own discovered documents and those of the other parties. If the data exchanged does not comply with these protocols, the non-complying party may be asked to re-exchange the data in the appropriate format. This will be done at the cost of the non-complying party.

Longer term, parties should be able to provide court book documents electronically in the same format as discovery. The arrangements relating to the technology required to run an electronic courtroom will be negotiated at the appropriate point in time.

2 Overview

These protocols set out the standards for electronic discovery in the *Proceeding*, including in relation to:

- the format of the documents to be exchanged;
- document numbering;
- the fields and data to be exchanged;
- data and image formats and media for exchange;
- the updating or adding additional data or images; and
- responsibility between the parties for viruses and costs.

3 Use of Technology for the Purpose of Discovery

The parties may employ any or all of the following methods of identifying, processing and reviewing documents for the purpose of discovery if necessary:

- (a) Date filtering;
- (b) Keyword searches;
- (c) Domain analysis;



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- (d) Data analytics;
- (e) De-duplication;
- (f) Email threading;
- (g) Near duplicate analysis; and
- (h) Predictive coding.

4 Images and electronic document indexes to be Exchanged

Images and electronic document indexes will be exchanged in electronic form for all discoverable documents, except for wholly privileged documents and wholly confidential irrelevant documents.

4.1 Images

The following principles apply to the exchange of images:

- (a) As noted above, where a document is a **wholly privileged document** an image of the document will not be exchanged. If the wholly privileged document is a host document, any documents within its family are also considered to be wholly privileged and images of those documents will not be exchanged. If the wholly privileged document is an attachment to a host relevant discoverable document, a placeholder will be provided for the wholly privileged document.
- (b) As noted above, where a document is a **wholly confidential irrelevant document**, an image of the document will not be exchanged. If the wholly confidential irrelevant document is within the family of a relevant discoverable document, a placeholder will be provided for the wholly confidential irrelevant document.
- (c) Where a document is a **wholly irrelevant document**, an image for the document will only be exchanged if it is part of the family of a relevant discoverable document.
- (d) Where a relevant discoverable document is **part privileged** or **part confidential irrelevant**, a redacted image of the document will be exchanged.

4.2 Electronic document indexes

For all documents other than wholly privileged, part privileged, relevant confidential, part irrelevant confidential and wholly irrelevant confidential documents, an electronic document index with the following fields will be exchanged:

- Document ID;
- Document Title;
- Document Type;
- Document Date;
- Author (includes people and organisation);
- Recipient (includes people and organisation); and
- Host Document ID.

For all wholly privileged, part privileged, relevant confidential, part irrelevant confidential and wholly irrelevant confidential documents (within the family of a discoverable relevant document) a separate electronic document index with the same fields will be exchanged, except where the title of the document is privileged or is confidential and irrelevant, in which case the Document Title field will not be exchanged, and a Document Description field will instead be provided and

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populated with a description that does not disclose the information the subject of the privilege claimed, or which is confidential and irrelevant.

5 Image File Format to be Exchanged

5.1 Court documents

All court documents including but not limited to pleadings, affidavits and witness statements are to be exchanged between the parties to the Proceeding in electronic format. Where an exhibit or an annexure to a court document has been discovered in the Proceeding, the parties will, if possible, refer to that document using the Document ID.

Documents with a court stamp or signature are to be exchanged in Adobe Portable Document Format (**PDF**) showing the stamp and signature. All documents are to be exchanged in both of the following formats:

- Microsoft Word 97 or above; and
- Multi page Adobe PDF version 5.0 or above - read only.

The naming convention of each file will be specific to the type of document and should, for example reflect the witness name or pleading name and date filed in Court. For example: "Witness Statement for John Smith filed 23 January 2003" or "Statement of Claim filed 10 January 2002"

5.2 Discoverable electronic documents

Discoverable documents are to be exchanged between the parties in electronic form and fall into two major categories: standard and non-standard document types.

