

University of New South Wales Law Research Series

**RESEARCH PAPER #4 AND ANNEXURE:
THE PROBLEM OF DELAY IN CLASS
ACTIONS**

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[2020] *UNSWLRS* 86

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The problem of delay in class actions

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1. Analysing delay in class action litigation

In this Research Paper we examine delays in the resolution of class actions in the Federal Court and the New South Wales, Victorian and Queensland Supreme Courts. We have sought to obtain and analyse the available empirical data on 592 cases.³ The data collected included information on:

- the date(s) on which the cause(s) of action arose or time periods relevant to the cause of action
- the date on which each class action was filed
- the date on which the proceeding was finalised
- the date of judgment in cases where liability was judicially determined
- the date on which any settlement agreement was approved (or rejected) by the court.

Using this data, we have computed:

- the time period (in days) from the date of commencement of the proceeding to the date on which the matter was 'finalised'
- the time period (in days) from the date of filing to the date of settlement approval or judgment
- for cases that are as yet not finalised: the period from when the case was commenced until 1 December 2020.

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³ A number of cases are listed at the end of the attached schedule of cases. We have excluded these cases from our analyses because we were not able to obtain sufficient data on such cases. Some involve multiple proceedings. Six cases are representative proceedings which have not been included in our analysis.

We then calculated, for cases commenced in each calendar year in the period 1992 to 2020, the average and median times from commencement to ‘finalisation’.

We have included as *Annexure 1* a schedule of the cases considered.

We have also included reference below to:

- other available quantitative data on delays in class actions in Australia
- a brief summary of qualitative information on the problem and causes of delay in class action litigation based on interviews which we conducted with experienced class action practitioners⁴
- suggested guidelines, proposed by others, for the purpose of determining unreasonable or undesirable delay in civil proceedings generally.

1.1 Some methodological difficulties

In compiling and analysing the data referred to in this Research Paper, we encountered a number of difficulties.

First, there is no readily available uniform or comprehensive statistical data on class actions compiled by the courts. Thus, there are a number of cases considered where we were unable to obtain all of the information sought and a number which were not considered because of the lack of readily available information.⁵

Second, determining the date on which the causes of action arose in respect of the causes of action of class members is inherently problematic. Many cases encompassed multiple statutory and other causes of action which arose on different dates, both according to the applicable legal principles and on the individual facts. Accordingly, we determined relevant time periods for each of the class actions. For example, the relevant period in which class members acquired shares in the case of securities class actions and the range of times in which class members had to reside or own land within a certain geographical area for class actions related to the contamination of land.

Third, in cases arising out of personal injuries, including product liability cases, the accrual of causes of action varied according to the time of use of or exposure to the product in question and the idiosyncratic medical facts of each class member.

Fourth, although the dates of relevant judgments in respect of liability and/or of settlement approval are relatively easily ascertainable, the date on which each matter was ‘finalised’ is

⁴ See Peter Cashman and Amelia Simpson, ‘Class actions and litigation funding reform: the views of class action practitioners’ Research Paper #3 (Revised 1 December 2020).

⁵ The data were obtained from: court websites (e.g. Federal Court of Australia, *Current Class Actions* <<https://www.fedcourt.gov.au/law-and-practice/class-actions/class-actions>>; NSW Supreme Court, *Class Actions* <http://www.supremecourt.justice.nsw.gov.au/Pages/sco2_classaction/sco2_class_action.aspx>; Victorian Supreme Court, *Class Actions* <<https://www.supremecourt.vic.gov.au/law-and-practice/class-actions>>; Commonwealth Courts Portal, <<https://www.comcourts.gov.au/>>); submissions and information disclosed to the Joint Committee Parliamentary Inquiry into Litigation funding and the regulation of the class action industry <https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Corporations_and_Financial_Services/Litigationfunding>; plaintiff law firm websites; third-party funder websites; news media; a number of scholarly publications on the class action regime in Australia referenced below; and legal research through online databases including Austlii, LexisNexis, Westlaw, and Jade BarNet.

inherently problematic.⁶ Judgment on liability or settlement approval is usually followed by some form of claims resolution process. This can be both expensive and protracted. Moreover, the dates on which such claims resolution processes were concluded were not readily able to be determined. Furthermore, in many instances, the final resolution of the matter was delayed by interlocutory appeals or appeals from the final judgment or settlement approval. Even judgments were not without complication as often orders would be made approving of a settlement with reasons delivered at a later date. In addition, in some cases, further proceedings continued in respect of apportionment of liability or contribution claims.

Fifth, an additional complication arose of out multiple competing or overlapping class actions. These were often commenced on different dates. In some instances, one or other would be stayed, transferred to another court or allowed to proceed concurrently with another case, whether by consolidation or otherwise.

Sixth, there were ongoing disputes or appeals in relation to legal costs or funding commissions in a number of actions.

Seventh, in a number of instances proceedings were discontinued, after a relatively short interval, for a variety of reasons.

Where there are inconsistencies in dates noted in judgments, in media releases or other publications by law firms, or on ComCourts, the dates on ComCourts have been preferred.

2. The increasing incidence of class action litigation

Over the period of 28 years for which we have obtained data, in the period 1992 to 2019, there has been a marked increase in the number of cases commenced each year. This is not surprising. In the period immediately following the introduction of class actions in the Federal Court of Australia relatively few cases were commenced. This was in part due to the fact that the provisions of Part IVA of the *Federal Court of Australia Act 1976* (Cth) are only able to be utilised in respect of causes of action that arose after the legislative amendments came into force in 1992.⁷ Moreover, the requirement that there be a cause of action within the original jurisdiction of the Federal Court precluded proceedings based solely on common law causes of action. Furthermore, the eventual introduction of analogous class action provisions in other Australian jurisdictions slowly evolved over time and is still continuing. Thus, there is an increasing number of class actions now being commenced in courts other than the Federal Court. The lack of available funding mechanisms and the adverse costs exposure of the applicant constrained the use of class actions until commercial litigation funding and adverse costs insurance became more readily available in the aftermath of the decision of the High Court in *Fostif*⁸ in 2006.

Part of the explanation for the increase in class action litigation is the changing nature and increased entrepreneurial activity of plaintiff law firms. A number of law firms that previously handled traditional personal injury and trade union work diversified and expanded their practices and have actively marketed their class action work. Commercial litigation funders have not only provided

⁶ See, e.g., Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: First Report, Class Action Facts and Figures* (December 2010) 19.

⁷ Section 33B *Federal Court of Australia Act 1976* (Cth).

⁸ *Campbells Cash and Carry Pty Ltd v Fostif Pty Ltd* (2006) 229 CLR 386.

financial support for class action litigation, they have also proactively sought out and recruited litigants and class members.

In the period 1992 to 2019 there has not only been a quantitative annual increase in the frequency of class action litigation, but also a marked qualitative change in the types of actions brought. In particular, there has been an increase in the number of shareholder or investor cases, many of which are now funded by commercial litigation funders. In recent years, particularly in the aftermath of the decision of the Full Federal Court in *Money-Max*⁹ upholding the power of the Federal Court to make interlocutory common fund orders, there has been an increase in competing or overlapping class actions. To some extent, the increase in class action litigation and the changing focus of cases is reflective of the exposure of corporate misconduct and, in numerous instances, particular disasters such as bushfires, floods and chemical contamination.

Over the past three years (2017-2019) class actions in Australia have been commenced at the rate of approximately one per week. However, it should be noted that filings decreased from 2018 to 2019. From our findings, more class actions appear to have been commenced in the period from 1 January to 1 December 2020 than were commenced in 2019.

3. Delay in the resolution of civil litigation

Delay is a problem affecting civil litigation generally. In 2020, the somewhat infamous proceedings arising out of the 1987 collapse of the Bell Group were finally concluded after 25 years of litigation, including a 404-day initial trial and multiple appeals and related proceedings.

The adverse impact of delay has been the subject of much commentary by both judges and academics.

In *PPG Development Pty Ltd v Capitanio* (2016) 126 SASR 307, Justice Doyle stated at [79]:¹⁰

Delay and disruption ... serve to undermine public confidence in the ability of the courts to administer justice in an efficient manner when the courts are seen to acquiesce in that delay and disruption. The public concerns over the courts' ability to determine commercial disputes in an efficient and proportionate manner are notorious.

⁹ *Money Max Int Pty Ltd (Trustee) v QBE Insurance Group Limited* [2016] FCAFC 148; 245 FCR 191. However, the High Court has held that neither the Federal Court nor the NSW Supreme Court has power to make such orders on an interlocutory basis: *BMW Australia Ltd v Brewster*; *Westpac Banking Corporation v Lenthall* [2019] HCA 45. See Michael Legg, 'Litigation Funding of Australian Class Actions after the High Court Rejection of Common Fund Orders' (2020) 4 *Civil Justice Quarterly* 305-323. The power of the court to make such an order (e.g. under s 33V) at the conclusion of the case was subject to a Full Court appeal in *Davaria Pty Ltd v 7-Eleven Stores Pty Ltd & Ors and Pareshkumar Davaria & Anor v 7-Eleven Stores Pty Limited & Anor* (VID180/2018 and VID182/2018, commenced on 20 February 2018) and an appeal to the NSW Court of Appeal in the Takata airbag litigation: *Brewster v BMW Australia Ltd* (concerning the power under s 173 of the *Civil Procedure Act 2005* (NSW)). However, both courts declined to decide the issue. This may be the subject of a High Court appeal.

