

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 11/10/2019 8:57:30 AM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged:	Defence - Form 33 - Rule 16.32
File Number:	NSD406/2018
File Title:	RACHAEL ABBOTT v ZOETIS AUSTRALIA PTY LTD
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



Dated: 11/10/2019 8:57:33 AM AEDT

A handwritten signature in blue ink, reading "Warwick Soden".

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Points of Defence to the Amended Points of Claim

No. NSD 406 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General

Rachael Abbott

Applicant

Zoetis Australia Pty Ltd (ACN 156 476 425)

Respondent

In response to the Points of Claim filed on 28 June 2019 (**POC**), the Respondent (**Zoetis**) pleads as follows:

1. Zoetis does not know and therefore cannot admit the matters alleged in paragraph 1.
2. In response to paragraph 2 of the POC, Zoetis, repeats paragraphs 4 to 64 of its Defence to the Second Further Amended Statement of Claim.
3. In response to paragraph 3 of the POC, Zoetis:
 - a. says it did not have any direct dealings with Gold Coast Equine Clinic (GCEC);
 - b. says that GCEC would have acquired Equivac HeV from a wholesaler or distributor;
 - c. says that sections 2 and 3(12) of Schedule 2 to the *Competition and Consumer Act 2010* (Cth) (**ACL**) applied on their terms; and
 - d. otherwise does not know and therefore cannot admit the matters alleged in paragraph 3.
4. In response to paragraph 4 of the POC, Zoetis:
 - a. says that section 3(1) of the ACL applied on its terms; and

Filed on behalf of (name & role of party)	Zoetis Australia Pty Ltd, Respondent		
Prepared by (name of person/lawyer)	Anne Freeman		
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[Form approved 01/08/2011]

- b. otherwise ~~does not admit~~denies the matters alleged in ~~paragraph in~~ paragraph 4.
5. Zoetis does not know and therefore cannot admit the matters alleged in paragraph 5.
6. Zoetis does not know and therefore cannot admit the matters alleged in paragraph 6.
7. Zoetis does not know and therefore cannot admit the matters alleged in paragraph 7.
8. Zoetis does not know and therefore cannot admit the matters alleged in paragraph 8.
9. Zoetis denies the matters alleged in paragraph 9.
10. Zoetis denies the matters alleged in paragraph 10.
11. Zoetis denies the matters alleged in paragraph 11.
12. Zoetis denies the matters alleged in paragraph 12.
13. Zoetis denies the matters alleged in paragraph 13.

Date: ~~30 July~~11 October 2019


 Signed ~~on behalf of~~by Anne Elizabeth Freeman
 Lawyer for the Respondent, ~~by her Partner Florian Ammer~~

This pleading was prepared by Anne Freeman and Simon Fitzpatrick, of counsel, and settled by L.V. Gyles SC.

Certificate of lawyer

I Anne Elizabeth Freeman certify to the Court that, in relation to the points of defence filed on behalf of the Respondent, the factual and legal material available to me at present provides a proper basis for:

- (a) each allegation in the pleading; and
- (b) each denial in the pleading; and
- (c) each non admission in the pleading.

Date: ~~30-11 October~~July 2019



Signed ~~on behalf of~~by Anne Elizabeth Freeman
Lawyer for the Respondent, ~~by her Partner Florian Ammer~~