(a) Images

Images for **standard file types** (which include, for example, emails, word processing files and presentation files) are to be exchanged as multi page PDF with Optical Character Recognition (OCR). For further details on the format of these documents, see Section 8.2 below.

Images for **non-standard files** (e.g. MS Excel or database files) are to be exchanged in a commonly viewable native format, unless there is a basis to apply redactions, in which case, they should be provided in PDF redacted format.

Where the parties exchange the native format of a non-standard file, they should provide a replacement PDF that states "native format provided" or similar. The native file should have an entry in the pages table and the file should be in the directory structure as specified in Section 7.4.

Parties should also be aware that some electronic files could have information that automatically updates when opened, which could change the original state of the information. Parties should ensure that the original information is provided for discovery. Examples of situations in which this could occur are fields, dynamic dates or macros that automatically update when a file is viewed or printed.

Colour versions of documents should only be created if it will be of evidential significance to see the colour in a document.

(b) Indexed data

For all standard and non-standard electronic data, the indexed data should be provided as per the protocols specified in Section 7 and 8 below. It is expected that there will be an

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entry for each file and each attachment and that all compressed files will be uncompressed e.g. zip files.

6 Document Numbering

6.1 Numbering Format

Every page of every document should be numbered in the following format:

eg. **PPP.BBB.FFF.PPPP_NNN**

Where:

PPP is a party code which identifies the party which has produced the document to the Court. See Appendix A for a list of valid party codes;

BBB is the sequential box reference number. Leading "0"s should be used where the number is less than a 3 digit character. The maximum number of boxes for any single party is 999;

FFF is a 3 digit sequential folder number. Leading "0"s should be used where the number is less than a 3 digit character. The maximum number of folders for any 1 party is 999;

PPPP is a 4 digit sequential page number. Leading "0"s should be used where the number is less than 4 characters. The maximum number of pages in a folder is 9999;

NNN is a 3 digit sequential number for inserted pages. If a page is missed in the numbering process and needs to be inserted, a 3 digit sequential number should be used eg "PPP.001.001.0010_001" is a page that has been inserted between pages 10 & 11 in folder 1 for party PPP. This scheme assumes a minimal number of insertions will be made with a maximum of 999 pages being inserted between 2 pages. Inserting pages between inserted pages is not accommodated in this scheme in an effort to keep the document number to a minimal length. If a page is not inserted, this field will not be used so most page numbers will only be 16 characters in length e.g. "PPP.001.001.0010".

Page numbers should be placed on the top right corner of the page. For landscape pages, the page number should be placed on the bottom right corner in its original orientation so when the page is rotated to portrait it appears in the top right corner.

Page numbers should be placed as close to this position as possible without obscuring any text. If there is insufficient room for the page number without obscuring the text, where possible, the image should be reduced to allow for the page number.

Adhesive notes, as a rule, should not be given a page number. They should be scanned on the page to which they are attached as long as no text is being obscured. If this is not possible, the note should be given a page number, numbered directly after the page to which it was affixed. The page should then be scanned twice, once with the note attached and once without.

7 Format of Indexed Data to be Exchanged

7.1 Nuix Discover Export Format

Each party will produce indexes of the discovered documents in the Nuix Discover Export format. Outlined below are the standards to follow for Nuix Discover Export format.

The indexed data will be exchanged in an Access mdb file named **export.mdb** which contains the four tables that make up the Nuix Discover export format. They are:

- **Export** – contains the core field information for each document.



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- **Export_Extras** – contains additional fields to the core fields for each document.
- **Parties** – contains people and organisation information for each document.
- **Pages** – contains filename information for images that make up each document.

Parties should ensure that the **export.mdb** is validated prior to exchange.

The format of the data in each of the tables is outlined below. Fields that cannot be left blank are marked with an asterisk.

7.2 Export Table

The export table contains the core fields. All other tables are linked to the export table by the Document_ID field.