¹⁰ Cited in Jordan Tutton, 'Litigation in the South Australian Fast Track Streams' (2017) 6 *JCivLP* 108.

Professor Michael Legg noted in 2014:¹¹

Cost and delay are major problems for an effective civil justice system. Indeed, cost and delay can undermine the function of the civil justice system by preventing the achievement of justice. However, seeking to remove cost and delay from the system can also have the unintended effect of preventing a fair trial, where, for example, pre-trial steps, evidence or argument are excessively curtailed.

Writing extrajudicially, Justice Sackville emphasised that ‘if courts are to provide the disputing parties with a genuine opportunity to put forward competing contentions of fact and law and are to accord them procedural fairness, hard-fought civil litigation also is likely to take time and involve significant cost.’¹²

One of the intended advantages of the introduction of the Australian class action regime was the generation of efficiencies. Yet, because of the number of claims and the potential quantum recoverable, class actions are often hard-fought, lengthy and costly.

As former Federal Court Judge Ray Finkelstein observed some time ago, too often, ‘contrary to parliament’s intention, many class actions become bogged down by interminable and expensive interlocutory applications and protracted and even more expensive appeals from interlocutory orders.’¹³

In *Aon Risk Services Australia Ltd v Australian National University*, French CJ remarked that ‘there is an irreparable element of unfair prejudice in unnecessarily delaying proceedings. Moreover, the time of the court is a publicly funded resource.’¹⁴

While it is not always possible to resolve cases expeditiously, ‘the need for the due despatch of the cases of litigants is ever-present and is a fundamental aim of the administration of justice.’¹⁵

Some procedures specific to class actions, such as notice requirements and complex, large-scale settlement administration lead to unavoidable delays.

As noted by the ALRC:

‘Settlement distribution can be a lengthy and expensive process, yet it has been given little attention in research to date. An increased emphasis on efficiency during settlement distribution, particularly in mass tort class actions, is considered desirable.’¹⁶

¹¹ Michael Legg, “Reconciling the Goals of Minimising Cost and Delay with the Principle of a Fair Trial in the Australian Civil Justice System” (2014) 33(2) *Civil Justice Quarterly* 157, 174.

¹² Justice Ronald Sackville, ‘Some Thoughts on Access to Justice’ [2003] FedJSchol 22 <<http://www.austlii.edu.au/au/journals/FedJSchol/2003/22.html>>.

¹³ *Bray v F Hoffmann-La Roche Ltd* [2003] FCAFC 153 [252] (Finkelstein J).

¹⁴ (2009) 239 CLR 175, [5]. The Court in *Aon* considered delay as a factor in whether parties should be given leave to amend their pleadings. There is a requirement that delay be adequately explained. Delay was a factor considered in the decision of Gleeson J to refuse leave to amend pleadings in the representative proceedings of *Tamaya Resources Limited (in liq) v Deloitte Touche Tohmatsu (A Firm), in the matter of Tamaya Resources Limited (in liq)* [2015] FCA 1098, and by the Full Court in *Tamaya Resources Limited (in liq) v Deloitte Touche Tohmatsu (A Firm)* [2016] FCAFC 2.

¹⁵ *Richards v Cornford* (No 3) [2010] NSWCA 134 [43] (Allsop P). See also *Bi v Mourad* [2010] NSWCA 17 [47].

¹⁶ VLRC, *Access to Justice - Litigation Funding and Group Proceedings* (Consultation Paper July 2017) [4.28], citing Rebecca Gilson and Michael Legg, *Australian Class Action Settlement Distribution Scheme Design*, IMF Bentham Class Action Research Initiative Research Report No 1 (University of New South Wales, 2017) 2.

Delay in relation to settlement distribution, and the appropriate ways to balance efficiencies, as well as full consideration of the applicable substantive law and the compensation principle, has been considered by Professor Legg.¹⁷

In Report 134, the ALRC noted that '[c]osts and delay are also necessarily increased where multiple class actions are commenced with respect to the same or related matters.'¹⁸ This problem is 'exacerbated' when class actions are commenced across multiple jurisdictions.¹⁹ Multiple overlapping actions are said to 'undercut' economies of scale associated with representative proceedings.²⁰

Multiplicity issues lead to class actions moving 'more slowly and less efficiently through the interlocutory stages'.²¹ Yet, competing class actions may also bring about efficiencies.²²

According to Justice Murphy, the Federal Court 'has and will continue to address the problems of wasted costs and resources, delay, and unfairness to the respondent through competing cases.'²³ This is said to be exemplified by the approaches of the Court in *Cantor v Audi Australia Pty Limited (No 2)*, *McKay Super Solutions v Bellamys Australia Ltd* and *Perera v GetSwift Limited*.

The courts are mindful of the need to balance potential efficiencies in considering the requirements of justice in the individual case. In *Blairgowrie Trading Ltd v Allco Finance Group Ltd (Receivers and Managers Appointed) (in liq) (No 3)* (2017) 118 ACSR 614 at [90], the Court declined to appoint a contradictor as it decided that 'the cost and delay involved would outweigh the potential benefits'.²⁴

Where the conduct of a proceeding as a class action is likely to lead to additional delay and costs compared with other ways of resolving the matter then there is ample judicial power to prevent this. For example, Justice Young described the considerations involved in the decision of whether proceedings should continue as a representative action:

'I noted that I thought my main task was to consider the most efficient method of conducting the trial of the present proceedings and that if the trial of a representative action would involve delay and expense and prejudice over and above other ways of handling the problem, then probably the Court should "otherwise order".'²⁵

¹⁷ Michael Legg, 'Kilmore East Kinglake bushfire class action settlement distribution scheme: Fairness, cost and delay post-settlement' (2018) 44(3) *Monash University Law Review* 658; Michael Legg, 'Class action settlement distribution in Australia: Compensation on the merits or rough justice?' (2016) 16 *Macquarie Law Journal* 89. On the use of lawyers as administrators of settlements, see Samuel J Hickey and Michael Legg, 'Cost Effectiveness and Case Management in Class Action Settlements' (2018) 7 *JCivLP* 47, 53.

¹⁸ Report 134 [1.25]. This phenomenon was also considered by the VLRC at [4.66]-[4.98].

¹⁹ *Ibid* [1.47].

²⁰ Vicki Waye and Vince Morabito, 'When Pragmatism Leads to Unintended Consequences: A Critique of Australia's Unique Closed Class Regime' (2018) 19 *Theoretical Inquiries in Law* 303, 309.

²¹ *Perera v GetSwift Limited* [2018] FCAFC 202 [122]. See also *Money Max Int Pty Ltd (Trustee) v QBE Insurance Group Ltd* (2016) 245 FCR 191 [196], [205].

²² Michael Duffy, 'The Conundrum of Competing Class Actions and the Efficiency Question' (2019) 93(4) *Australian Law Journal* 270 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3652978>.

²³ Justice Bernard Murphy, 'Civil justice reforms in class actions and litigation funding' (FCA) [2018] FedJSchol 20 <http://www.austlii.edu.au/au/journals/FedJSchol/2018/20.html#_edn3>.

²⁴ Samuel J Hickey and Michael Legg, 'Cost Effectiveness and Case Management in Class Action Settlements' (2018) 7 *JCivLP* 47, 55, footnote 70.

²⁵ *Carnie v Esanda Finance Corporation Ltd* (1996) 38 NSWLR 465, 468 (Young J).

Close case management of the progress of class actions by the courts and regard by all parties to the overarching or overriding purposes of civil litigation set out in various statutory regimes may generate efficiencies. However, in a number of instances, unnecessary or undesirable delays appear to have occurred.

4. The views of stakeholders

In an earlier Research Paper, we recorded the views of experienced legal practitioners from the Federal Court Class Action Users' Committee and the Law Council Class Actions Sub-Committee on the operation of the class action regime.²⁶

Views on whether there were problems with the time taken to resolve class actions were diverse. A number of interview participants considered the delays to be inevitable because of the scale of the actions or comparable to other complex civil litigation.

It was suggested that the time taken and costs incurred may be high, but where this is in proportion to the matter, this should not be viewed as a problem. The importance of delay will also vary according to the type of matter. Longer delays were seen as more harmful in relation to product liability and major torts cases which are linked to major life events and traumas, or where class members may not live to see a resolution to their claims.

More than one interviewee stressed that an overly ambitious timeframe for the resolution of class actions can lead to greater costs and inefficiencies, as well as preventing the 'mature development of the case and reflection.'

Interviewees stated that between one and a half years to two years was a reasonable timeframe for a class action to be resolved. However, periods of over five years were considered excessive.

A number of interviewees suggested that delays were lessening in recent years and vary according to the judge assigned to manage the case.

