



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD752/2026

BHP GROUP LIMITED and others named in the schedule
First Applicant

SIMON ALEXANDER TURNER and another named in the schedule
First Respondent

ORDER

JUDGE: Justice Needham

DATE OF ORDER: 29 May 2026

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Pursuant to s 37AI of the *Federal Court of Australia Act 1976* (Cth) (the **Act**), until the Applicants' application dated 28 May 2026 is determined, the Notice of Cross-Claim and Statement of Cross-Claim filed by the First Respondent on 13 May 2026 (collectively, the **Cross-Claim**), not be published or otherwise disclosed to any person or entity except the parties and their legal representatives.
2. Pursuant to s 23 of the Act, within 24 hours of the date of these orders, the Second Respondent remove or cause to be removed all publicly available content within its control that discloses, refers to or contains any portion of the Cross-Claim, including the relevant portions of:
 - (a) the article titled 'BHP wanted us silenced NOW. The Federal Court said no' published on the Michael West Media website at <https://michaelwest.com.au/bhp-wanted-us-silenced-now-the-federal-court-said-no/> on or about 15 May 2026; and
 - (b) the article titled 'Coal wage theft. BHP's solicitor MinterEllison faces conflict of interest claim' published on the Michael West Media website at <https://michaelwest.com.au/coal-wage-theft-bhps-solicitor-minterellison-faces-conflict-of-interest-claim/> on or about 25 May 2025.
3. The matter be listed for interlocutory hearing at **10.15am** on **4 June 2026**.
4. By 4.00pm on 2 June 2026, the parties are to file and serve any interlocutory application upon which they intend to rely at the interlocutory hearing on 4 June 2026.



5. By 4.00pm on 3 June 2026, the parties are to file and serve any evidence and submissions in relation to the interlocutory applications filed on 25 May 2026, 28 May 2026, and any interlocutory applications filed pursuant to order 4.
6. By 4.00pm on 2 June 2026, the first respondent is to file and serve written submissions, of no longer than 5 pages in length, in relation to why a vexatious proceedings order should not be made against him.
7. By 4.00pm on 2 June 2026, the First Respondent is to effect service of the Cross-Claim on the sixth and seventh cross-respondents.
8. Liberty to apply on three days' notice.

Date orders authenticated: 29 May 2026


Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



Schedule

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Second Applicant MT ARTHUR COAL PTY LTD

Third Applicant HUNTER VALLEY ENERGY COAL PTY LTD

Second Respondent WESTPUB PTY LTD

CROSS CLAIM

Applicant SIMON ALEXANDER TURNER