Field	Data Type	Explanation – Document Types and Coding Method and possible values	
*Document_ID	Text, 255	Document ID in accordance with Section 6.	
*Host_Reference	Text, 255	If the Document is an Attachment, this field contains the Document ID of its Host Document. This being the document number on the first page of the Host Document. Please refer to Appendix C. For Host Documents and Unattached Documents, this field should be left blank	
*Document_Date	Text, 11	DD-MMM-YYYY	
		Paper Documents	Determined on the basis of the Date appearing on the face of the Document
		Undated Documents or documents which do not display a year	Leave field blank
		Incomplete Date (Year Only)	For example, 01-JAN-YYYY Entry is also to be made in Estimated Date field
		Incomplete Date Month and Year Only	For example, 01-MMM-YYYY, Entry to be made in the Estimated Date field
		Day and Month only	Leave blank
		Date Range	If there is a document which covers a period of time or has a number of dates, the earliest date is to be used. Entry to be made in the Estimated Date field



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Field	Data Type	Explanation – Document Types and Coding Method and possible values	
		Emails	Electronic Metadata – Sent Date
		Unsent emails	Last Saved Date
		eFiles	Electronic Metadata – Last Modified; or Date appearing on the face of the Document
Estimated date	Text, 3	Yes OR No OR Blank	
		Default	No or Blank
		Undated Documents	No or Blank
		Incomplete Date	Yes
		'Yes' should be used in any case where the exact date cannot be ascertained. For example there is a partial date, the date is stamped on (i.e. received stamp), the date has been amended by hand or the only visible date is on the fax track.	
*Document_Type	Text, 255	Paper Documents	Refer Document Types in Appendix B. – parties to agree on list prior to disclosure
		Electronic Documents (including email, email attachments, loose files etc)	Email; or Email Attachment; or EFile; or Extracted from metadata
*Title	Text, 255	Paper Documents	Determined on the basis of the title appearing on the face of the Document
		Email	Subject Field
		eFiles	Electronic Metadata – File Name including file extension; or determined on the basis of the Title appearing on the face of the Document
*Level_1		The Party level of the Document ID (see Section 6)	
*Level_2		The Box level of the Document ID (see Section 6)	
*Level_3		The Folder level of the Document ID (see Section 6) under which the Searchable Images or Native Electronic Documents are stored.	

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7.3 Export_Extras Table

The **Export_Extras** table contains additional fields to those contained in the **Export** table. It is linked to the **Export** table via the **Document_ID**.

Field	Data Type	Explanation
Document_ID	Text, 255	Document ID in accordance with Section 6 Note this must match the Document_ID entry in the export table.
theCategory	Text, 50	Text OR Date OR Numb OR Bool OR Pick OR Memo
theLabel	Text, 255	Custom Field Name
theValue	Text, 255	Custom Field Contents (Text OR Date OR Numb OR Bool OR Pick only)
memoValue	Memo	Content of a memo field

theLABEL	theValue	theCATEGORY
*Privileged	This field identifies whether a claim of privilege is made over the document. The permissible entries in this field are "Yes", "No" or "Part" (for partly privileged documents).	PICK
Privilege Basis	This field identifies the basis upon which privilege claims is made. For example Legal Professional Privilege or Without Prejudice Privilege.	PICK
Confidential	This field identifies whether a claim of confidentiality has been made over the document. The permissible entries in this field are "Yes", "No" or "Part" (for partly confidential documents).	PICK
Redacted	This field identifies if the document image contains any redactions. This field should only be exchanged for documents with redactions and the permissible entries in this field are "Yes". Note that native files should not be provided if an electronic document has been redacted. In such cases only a redacted PDF should be exchanged.	PICK