Delays were linked to particular problems identified such as multiple competing proceedings, discovery, the conduct of both plaintiff law firms and defendant law firms, interlocutory disputes and warfare, counterproductive use of external referees, and delays in the handing down of judgments.

5. Other empirical research on delay in Australian class actions

Professor Morabito has undertaken comprehensive and valuable research into delays related to class actions in the period 1992 to 2017.²⁷

²⁶ Cashman and Simpson (n 4).

²⁷ Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: First Report, Class Action Facts and Figures* (December 2009); Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: Second Report, Litigation Funders, Competing Class Actions, Opt Out Rates, Victorian Class Actions and Class Representatives* (September 2010); Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: Third Report, Class Action Fact and Figures Five Years Later* (November 2014); Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: Fourth Report, Facts and Figures on Twenty-Four Years of Class Actions in Australia* (August 2016); Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: Fifth Report, The First Twenty-Five Years of Class Actions in Australia* (July 2017).

A comparison of the data he has compiled suggests a trend of a general increase in the average and median durations of finalised Part IVA proceedings as well as falling proportions of cases which are resolved within one and two years from commencement.

	2009	2014	2016
Average duration of all finalised Part IVA proceedings (days)	698	730	908
Median duration of all finalised Part IVA proceedings (days)	446	570	721
Percentage of actions resolved within 12 months	42	36	26
Percentage of actions resolved within 24 months	70	63	52

However, this is not a straightforward picture. According to Morabito, there is no overall trend in the time taken to settle class actions, with increases in one five year period followed by periods of decreasing durations of settled class actions.²⁸

In 2017, Morabito identified the average duration of six different types of class action:²⁹

- | | |
|--------------------------------------|------------|
| 1. Product liability class actions | 1,149 days |
| 2. Mass tort class actions | 1,123 days |
| 3. Investor class actions | 1,101 days |
| 4. Shareholder class actions | 962 days |
| 5. Consumer protection class actions | 931 days |
| 6. Industrial class actions | 332 days |

He observed that the average duration of a securities class action was only slightly longer than the average duration of class actions overall. There is, however, a stark difference in the duration of industrial class actions, which tend to be resolved quickly, and other common forms of class action.

Rebecca Gilson noted in 2015 that the average duration of cartel class actions under Part IVA was close to six years, in comparison to the average and median duration of class actions overall to 2014 (24 months and 18 months respectively).³⁰

6. Findings on delay

We set out below our analysis of cases we reviewed which were commenced in the three-year period 2017-2019.

²⁸ Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: Fifth Report, The First Twenty-Five Years of Class Actions in Australia* (July 2017) 30-2 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3005901>.

²⁹ Professor Vince Morabito, *An Empirical Study of Australia's Class Action Regime: Fifth Report, The First Twenty-Five Years of Class Actions in Australia* (July 2017) 30-2 <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3005901>.

³⁰ Rebecca Gilson, 'Barriers to cartel class actions' (2015) 129 *Precedent* 33 <<http://classic.austlii.edu.au/au/journals/PrecedentAULA/2015/50.html>>.

Cases commenced in 2017

48 class actions commenced in 2017 were reviewed. This encompasses some similar claims.³¹ Of the cases reviewed:

- twenty-three are still not finalised³²
- One did not proceed as a class action
- Seven were discontinued or dismissed
- Two were consolidated with other cases
- One was transferred to another court
- Fifteen were settled with judicial approval after an average period of 868 days
- Four proceeded to judgment on liability 947 days, 858 days, 815 days and 555 days³³

Cases commenced in 2018

52 class actions commenced in 2018 were reviewed. This includes four additional similar (*Takata* air bag) cases; three competing class actions in respect of *GetSwift*; five competing class actions in respect of *AMP* and three competing class actions against *BHP* arising out of the Brazil mining disaster.

Of these:

- Thirty-four are still not finalised
- Five were permanently stayed due to multiplicity³⁴
- Four were discontinued or dismissed
- Four were consolidated with other cases
- One was transferred to another court
- Ten were settled with judicial approval after an average period of 613 days

Cases commenced in 2019

48 class actions commenced in 2019 were reviewed. Of these:

- Thirty-four are still not finalised
- One did not proceed as a class action
- Four were discontinued
- Four were consolidated with other cases
- One was transferred to another court
- Four were settled with judicial approval after an average period of almost one year (354 days)

Cases commenced in 2020

56 class actions commenced in 2020 were reviewed. Of these:

- Fifty are not finalised
- Two were discontinued
- One was transferred to another court
- One was consolidated with another case

³¹ The Takata airbag litigation.

³² Classifying the multiple Takata air bag cases as one matter.

³³ One matter was referred to the Full Federal Court.

³⁴ One case is subject to a High Court appeal, scheduled to be heard in late 2020.

There are some inconsistencies between the cases on which we have obtained data and the information on cases commenced which has been reported by others. According to an article by Morabito, he identified 49 class actions commenced in 2017, 66 filed in 2018 and 54 filed in 2019.³⁵ In a recent review by Law firm Allens Linklaters it was reported that the number of class actions commenced in Australia was 47 in 2017; 55 in 2018 and 44 in 2019.³⁶

Unresolved class actions

Of the 162 unresolved class actions reviewed,³⁷ the average number of days from the date on which the action was filed to 1 December 2020 is 715 with a median of 578 days.

For a number of those class actions which are not finalised, there are unresolved issues relating to settlement distribution or costs.³⁸ For others, however, significant time has elapsed from the filing date without a settlement being agreed or approved or without a final judgment on liability being handed down.

Year filed	No. of 'unresolved' class actions
2012	3
2013	1
2014	6
2015	2
2016	9
2017	23
2018	34
2019	34
2020	50

Overview from 1992 to 2020

As noted above, for each year in the period 1992 to 2020, we computed the average and median time in days between the date on which each case was commenced and the date on which it was 'finalised'. The results are presented below.

1992 (n=4) average 606 days; median 333 days
 1993 (n=6) average 1086 days; median 1038 days
 1994 (n=10) average 1157 days; median 695 days
 1995 (n=5) average 1558; median 1406 days
 1996 (n=11) average 739 days; median 592 days
 1997 (n=15) average 785 days; median 694 days
 1998 (n=19) average 960 days; median 781 days

³⁵ Vince Morabito, 'Will 2020 mark the beginning of the end for class actions in Australia?' *Lawyerly* (May 27, 2020).

³⁶ Allens Linklaters, *Class Action Risk 2020* available online at allens.com.au. The Risk Report notes that, once multiplicity is taken into account, 2019 filing numbers are on a par with previous years.

³⁷ Class actions may be listed as 'open' on the Commonwealth Courts Online Portal where a judicial determination of liability or approval of a settlement order has been made.