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theLABEL	theVALUE	theCATEGORY
Reason for Redaction	<p>If a document has been redacted, this field must be completed. It will need to be used where either:</p> <ol style="list-style-type: none"> 1 part of a document has been redacted; or 2 an entire document within a document group has been redacted. (A document group is a document that has one or more attachments.) <p>The permissible entries in this field are:</p> <p>Privileged (for document redacted on the grounds of privilege).</p> <p>Confidential and irrelevant (for documents redacted on the grounds of confidentiality and irrelevance)</p> <p>Parties may also indicate the reason for redacting a particular section of a document on the image, i.e., by stamping the redacted section "redacted for privilege" etc.</p> <p>Note that this may be a one to many field.</p>	PICK
Placeholder	"Yes" (Only for documents that have a placeholder)	PICK
File_Name	Extracted from the File Name of the electronic file.	TEXT
MD5 Hash	MD5 Hash Value of the document	TEXT
Document Description	<p>Determined on the basis of the title appearing on the face of the Document, but not disclosing information the subject of any privilege claim or which is confidential and irrelevant.</p> <p>Note that this field only needs to be populated for wholly privileged and wholly irrelevant and confidential documents (within the family of a discoverable relevant document), or where the title appearing on the face of the Document is the subject of any privilege claim or is confidential and irrelevant.</p>	MEMO



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7.4 Pages Table

The **pages** table is used to describe the location of the images. It is linked to the **export** table via the **Document_ID**. There will be an entry in the Pages table for every PDF document that relates to a single Document in the Export table.

Field	Data Type		Explanation
Document_ID	Text, 255		Document ID in accordance with Section 6. Note this must match the Document_ID entry in the export table.
File_Name	Text, 255		Filename, including extension of each indexed Document AAA.BBB.FFF.PPPP.pdf or AAA.BBB.FFF.PPPP.xxx (where xxx is the native file extension) is the filename. Leading zeros should be used. Note Where a document is to be exchanged in its native format, it will have two filenames; one for the placeholder image and one for the native file. For example, a spreadsheet would be: AAA.BBB.FFF.PPPP.pdf (for the placeholder image); and AAA.BBB.FFF.PPPP.xls (for the native file).
Page_Label	Text, 255		PDF or NATIVE
Page_Num	Number		PDF files: Value of '1' Non-standard files: Value of '2'
Num_Pages	Number		PDF files: Value of 'n'; where n is the number of pages in the PDF documents Native format files: Value of '1' for each Native file

7.5 Parties Table

The **parties** table contains people and organisation information for **to** (addressees), **from** (authors), **cc** (copied to), **between** (parties) and **attendees** (present at meetings). It is linked to the **export** table via the **Document_ID**.

Note if there are multiple parties for a single document, there will be multiple entries in this table for that document.

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Field	Data Type	Explanation
Document_ID	Text, 255	Document ID in accordance with Section 6. Note this must match the Document_ID entry in the export table.
Correspondence_Type	Text, 255	Correspondence Type (Sent or Received)
		Paper Documents AUTHOR, RECIPIENT, BETWEEN, ATTENDEES To be determined on the basis of the face of the Document.
		Emails AUTHOR, RECIPIENT BETWEEN, ATTENDEES, CC - Extracted from metadata
		eFiles AUTHOR, RECIPIENT, BETWEEN, ATTENDEES, CC - Extracted from metadata; or To be determined on the basis of the face of the Document.
Persons	Text, 255	People names may be referenced using: <ul style="list-style-type: none"> email addresses (for example, icitizen@abc.com.au); or Surname [space] Initial (for example, Citizen J) where email addresses are not available; or by reference to a position (for example, Marketing Manager) where email addresses and Surname, Initial is not available; or by reference to an organisation associated with the person where email address, Surname, Initial and Position are not available. Multiple Recipients will be entered as separate rows in the Parties Table.
		Paper Documents To be determined on the basis of the face of the Document.
		emails Electronic Metadata – email addresses or email alias names.



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Field	Data Type	Explanation	
		eFiles	Electronic Metadata – Author value; or may be determined on the basis of the face of the Document (parties to agree approach)
Organisations	Text, 255	Paper Documents	Name of organisation who produced the Document as determined on the basis of the face of the Document.
		emails	Data extracted from the Metadata although this is not always reliable (email domain is not always an indicator); or determine the field on the basis of the face of the Document.
		eFiles	Electronic Metadata – Organisation value; or may be determined on the basis of the face of the Document (parties to agree approach)

8 Technical Format of Indexed Data and Images to be Exchanged

8.1 Media of Exchange

MEDIA	FORMAT
Medium	Via Secure File Transfer (SFTP) Files uploaded to a SFTP must be zipped and encrypted and the password must be shared via a separate email.