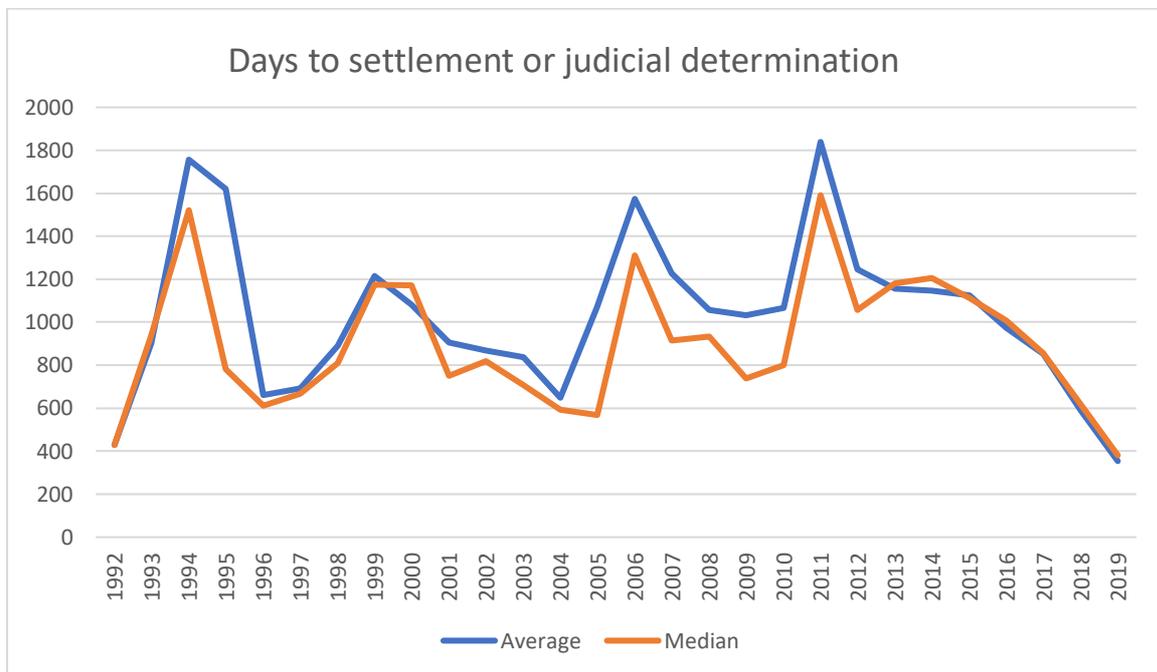
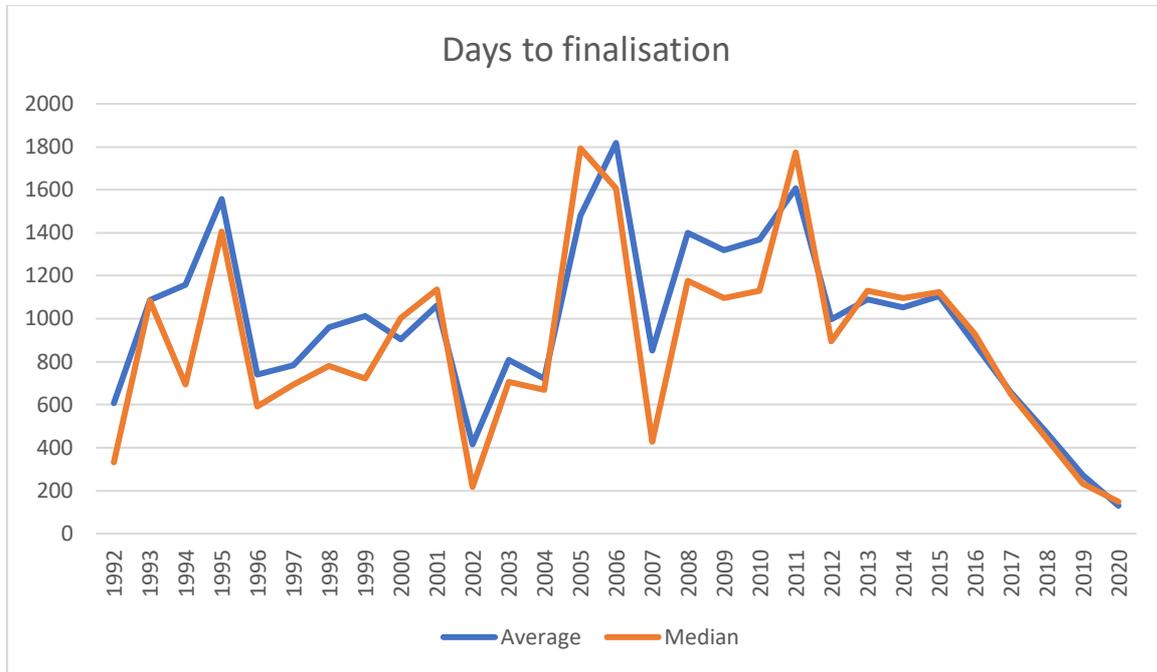
³⁸ See, e.g., *Wotton v Queensland* and *Bolitho v Banksia Securities*.

1999 (n=17) average 1013 days; median 721 days
 2000 (n=15) average 904 days; median 1002 days
 2001 (n=10) average 1061 days; median 1137 days
 2002 (n=26) average 416 days; median 217 days
 2003 (n=8) average 808 days; median 707 days
 2004 (n=8) average 721 days; median 670 days
 2005 (n=4) average 1481 days; median 1793 days
 2006 (n=7) average 1818 days; median 1607 days
 2007 (n=22) average 851 days; median 437 days
 2008 (n=13) average 1399 days; median 1176 days
 2009 (n=13) average 1318 days; median 1095 days
 2010 (n= 24) average 1367 days; median 1131 days
 2011 (n=14) average 1607 days; median 1775 days
 2012 (n= 17, excluding 3 'open' actions) average 998 days; median 894 days
 2013 (n= 28, excluding 1 'open' actions) average 1090 days; median 1131 days
 2014 (n= 31, excluding 6 'open' actions) average 1052 days; median 1095 days
 2015 (n= 28, excluding 2 'open' actions) average 1106 days; median 1123 days
 2016 (n=29, excluding 9 'open' actions) average 882 days; median 928 days
 2017 (n= 48, excluding 23 'open' actions) average 657 days; median 646 days
 2018 (n= 52, excluding 34 'open' actions) average 470 days; median 442 days
 2019 (n=48, excluding 34 'open' actions) average 273 days; median 234 days
 2020 (n=56, excluding 50 'open' actions, as at 1 December 2020) average 130 days; median 149 days

For each year in the period 1992 to 2019, we computed the average and median time in days between the date on which each case was commenced and the date on which the settlement was approved by the court or a judicial determination was made. The results are presented below.

1992 average 428 days; median 428 days
 1993 average 904 days; median 940 days
 1994 average 1756 days; median 1522 days
 1995 average 1621 days; median 783 days
 1996 average 662 days; median 613 days
 1997 average 693 days; median 666 days
 1998 average 889 days; median 809 days
 1999 average 1216 days; median 1174 days
 2000 average 1082 days; median 1172 days
 2001 average 906 days; median 752 days
 2002 average 870 days; median 820 days
 2003 average 836 days; median 707 days
 2004 average 648 days; median 594 days
 2005 average 1073 days; median 569 days
 2006 average 1575 days; median 1311 days
 2007 average 1226 days; median 916 days
 2008 average 1058 days; median 934 days
 2009 average 1033 days; median 737 days
 2010 average 1067 days; median 800 days
 2011 average 1839 days; median 1591 days
 2012 average 1246 days; median 1056 days
 2013 average 1156 days; median 1182 days
 2014 average 1147 days; median 1205 days
 2015 average 1126 days; median 1114 days

2016 average 974 days; median 1009 days
 2017 average 853 days; median 815 days
 2018 average 591 days; median 617 days
 2019 average 354 days; median 381 days



These graphs need to be interpreted with caution. What appears to be a decline in the time taken to finalise class actions in recent years is misleading because, as noted above, many of the cases filed in those years are still unresolved. There are also a number of class actions which have not been subject to review.

7. Guidelines and benchmarks for the timely resolution of civil cases

It is of interest to consider the benchmarks or guidelines viewed as appropriate for the timely resolution of civil cases generally.

The Productivity Commission's annual Report on Government Services³⁹ has adopted national benchmarks for assessing the backlog in courts. For Supreme courts, the Federal Court, district/county, family and coroners' courts and all appeals:

- no more than ten per cent of lodgements pending completion are to be more than twelve months old
- no lodgements pending completion are to be more than 24 months old.

According to the Report, performance relative to these benchmarks indicates effective management of caseloads and timely accessibility of court services. However, as the Report notes, the time taken to process cases is not necessarily due to court delay. Some delays are caused by factors other than those related to the workload of the court (for example, a witness being unavailable).

8. Comments

As is apparent from the abovementioned data, the time taken to resolve class action litigation in Australia falls a long way short of meeting these benchmarks. However, because of their unique characteristics, and given their complexity and scale, class actions cannot be expected to be resolved within the same timeframes considered appropriate for individual civil proceedings. Notwithstanding allowance for their unique characteristics, instances of actions which have taken several years to resolve, as well as the very protracted time taken to date in numerous as yet unresolved cases, are matters of considerable concern.

Perhaps one of the most troubling instances of delay among unresolved cases is the pelvic mesh litigation. Proceedings were commenced in 2012. Judgment in favour of the applicant was delivered in November 2019. Further interlocutory disputation continued in 2020. The respondents filed an appeal in April 2020 which is scheduled to be heard in early 2021. Thus, on present indications, it may be almost 10 years from when the litigation was commenced until the class members receive compensation, assuming that the appeal is unsuccessful.

Current instances of protracted delay are not unusual.

- The Queensland floods litigation was commenced in July 2014. Notwithstanding a judgment in favour of the applicant in late 2019, appeals by several of the unsuccessful respondents will mean that the litigation is unlikely to be resolved for some years to come.
- Claims on behalf of subsistence seaweed farmers in Indonesia arising out of the Montara oil spill in late 2009 were commenced in August 2016. The case proceeded to trial in late 2019 and a reserved judgment is yet to be delivered. Given their age and normal life expectancy a number of class members have died in this period.
- The various class actions against Volkswagen and other respondents arising out of the 'diesel-gate' scandal were commenced in late 2015. Although a settlement was reached in late 2019 (after the costs incurred by the parties exceeded \$100 million) claimants are unlikely to receive payments until early 2021, over five years from the commencement of

³⁹ Productivity Commission, *Report on Government Services 2020* (29 January 2020) 7.12 <<https://www.pc.gov.au/research/ongoing/report-on-government-services/2020/justice>>.

the litigation. During this time the respondents paid many billions of dollars to resolve similar claims in the United States and Canada. An attempt was made to expedite the resolution of the litigation through the determination of separate questions (including whether the vehicles were fitted with illegal 'defeat devices') at the stage 1 hearing held in March 2018. The reserved judgment had still not been handed down by the time that a settlement agreement was reached at a mediation just prior to the scheduled commencement of a six-week stage 2 trial in September 2019.

- Proceedings against Ford in respect of allegedly defective automatic transmissions were filed in March 2016 and a judgment is presently reserved after a recent trial. Thus, it may be that this matter will take up to five years to resolve (during which time the United States company has agreed to settle similar claims against it in the United States⁴⁰).