8.2 Technical Format of Indexed Data and Images

MEDIA	FORMAT
Data file type and format	Microsoft Access mdb file. Zip files are acceptable.
File composition	Multi page PDF files: 1 file for each document.



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MEDIA	FORMAT
Image type & resolution	<p>Black / white images: 300 dpi Subtype: CCITT group IV 2D.</p> <p>Greyscale: 8 bit 100 dpi, Greyscale, JPEG with 50% compression</p> <p>Colour images: A4 page with colour: 100 dpi, 24 bit colour, JPEG, with 50% compression</p> <p>Photos: 100 dpi, 24 bit colour, JPEG, with 50% compression</p>
Directory structure and naming conventions	<p>Image files should be multi page pdf; 1 file per document. The directory structure and filename for each image file should be in the format:</p> <p>\\PPP\\BBB\\FFF\\PPP.BBB.FFF.PPPP_NN.pdf, where:</p> <p>PPP is the directory which is the 3 digit party Id.</p> <p>BBB is a sub-directory which is the box number. Leading zeros should be used.</p> <p>FFF is a sub-directory which is the folder number. Leading zeros should be used.</p> <p>PPPP is the filename. Leading zeros should be used.</p> <p>Note If a page is inserted, the filename will be PPP.BBB.FFF.PPPP_NN.pdf</p>
Electronic files	<p>All electronic files should be converted to the formats outlined in Section 5.2 above.</p> <p>However parties should note that where an original document is a native file, the PDF file should be created directly from the native file, rather than from a TIFF image.</p>

9 Updating or Adding Additional Data or Images

9.1 Updating Data/Images

After the initial data and images have been exchanged between parties and if errors are found in the data or images, the responsible party should reissue the entire record that has changed in Nuix Discover Export format. For images, the entire document should be reissued in the appropriate directory structure. Any updates should be accompanied by a covering letter outlining the Document IDs and the information that has changed.

If errors are found in more than 25% of the exchanged documents, it is the responsibility of the producing party to re-supply all exchanged documents upon request of the supplying party.

9.2 Adding Data/Images

If additional data or images are found after initial exchange, they should be issued in the format outlined in these protocols.



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10 Document delimiting and host/attachment determination

The rules set out in Appendix C will be used to delimit documents and determine whether they are coded as Host, Attachment or Unattached.

11 Document De-duplication

Where appropriate, each party will take reasonable steps to ensure that duplicated documents are removed from the exchange material.

Duplication will be considered at a document group level. That is, all documents within a group will be treated as duplicate if the entire document group is duplicated elsewhere within the collection. An attached document with a group will not be classified as a duplicate if it is merely a duplicate of a stand-alone document that is not associated with another group

The following process will be applied before rendering and numbering of the electronic materials.

- Extraction of emails, email attachments and eFiles
- email de-duplication

(a) Technical duplicate definition:

Each file, as it is processed, receives an MD5 hash algorithm. MD5 is an algorithm that is used to verify data integrity through the creation of a 128-bit message digest from data input (which may be a message of any length) that is claimed to be as unique to that specific data as a fingerprint is to the specific individual. Parties will then compare the MD5 for each document, and if they are the same, they are marked into the database as a duplicate. Because this information is entered into the working database, Parties can then cross reference this information across multiple repositories.

(b) Document Group (email) duplicate definition:

For emails, parties should convert the email to a MSG version of that email, using the visible metadata (To, From, CC, Subject, Date Sent, Attachments). This "MSG" conversion of the email is given an MD5 hash algorithm and this is used to compare against MD5 hash algorithms for other emails.