In our Research Paper on costs and funding commissions⁴¹ we identify and discuss a wide range of factors that have led to the substantial costs incurred in class action litigation in Australia. Such factors have also caused or contributed to the delays in resolving such cases.

⁴⁰ In the United States the Ford Powershift transmission class action settlement received final court approval on October 18, 2017. However, after several appeals, the motion for final approval was re-considered on 5 March 2020 and a revised settlement was approved which made provision for additional claims. *Vargas, et al. v. Ford Motor Company* (Case No. CV12-08388 AB (FFMx)) United States District Court for the Central District of California.

⁴¹ Peter Cashman and Amelia Simpson, *Costs and funding commissions in class actions*, Research Paper #5, (Revised 11 December 2020).

Annexure 1

NAME OF PROCEEDINGS ¹	File No.	Court	Registry	Judge	Dates relevant to the cause of action	Date filed	Date finalised	Date of judgment	Date of settlement approval by the Court	Date filed to date finalised (days)	Date filed to date of settlement/ judgment (days)	For open files, date filed to 01/12/2020 (days)	Notes
METCALFE v NZI SECURITIES AUSTRALIA LTD	NSD397/1992	FCA	NSW	Sackville and Wilcox JJ	1987-1992	17-Jun-92	13-Dec-96	7-Jan-94	N/A	1640	569	N/A	Class action on behalf of a group of borrowers and guarantors, in the form of a cross claim alleging breaches of the TPA and trespass. The applicant, Mr Metcalfe, was the secretary of Ripoll Holdings Pty Ltd, which was from 29 August 1985 until 29 March 1992 the trustee of the DYV Unit Trust. The procedural history was complex, with multiple appeals and a re-hearing of the representative proceedings (initial decision of Wilcox J dated 7 January 1994) over 25 days from 6 March 1995 to 13 April 1995. The High Court refused leave to appeal on 13 December 1996.
SOVERINA PTY LTD v NATWEST AUSTRALIA BANK LIMITED [1993] FCA 65; (1993) 40 FCR 452	NSD809/1992	FCA	NSW	Hill J	Not ascertained	2-Nov-92	1-Mar-93	N/A	N/A	119	N/A	N/A	Action relating to, inter alia, investments in a caravan park, default under a lease and alleged breach of fiduciary duty. Hill J ordered that the proceeding no longer continue as a class action on 1 March 1993.
LEK v MINISTER FOR IMMIGRATION, LOCAL GOVERNMENT AND ETHNIC AFFAIRS (NO 2) [1993] FCA 493; (1993) 117 ALR 455.	NSD926/1992	FCA	NSW	Wilcox J	Dec-92	17-Dec-92	28/10/1993	N/A	N/A	316	N/A	N/A	Class action on behalf of a group of 119 Cambodians who travelled to Australia and made protection visa applications. Wilcox J dismissed the proceedings on 28-Oct-1993, following his conclusion that the plaintiff had a low chance of success in June 1993.

¹ Note: Where an asterisk (*) appears in the left hand column after the name of the case, this signifies that certain information has been unable to be ascertained. Every effort has been made to ensure the accuracy of the information of the table. However, as it was prepared using only publicly-accessible resources, it may contain some errors.

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RE ZHANG DE YONG v MINISTER OF IMMIGRATION LOCAL GOVERNMENT AND ETHNIC AFFAIRS [1993] FCA 33	WAD215 /1992	FCA	WA	Lee and French JJ	1992	23-Dec-92	8/12/93	6-Oct-93	N/A	350	287	N/A	Migration class action claiming breaches of procedural fairness in the making of decisions regarding protection visas on behalf of those who had received a negative refugee determination since 4 March 1992 affirmed by the Refugee Status Review Committee on or before 30 June 1993. Judgment was given against the applicant on 6 October 1993.
HEAK v MINISTER FOR IMMIGRATION AND ETHNIC AFFAIRS (1993) 39 FCR 535*	NSD6/19 93	FCA	NSW	Burchett and Wilcox JJ	24/12/1992 or 5 January 1993	5-Jan-93	18-Feb-1994	Not ascertained	Not ascertained	410	Not ascertained	N/A	Human rights class action related to people who had arrived in Australia by boat on 2 June 1990 and sought safety. The action challenged decisions made on 24 December 1992 of which the class were informed on 5 January 1993.
RITH v MINISTER FOR IMMIGRATION, LOCAL GOVERNMENT AND ETHNIC AFFAIRS	VID4/199 3; VID 618, VID 619 and VID 620 of 1995	FCA	VIC	Sundberg J	1992	2-Feb-93	31/8/95	31-Aug-1995	N/A	940	940	N/A	Migration proceedings concerning the refusal of protection visas for a number of people who had sought safety from Cambodia in 1992. The decision on 31 August 1995 was unfavourable to the applicants. This matter is included in Vince Morabito and Jarrah Ekstein 'Class Actions Filed for the Benefit of Vulnerable Persons— An Australian Study' (2016) 35 C.J.Q. 61.
CAMERON v QANTAS AIRWAYS LIMITED	NSD205/ 1993	FCA	NSW	Beaumont J	Around July 1992	07-Apr-1993	17 May 1996	16/06/1995	N/A	1136	800	N/A	Class action proceedings under Part IVA concerning passive smoking on aircraft for passengers who had requested non-smoking seats, seeking, inter alia, injunctory relief to stop the airline permitting smoking on international flights. Compensation was awarded at first instance but the injunctory and other relief was not granted. The decision overturned on appeal based on an issue of causality on 17 May 1996.
MARKS & ORS v GIO AUSTRALIA HOLDINGS LIMITED & ORS [1996] FCA 1226 (9 FEBRUARY 1996)	NSD379/ 1993	FCA	NSW	Einfeld J	February 1991 and April 1992	11-Jun-93	5/2/97	9-Feb-96	N/A	1335	973	N/A	Class action relating to contract claims or misleading and deceptive conduct allegations. The matter was heard on 13, 14 and 15 June 1995 with reasons for the judgment on 9 February 1996.

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RE TROPICAL SHINE HOLDINGS PTY LIMITED TRADING AS KC COUNTRY v LAKE GESTURE PTY LTD*	NSD421/1993	FCA	NSW	Wilcox J	11 June 1992- 10 July 1993	29-Jun-1993	17/3/94	N/A	N/A	262	N/A	N/A	Class action alleging that group members were induced to purchase furniture from respondent firm by misleading advertisements. The sales were from 11 June 1992 - 10 July 1993. According to ComCourts, the matter was finalised/withdrawn on 17 March 1994. The plaintiff purchased furniture in order to have it analysed and not in reliance on the advertisements.
NATIONAL MUTUAL ASSOCIATION OF AUSTRALASIA LTD v REYNOLDS [2000] FCA 267	QUD110/1993	FCA	QLD	Spender J	22 June 1987- July 1987	9-Jul-93	8-Mar-00	N/A	N/A	2434	N/A	N/A	Shareholder class action on behalf of the shareholders and noteholders who subscribed to a prospectus issued on or about 22 June 1987 in connection with a retail development called "The Myer Centre". The proceedings were not served on any of the respondents until late 1997 or early 1998. The proceedings were dismissed for want of prosecution in 2000.
WU SHAN LIANG v MINISTER OF IMMIGRATION AND ETHNIC AFFAIRS (NO 2) [1994] FCA 1162; (1994) 51 FCR 232.	NSD501/1993	FCA	NSW	Wilcox J	1993	16-Jul-93	17-Jun-94	17-Jun-94	N/A	336	336	N/A	Class action on behalf of a group of people from the PRC who sought Asylum in Australia. The action concerned procedural fairness in protection visa decision making. The action was unsuccessful, with the judgment of Wilcox J handed down on 17 June 1994. Please note, related proceedings are NSD848/1992, filed on 13 November 1992 and finalised on 23 February 1994.
ACCC v VENTURE INDUSTRIES AND COLLINGS CONSTRUCTION COMPANY PTY LTD	NSD687/1993	FCA & NSWSC	N/A	Hunter J	Not ascertained	3 September 1993	7 February 1997	7 February 1997	N/A	1253	1253	N/A	Representative proceedings which commenced in the Federal Court in September 1993 and were transferred to the NSW Supreme Court in September 1994. (Note that the Court in Re Wilcox states that it was commenced on 3 December 1993, however, the ComCourts filing date is 03-Sep-1993). The ACCC sought injunctions and redress on behalf of the families who had suffered loss related to the construction of housing, alleging breaches of the TPA. There was an issue concerning jurisdiction (NSD138/1996). Hunter J heard the matter and reserved his decision. Venture applied unsuccessfully to the High Court. On 10 December 1996, Hunter J

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													announced that he was minded to issue judgment in favour of the ACCC, with formal orders made on 7 February 1997.
GLASS v NEW SOUTH WALES [1994] FCA 1224	NSD187/1994	FCA	NSW	Sheppard J	Not ascertained	31-Mar-94	27/7/94	N/A	N/A	118	N/A	N/A	Class action relating to alleged racial discrimination in the NSW sentencing regime prior to and following the introduction of the 1989 Sentencing Act, contrary to the RDA 1975, dismissed for lack of jurisdiction.
DAGI v THE BROKEN HILL PROPRIETY COMPANY LTD (NO 2) [1997] 1 VR 428	No. 5782 of 1994; No. 5980 of 1994; No. 6861 of 1994; No. 6862 of 1994	VSC	N/A	Byrne J	1980-1994	5 May 1994; 17 May 1994; 11 July 1994; 11 July 1994	7-Jun-96	N/A	N/A	765	765	N/A	Class action involving four proceedings brought by landowners in PNG affected by environmental damage caused by the OK Tedi mine. In 1996, BHP and the plaintiffs reached an out-of-court settlement which included payment of approximately AUS\$40 million. In 2000, the plaintiffs sued BHP in Australia again, for breaching the terms of the 1996 settlement related to environmental mitigation at the mine (Gagarimabu v. B.H.P. & Ok Tedi). The date from filing to settlement is calculated from the first filing date of 5 May 1994.
AF AND ME PTY LTD AND HEINE MANAGEMENT LIMITED v ANTHONY AVELING AND ORS [1994] FCA 1189	VID3190/1994	FCA	VIC	Ryan J	Not ascertained	16-May-94	9/9/94	N/A	N/A	116	N/A	N/A	Class action in relation to the failure to commence proceedings on behalf of a trust.
BATES v DOW CORNING (AUSTRALIA) PTY LTD.	NSD458/1994	FCA	NSW	Sheppard J	Prior to 21-Jul-1994	21-Jul-1994	29/8/94	N/A	N/A	39	N/A	N/A	Proceeding related to defective breast implants, discontinued by the plaintiffs on 29-Aug-1994.
TSANG CHI MING v UVANNA PTY LTD (1996) 140 ALR 273	NSD505/1994	FCA	NSW	Hill J	5 March 1992 - 1994	5-Aug-94	7-Dec-95	N/A	N/A	489	N/A	N/A	Class action related to contracts with a migration agent on behalf of Chinese and Hong Kong citizens. Sixteen months after it was filed, Lockart J ordered on 07-Dec-1995 that the proceeding no longer continue as a class action.

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NGUYEN THANH TRONG v THE MINISTER OF IMMIGRATION LOCAL GOVERNMENT AND ETHNIC AFFAIRS AND REFUGEE REVIEW TRIBUNAL [1996] FCA 1481	VID292/1994; VID325/1994	FCA	VIC	Merkel J	29-Aug-94	5-Sep-94	9-Aug-96	9-Aug-96	N/A	704	704	N/A	Migration class action on behalf of those who arrived in Australia on a boat known as the "Vagabond" and decisions refusing protection visas were dated 29 August 1994, seeking review of those decisions
BATES v DOW CORNING (AUSTRALIA) PTY LTD	NSD641/1994	FCA	NSW	Jacobson, Katz and Foster JJ	Prior to 16 September 1994	16-Sep-94	30-Jun-05	N/A	30-Jun-05	3940	3940	N/A	Class action related to allegedly defective silicone breast implants. Jacobson J held that leave was not required for settlements reached under a joint plan as result of the respondent's bankruptcy on 30 June 2005. The delay from filing to settlement was explained by Jacobson J as a result of parallel proceedings in the US and complications from the bankruptcy of the respondent. The class included all those who were affected by the date of filing and had were represented by the plaintiff law firm.
WOODLANDS v PERMANENT TRUSTEE CO LTD (1995) 58 FCR 139	NSD660/1994	FCA	NSW	Wilcox J	1986-1993	29-Sep-94	23/4/01	N/A	19-Mar-01	2398	2363	N/A	The first of two class actions related to the HomeFund housing loan scheme of the NSW Government on behalf of people whose actions accrued after 4 March 1992, when the Part IVA regime was operative. The proceedings were settled and included a High Court appeal.
TANG JIA XIN v MINISTER FOR IMMIGRATION AND ETHNIC AFFAIRS [1996] FCA 1379.	NSD903/1994	FCA	ACT	Neaves J; Wilcox J	1992-1993	21-Dec-94	07-Nov-1996	11/4/1996	N/A	687	477	N/A	Action on behalf of people from refugee backgrounds for wrongful imprisonment and trespass to the person, referenced in Vince Morabito and Jarrah Ekstein 'Class Actions Filed for the Benefit of Vulnerable Persons—An Australian Study' (2016) 35 C.J.Q. 61. Neaves J ordered the release of Tang Jia Xin from detention and the Minister's appeals to the Full Court and High Court were unsuccessful: (1993) 47 FCR 176. and [1994] HCA 31). Following the High Court determination, the applicant commenced representative proceedings on behalf of the 38 people who arrived in Australia on the same vessel. Two group

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													members were selected (Wang Cheng Jian and Jie Shi Fang) as test cases, with evidence heard on 18 and 19 March 1996. Wilcox J handed down reasons on 11/4/1996. Following this, all but one of the group members settled their claims out of court.
CONCA V. PERMANENT TRUSTEE CO LTD	NSD928/1994	FCA	NSW	W	1986-1993	23-Dec-94	23/4/01	N/A	19-Mar-01	2313	2278	N/A	The second of two class actions related to the HomeFund housing loan scheme of the NSW Government. The proceedings were settled and included a High Court appeal.
BRUCE WILLIAM BOWLER AND JANELLE JOY BOWLER v HILDA PTY LIMITED & ORS [1996] FCA 1843 (25 OCTOBER 1996)*	ACT G13 of 1995	FCA	ACT	Finn J	22 - 23 July 1993	20-Feb-95	7/7/00	Not ascertained	Not ascertained	1964	Not ascertained	N/A	Class action related to misrepresentations allegedly made on 22 and 23 July 1993 in the context of the redevelopment and sale of apartments. On 24 October 1996 Finn J made an unfavourable determination in relation to the representative applicants but did not determine issues in relation to the class.
FANG v MINISTER FOR IMMIGRATION AND ETHNIC AFFAIRS (1996) 135 ALR 583	WAD89/1995	FCA	WA	O'Loughlin J	1994	22-Feb-95	28 February 1996	27-Jul-95	N/A	371	155	N/A	Human rights class action related to people who had arrived in Australia by boat on 12-13 November 1994. The class were kept in immigration detention and informed on 13 February 1995 that they were being removed from Australia. The class members argued that they had been denied procedural fairness and had made constructive protection visa applications prior to 30 December 1994. An unfavourable judgment was delivered on 27 July 1995 and an appeal was dismissed on 28 February 1996.
MCMULLIN v ICI AUSTRALIA OPERATIONS PTY LTD (1997) 72 FCR 1	NSD305/1995	FCA	NSW	Wilcox J	1989 and 1994	3-May-95	23 August 2000	24 June 1997	N/A	1940	783	N/A	Class action on behalf of farmers who alleged losses chlorfluazuron contamination connected to the pesticide Helix. ICI was found to be liable but the claims against state governments were dismissed on 24 June 1997. The judgment on damages was handed down on 14 August 1998.

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MILFUL v TERRANORA LAKES COUNTRY CLUB LTD [2006] FCA 801	QUD131/1995	FCA	QLD	Kiefel J	23 December 1987-March 1994	25-Aug-95	23-May-06	N/A	23-May-06	3924	3924	N/A	Class action on behalf of those who purchased non-convertible preference shares in Terranora Leisuretime Resort Management Ltd. In his fifth report, Professor Morabito notes that this was the most protracted class action up to July 2017 (p. 14).
BRIAN CONNELL AND LILLIAN CONNELL, STUART VAN ECK AND MARLENE VAN ECK, ANDREW BOUCAUT AND ANNE BOUCAUT V. NEVADA FINANCIAL GROUP PTY LTD, TREVOR PHILIP HYLAND AND LINDA ELIZABETH DODD*	QUD135/1995	FCA	QLD	Drummond J	October 1994 - February 1995	4-Sep-95	23/1/98	Not ascertained	Not ascertained	872	Not ascertained	N/A	Class action brought in relation to distributorship agreements under the TPA and representations allegedly made in the period from October 1994 to February 1995.
FALFIRE PTY LTD v ROGER DAVID STORES	QUD201/1995	FCA	QLD	Kiefel J	From December 1992	21-Dec-1995	25/09/1996	N/A	N/A	279	N/A	N/A	Application commenced on behalf of those who conducted Roger David stores. However, fewer than seven chose not to opt-out of the proceedings which were subsequently dismissed by Kiefel J.
MULCAHY v HYDRO-ELECTRIC COMMISSION [1998] FCA 605; 85 FCR 170; (1998) ATPR (DIGEST) ¶46-186	TAD1/1996	FCA	TAS	Heerey	1980-1990	01-Feb-1996	27 June 1997	N/A	N/A	512	N/A	N/A	Proceedings which were initially commenced under Part IVA but subsequently 'abandoned and the proceeding ...continued in the conventional way.' ([1998] FCA 605).
BULUN BULUN v R&T TEXTILES PTY LTD [1998] FCA 1082	NTD3/1996	FCA	NT	von Doussa J	1996	27-Feb-96	3/9/98	3/9/98	N/A	919	919	N/A	Class action on behalf of Aboriginal artists and Aboriginal people claiming an interest in the artistic work, alleging breach of the TPA and Copyright Act. Von Doussa dismissed the proceedings on 08-Apr-1998 and a judgment in this matter was published on 3 September 1998.
ACCC v CHATS HOUSE INVESTMENTS	NSD339/1996	FCA	NSW	Branson J	1 November 1995 and 5 March 1996	24-Apr-96	14-Mar-1997	20-Dec-96	N/A	325	240	N/A	Representative proceedings brought by the ACCC in respect of clients of the respondent in the relevant period.