The process for de-duplication of email document groups is a combination of meta-data fields extracted from the files, the MD5 hash algorithm and some search criteria rules. The rules are as follows:

- For any file that has not been extracted from an email, a duplicate will be any file that has the same MD5 hash algorithm as another file, otherwise referred to as a "technical duplicate"
- For any converted email with no attachments, a duplicate will be any file that has the same MD5 hash algorithm as another file; and
- For any converted email with attachments, a duplicate will be applied to the whole document group (ie the email and its attachments) ONLY if:
 - The converted email's MD5 hash algorithm IS IDENTICAL to another converted email's MD5 hash algorithm;
 - The number of attachments is the same; and
 - The MD5 hash algorithm for each attachment IS IDENTICAL to the MD5 hash algorithm for each respective attachment.



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Only if all of the above is satisfied will the converted email with lowest Document ID be marked as unique and its attachments as unique and the other duplicate converted emails and attachments will be marked as duplicates.

12 Privilege and Confidentiality Clawback

The parties agree that, subject to this section, any:

- (a) inadvertent discovery of privileged material;
- (b) inadvertent discovery of confidential irrelevant material, or
- (c) inadvertent failure to label confidential relevant material as confidential;

shall not result in the waiver of any associated privilege or confidentiality nor result in a subject matter waiver of any kind.

If, when reviewing another party's discovered material, it becomes apparent to the receiving party that some of the discovered material may be (a) privileged material or (b) confidential irrelevant material that is not redacted or provided in placeholder form or (c) confidential relevant material which is not labelled as such, the receiving party will:

- (d) immediately suspend review of the apparently privileged material, the apparently confidential irrelevant material or the apparently confidential relevant material;
- (e) not make copies of the apparently privileged material, the apparently confidential irrelevant material or the apparently confidential relevant material; and
- (f) as soon as is reasonably practicable and in any event within three business days, notify the producing party of the disclosure of the apparently privileged material or the apparently confidential irrelevant material or the apparently confidential material (in unlabelled form).

Upon notifying the producing party of the disclosure the apparently privileged material, the apparently confidential irrelevant material or the apparently confidential relevant material (in unlabelled form), the receiving party will, as soon as is reasonably practicable and in any event within three business days, return the material to the producing party with confirmation that:

- (a) all copies have been destroyed except to the extent that copies may exist by reason of normal backup procedures; and
- (b) that the receiving party will not attempt to access any such copies.

Upon return of the material, the producing party will issue a replacement copy with the privileged material or confidential irrelevant material removed or redacted and the confidential material labelled as such.

13 Virus responsibility

It is the responsibility of the recipient of electronic data to test for viruses.

If data is found to be corrupt, it is the responsibility of the producing party to re-supply the data, free of corruption, within two business days upon receipt of a written request from the receiving party.

14 Cost

It is the responsibility of each party to bear the cost of producing the electronic data as outlined in these protocols subject to any costs order which may be made in the Proceeding.



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Schedule 1

Appendix A List of Party Codes

Party Code	Party
WDS	Woodside Energy Ltd
	Woodside Energy Scarborough Pty Ltd
ACF	Australian Conservation Foundation Incorporated



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Schedule 2

Appendix B – Standard Document Types

Type	Examples/Description
Agenda	For Meetings
Agreement	Agreement, contract, guarantee, licence. A Deed does not belong to this category.
Company Search	Searches on companies from ASIC and NZ Companies office
Court Document	Transcripts; Pleadings; Affidavit; Statement of Claim; Application; Order
Coversheet	Fax coversheet
Deed	Legal document proving agreement between two or more people, specifically identified as a Deed.
Diagram	Document is identified as a diagram by its title.
Drawing	Includes handwritten drawings, maps, charts, sketches
Efile	Loose electronic files
Email	Electronic Mail which may contain attachments
Email Attachments	Attachments to Electronic Emails
Facsimile	Facsimile
Financial Statement	End of year accounts (eg. Profit & Loss Statement); Annual sales figures, Budget
Form	Standard typed document where additional information is either typed or handwritten text is inserted. Includes application forms
Graph	Pictorial representation of figures such as a pie chart, line chart, column chart, bar graph
Invoice	Official Invoice from bona fide company
Letter	Document in letter format.
List	Schedules of names & addresses, index, project schedule etc.
Media Release	An official statement on a subject which has been provided to the media
Memorandum	Memorandum, Internal or external may require separate fields
Minutes	Minutes of meeting, board minutes
Note	Includes file notes, diary notes, post-it-notes etc