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BUTLER v KRAFT FOODS AND ANOTHER	VID393/1996	FCA	VIC	Northrop and Sundberg JJ	Jun-96	9-Jul-96	19-Jun-1997	N/A	19-Jun-1997	346	346	N/A	Class action related to product liability. Class members allegedly suffered injury after consuming peanut butter prior to a recall in June 1996. The action was settled in 1997.
LEONARD THOMAS SYMINGTON & ANOR v HOECHST SCHERING AGREVO PTY LTD & ORS [1997] FCA 969*	NSD581/1996	FCA	NSW	Wilcox J	Not ascertained	17-Jul-96	19/10/99	Not ascertained	Not ascertained	1189	Not ascertained	N/A	Class action on behalf of cattle farmers alleging that their cattle had ingested pesticide sprayed from planes onto nearby cotton fields.
ACCC v GOLDEN SPHERE INTERNATIONAL (1998) 83 FCR 424*	QUD153/1996	FCA	QLD	O'Loughlin J	From January 1996	5 September 1996	1/6/1998	1/6/1998	N/A	634	634	N/A	Representative proceedings initiated under Part IVA alleging a fraudulent pyramid scheme. O'Loughlin J granted injunctive relief and made orders compensating group members for losses on 1/6/1998.
DINGLE v CIBA-GEIGY AUSTRALIA LTD*	NSD851/1996	FCA	NSW	Wilcox J	Prior to 1996	28-Oct-96	11/10/01	Not ascertained	Not ascertained	1809	Not ascertained	N/A	Class action relating to the animal health product Acatak including the ingredient flurazuron on behalf of farmers whose cattle were contaminated by the product.
COUNCIL FOR THE CITY OF THE GOLD COAST v PIONEER CONCRETE (QLD) PTY LTD [1998] FCA 791.	QG 190 of 1996	FCA	QLD	Drummond J	June 1989 - July 1994.	4-Nov-96	1/7/97	N/A	N/A	239	N/A	N/A	Cartel class action. The action was originally a representative proceeding under Part IVA brought by the Council alleging breaches of the TPA in relation to pre-mixed concrete in the period between June 1989 and July 1994. In July 1997, Drummond J ordered that that the proceeding no longer continue as a representative action.
CAPISTRANO v MINISTER FOR IMMIGRATION AND MULTICULTURAL AFFAIRS	NSD952/1996	FCA	NSW	Emmett J	Not ascertained	09-Dec-1996	24-Oct-1997	N/A	N/A	319	N/A	N/A	Migration proceedings commenced under Part IVA concerning decisions not to approve applications on the grounds that the applications were invalid. In April 1997 Emmett J decided separately that an alteration to the regulations at issue was valid and noted that this determination would lead to the dismissal of the proceedings, however, the procedural framework was described as unclear. For this reason, the matter was stood over and dismissed later in October 1997.

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TELECTRONICS CLASS ACTION (SPICE v PACIFIC DUNLOP)	NSD1026 /1996	FCA	NSW	Wilcox J	Not ascertained	23-Dec-1996	7 August 1998	N/A	7 August 1998	592	592	N/A	Product liability class action concerning allegedly defective Telectronics pacemaker leads. This settlement related to those who had undergone surgery.
TELECTRONICS CLASS ACTION (WALTHER v PACIFIC DUNLOP)	NSD1027 /1996	FCA	NSW	Wilcox J	Not ascertained	23-Dec-1996	19-May-2000	N/A	19 May 2000	1243	1243	N/A	Product liability class action concerning allegedly defective Telectronics pacemaker leads which continued after the settlement in <i>Spice</i> on behalf of those who had not had surgery.
GUI SEN HUANG v MINISTER OF STATE FOR IMMIGRATION & MULTICULTURAL AFFAIRS [1997] FCA 493	NSD23/1997	FCA	NSW	Lehane and Davies JJ	10-Dec-96	10-Jan-97	15/5/98	15-May-98	N/A	490	490	N/A	Class action related to determinations of the Refugee Review Tribunal made approx. 10 December 1996. A number of the claims were remitted on 20 October 1997, with an unfavourable decision made in respect of the remaining claims on 15 May 1998.
FAZAL DIN v MINISTER FOR IMMIGRATION & MULTICULTURAL AFFAIRS [1998] FCA 961	NSD132/1997	FCA	NSW	Wilcox J	January 1995 to October 1995	25-Feb-97	14/8/98	14-Aug-98	N/A	535	535	N/A	Class action relating to English proficiency tests administered in the context of visa applications. On 14 August 1998, Wilcox J remitted the applications for consideration by the Tribunal.
RYAN v GREAT LAKES COUNCIL [1999] FCA 177.	NSD183/1997	FCA	NSW	Wilcox J	1996-1997	13-Mar-97	5-Mar-99	5-Mar-99	N/A	722	722	N/A	Class action related to personal injury against the local council. The prolonged release of effluent from septic tanks into an estuary system was traced to food poisoning caused by the consumption of oysters. Judgment was given in relation to the plaintiff on 5 March 1999. The matter was subject to appeals (see <i>Graham Barclay Oysters Pty Ltd and Others v Ryan and Others</i> [2000] FCA 1099).

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MAGNUS v SOUTH PACIFIC AIR MOTIVE PTY LTD (1997) 78 FCR 456.	NSD194/1997	FCA	NSW	Wilcox J. On appeal: Beaumont, Hill and Sackville JJ	24 April 1994	17-Mar-97	07/02/2003	N/A	20 December 2020 and between 27 April 2001-7 February 2003	2154	1375	N/A	Class action on behalf of passengers and relatives who alleged injury or psychological injury as a result of a plane crashing in Sydney on 24 April 1994. The delay from the event to filing had the effect that the personal injury element was time-barred. The psychological harm of passengers was found to constitute personal injury on appeal on 9 September 1998 by Beaumont, Hill and Sackville JJ. Following the Full Court decision, 'there was considerable delay whilst the parties discussed amongst themselves the appropriate way to proceed with the case' (<i>Magnus v South Pacific Air Motive Pty Ltd</i> [2001] FCA 465 [6]). There was a hearing on damages before a finding of liability heard in March 2000. Wilcox J reserved judgment, however, the parties then entered into further negotiations and Wilcox J was asked not to deliver judgment. On 20 December 2000, the parties informed the Court that all claims had been settled, with the exception of the claims of Mr and Mrs Magnus, Dr Maxwell and Ms Webb. Wilcox J handed down reasons in relation to damages for those remaining claims on 27 April 2001, before a finding of liability. The date at which the final unresolved claims is not ascertained. The earlier date at which the Court was informed of settlement of some of the claims is used to calculate the time to settlement.
GLAVAS v LAGO SMALLGOODS	VID121/1997	FCA	VIC	Sundberg J	1997	24-Mar-97	22-Oct-1999	N/A	22-Oct-1999	942	942	N/A	Class action related to salmonella poisoning from the consumption of meat products, settled out of court.
LOPEZ v STAR WORLD ENTERPRISES PTY LTD (STAR WORLD ENTERPRISES) [1999] FCA 104	VID133/1997	FCA	VIC	Finkelstein J	January - March 1997	2-Apr-97	28-Jan-1999	N/A	28-Jan-99	666	666	N/A	A class action related to food contaminated with salmonella bacteria and unfit for consumption sold between January and March 1997.