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Type	Examples/Description
Other	This option is only to be used if a Lawyer needs to provide an appropriate Document Type when reviewing the data.
Photograph	Any photographic image
Plan	Document is identified as a plan by its title.
Policy	Insurance policy; company policy
Presentation	Powerpoint slide or photographic slide (may require conversion)
Promotional Material	Posters, stickers, flyers
Report	Single or multiple documents displaying a result, finding or conclusion or a document reporting facts and/or opinions including projections and valuations.
Spreadsheet	Excel files
Table	An orderly arrangement of data, normally the data is arranged in columns and rows in a rectangular form.
Transmission Report	Report confirming receipt of facsimile to a displayed number



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Appendix C – Document delimiting and host/attachment determination

1. Hard Copy Document Delimiting

- All documents will be delimited as Host, Attachment or Unattached as determined. If there is any doubt as to whether a group of consecutive pages forms one document or several individual documents, the pages will be coded as individual documents.
- Annexures, Attachments and Schedules, which form part of an Agreement, will not be coded as separate documents, but will be considered part of the Agreement.
- Annexures, Attachments and Schedules, which form part of a Report, Financial Report or Annual Report, will not be coded as separate documents, but will be considered part of the Report.
- Annexures Attachments and Schedules, which form part of Legal Documents, including Affidavits, Witness Statements, Pleadings etc will not be coded as separate documents, but will be considered part of the Legal Document.
- Annexures, Attachments and Schedules, which form part of the Minutes of Meetings or Meeting Agenda, will not be coded as separate documents, but will be considered part of the Minutes or Agenda.
- A document will only be delimited as a Host document if it is clearly ascertainable from the face of the document that one or more of the documents immediately following it is an Attachment to it. The Host document must contain a sentence, which mentions either the word enclosed or attached. The Host document must contain the words "enclosed", "attached", "following" or derivatives thereof. For example, Please find enclosed, Please find attached, Enclosed herewith ... etc.
- Any document that is not a Host or Attachment document will be considered an Unattached document. If there is any doubt as to whether two documents form a Host and Attachment, they will be delimited as Unattached.
- Any Host Document should be immediately followed by each Attached Document in the order in which the Attached Documents are numbered in their Document ID.
- If a document is interrupted by another unrelated document, the unrelated document and the second half of the original document will not be coded as Attachment to the first half of the original document. These documents will be delimited as three separate Unattached documents.
- Groups of similar documents of the same type (for example, invoices) will not be bundled at the discretion of the parties, but captured as separate document.

2. Electronic Document Delimiting

- Every Document that is attached to or embedded within another Document will be called an Attached Document.
- A Container is not a Host Document for the purposes of this Protocol.
- Attached Documents will have the Document ID of their Host Document in the descriptive field called 'Host Document ID'.
- Host Documents and Attached Documents are jointly referred to as a 'Document Group'.

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- If a Document is contained within a Container (for example, a single ZIP file) that is attached to an email then the email should be treated as the Host Document and the Document in the Container should be treated as an Attached Document to that Host Document (that is, the Host Document will be the email and not the Container within which the Document is contained).
- In a Document Group the Host Document will be immediately followed by each Attached Document in the order in which the Attached Documents are numbered in their Document ID.



Schedule

No: VID345/2022

Federal Court of Australia

District Registry: Victoria

Division: General

Second Respondent WOODSIDE ENERGY SCARBOROUGH PTY LTD