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JAKES v HOSPITAL CORPORATION OF AUSTRALIA PTY LTD.*	NSD347/1997	FCA	NSW	Wilcox J	Not ascertained	6-May-97	16/6/99	N/A	Not ascertained	771	Not ascertained	N/A	Class action relating to nervous shock or psychological harm resulting from improperly sterilised surgical equipment used during a two-month period. Some actions related to patients settled from April-June 1998, with the group definition amended to include relatives suffering nervous shock or psychological harm per order of Wilcox J on 12 June 1998. The matter settled.
DAVID LOUIS SCHNEIDER V. HOECHST SCHERING AGREVO PTY LTD & ANOR	NSD374/1997	FCA	NSW	Mathews J	1996	19-May-1997	29-Mar-2000	29-Mar-2000	N/A	1045	1045	N/A	Proceedings concerning alleged damage to wheat crops in NSW caused by a herbicide spray Puma S, one of which was a representative proceeding on behalf of affected farmers. Issues as to causation meant that the claims failed before Mathews J and an appeal to the Full Court was dismissed.
LONG LEI LIM v STAR WORLD ENTERPRISES*	Not ascertained	FCA	VIC	Finkelstein J	January - March 1997	17-Jun-97	31/10/97	N/A	N/A	136	N/A	N/A	A class action related to a salmonella outbreak consisting of a number of class members from the Lopez v Star World class action who had opted out of those proceedings. It was filed on 17 June 1997 and discontinued on 31 October 1997 with group members subsequently included in the Lopez v Star World class action.
ROBERT WOODHOUSE v JOHN MCPHEE & ORS [1997] FCA 1509 *	VID3237/1997	FCA	VIC	Merkel and Goldberg JJ	1995 - 28 June 1996	15-Aug-97	20/12/00	Not ascertained	Not ascertained	1223	Not ascertained	N/A	Class action on behalf of employees of a company against its directors who had allegedly engaged in insolvent trading in the relevant period.
WASANTHA v MINISTER FOR IMMIGRATION & MULTICULTURAL AFFAIRS [1999] FCA 1158	AG69 of 1997	FCA	ACT	Finn J	From 1 November 1993	25-Sep-97	20/8/99	20/8/99	N/A	694	N/A	N/A	Human rights/migration class action with an unfavourable judgment handed down in August 1999. A subsequent representative action, <i>Fernando v Ruddock</i> , for an extension of time to appeal matters arising from <i>Wasantha</i> was dismissed on 17/8/2000.
DE SILVA v RUDDOCK [1998] 311 FCA.	VID607/1997	FCA	VIC	Merkel J	13-Jun-97	27-Oct-1997	31/3/98	31/3/98	N/A	155	155	N/A	A proceeding which commenced as a class action on behalf of people including members of the Sri Lankan Humanitarian and Migration Association Incorporated, concerning changes to regulations announced on 13 June 1997. To obtain urgent interlocutory relief to prevent the deportation of group members, the form of

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													the proceeding was amended to a proceeding by the 164 applicants. The date at which the proceedings were amended is not ascertained.
WONG v SILKFIELD [2000] FCA 1421	QUD167/1997	FCA	QLD	Spender J	31 October 1996 - August 1997	24-Oct-97	2-Oct-00	N/A	2-Oct-00	1074	1074	N/A	Three proceedings relating to contracts for the purchase of real property, contracts were signed in the relevant period by class members.
MACABENTA v MINISTER FOR IMMIGRATION AND MULTICULTURAL AFFAIRS	NSD887/1997	FCA	NSW	Tamberlin J	1997	24-Oct-97	18/6/99	21-Apr-98	N/A	602	179	N/A	Migration class action, involving alleged breaches of the RDA. The applicant was unsuccessful at first instance (21 April 1998) and on appeal. Special leave was refused by the High Court (18 June 1999).
KAGI v MINISTER OF STATE FOR IMMIGRATION AND MULTICULTURAL AFFAIRS	NSD1041/1997	FCA	NSW	Davies and Tamberlin JJ	1997	5-Dec-97	8/7/99	N/A	N/A	580	N/A	N/A	Migration class action, involving alleged breaches of the RDA. The action appears to have been stayed pending the outcome in a related proceeding (<i>Macabenta</i>).
MACEDONIAN TEACHERS' ASSOCIATION OF VICTORIA INC v HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION (1998) 91 FCR 8	VID41/1998	FCA	VIC	Weinberg J	1994	11-Feb-1998	21 December 1998	21 December 1998	N/A	313	N/A	N/A	Proceedings challenging the dismissal of a complaint by the Commission. The applicant brought 'this proceeding not only in its own right, but also as a representative proceeding on behalf of its members - see s25L of the Act and PtIVA of the Federal Court of Australia Act 1976 (Cth)' [(1998) 160 ALR 489 at 492]. The decision of the Commission was set aside.
WILKINS v DOVURO PTY LTD [1999] FCA 1816	NSD297/1998	FCA	NSW	Wilcox J	1996	7-Apr-98	19-Nov-2007	11/9/03	N/A	3513	1983	N/A	Class action on behalf of farmers who alleged losses from weeds contaminating canola seed supplies from New Zealand seeded in 1996. The hearing on liability took place in July and August 1999. Wilcox J reserved judgment delivered on 23/12/1999. The Full Court made findings on liability on 21/12/2000. On appeal to the High Court on 11/9/2003, the apology made by the respondent company in itself did not amount to an admission of liability by the appellant and was not a basis for the finding of negligence.
ACCC v INTERNIC TECHNOLOGIES	NSD395/1998	FCA	NSW	Lindgren J	From 11 July 1997	30 April 1998	14 July 1998	N/A	N/A	75	N/A	N/A	Proceedings brought by the ACCC under Part IVA relating to alleged misleading and deceptive representations in connection

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													with the operation of a website since at least 11 July 1997 . Lindgren J ordered that the proceedings no longer continue under Part IVA on 14 July 1998.
AUSTRALIAN COMPETITION & CONSUMER COMMISSION v GIRAFFE WORLD AUSTRALIA PTY LTD & ORS [1998] FCA 819*	NSD421/1998	FCA	NSW	Lindgren J	July 1997 - May 1998	6-May-98	10/11/99	Not ascertained	Not ascertained	553	Not ascertained	N/A	Class action brought by the ACCC on behalf of those who invested in the 'Giraffe Club' scheme in the relevant period.
TONGUE v COUNCIL OF THE CITY OF TAMWORTH [2004] FCA 1702	NSD425/1998	FCA	NSW	Jacobson and Allsop JJ	1994-1998	7-May-98	18/2/05	N/A	N/A	1288	N/A	N/A	Class action related to the Dungowan Dam and the supply of water which was not fit for domestic or stock watering purposes. In 2002, Allsop J was informed that the proceedings had settled, however, on 28 July 2004, he refused to approve settlement. On 18 February 2005, the Court ordered that the proceedings no longer continue as representative proceedings.
SCHANKA v EMPLOYMENT NATIONAL (ADMINISTRATIVE) PTY LIMITED [2001] FCA 1623	NSD461/1998	FCA	NSW	Moore J	1-May-98	15-May-98	15/11/01	15-Nov-01	N/A	1280	1280	N/A	Class action related to alleged breaches of the <i>Workplace Relations Act 1996</i> (Cth). On 18 May 2001, findings related to the main applicants were made by Moore J, and penalties were imposed on 15 November 2001.
JUSTINE CHURCHMAN v ALBA GELATI PTY LTD [1998] FCA 1223*	NSD623/1998	FCA	NSW	Tamberlin and O'Loughlin JJ	Prior to 24 June 1998	24-Jun-98	9/11/01	Not ascertained	Not ascertained	1234	Not ascertained	N/A	Class action run by Slater and Gordon relating to the consumption of allegedly contaminated gelato products as at the date of filing.
AUSTRALASIAN MEAT INDUSTRY EMPLOYEES' UNION AND GRAEME LEWIS AND PAMELA DICKER v RASHAD BASHA AZIZ AND OTHERS*	VID302/1998	FCA	VIC	Marshall J	Prior to 1 June 1998	3 July 1998	25/2/99	Not ascertained	Not ascertained	237	Not ascertained	N/A	Industrial action concerning termination and non-payment of wages by companies placed into voluntary administration on 1 June 1998. Injunctory relief was granted by Marshall J on 28 July 1998 to ensure that employees who are re-employed at the abattoir on the same terms as previously.

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THICKBROOM & ANOR v NEWCASTLE WALLSEND COAL COMPANY PTY LTD & ANOR*	NSD665/1998	FCA	NSW	O'Connor J	June-July 1998	3-Jul-98	31/1/01	N/A	N/A	943	N/A	N/A	Industrial representative proceedings related to alleged breaches of the <i>Workplace Relations Act</i> related to retrenchment notices in June and July 1998. ComCourts lists the matter as discontinued/withdrawn on 31 January 2001.
VASRAM v AMP LIFE LIMITED [2000] FCA 1676	NSD667/1998	FCA	NSW	Stone J	From 1995	6-Jul-98	22-Dec-00	N/A	N/A	900	N/A	N/A	Class action relating to life insurance policies which had lapsed and alleged misleading representations. The proceedings ceased to be continued as representative proceedings from 22 December 2000. The matter was dismissed with the issue of costs reserved on 15 November 2001 with judgment on costs handed down on 21 October 2002.
GIRAFFE WORLD AUSTRALIA PTY LTD v AUSTRALIAN COMPETITION AND CONSUMER ASSOCIATION [1998] FCA 1560	NSD711/1998	FCA	NSW	Lindgren J	May-98	14-Jul-98	4/12/98	N/A	N/A	143	N/A	N/A	Class action against the ACCC which was discontinued. The proceedings related to complaints about an action for breaches of the TPA of the ACCC (NG 421 of 1998), claiming that the commencement on 6 May 1998 was precipitous, and complaints related to memos and media releases on 7 and 19 May 1998.
SCHOKMAN v SYDNEY WATER CORPORATION LIMITED,	NSD794/1998	FCA	NSW	Hill J	Jul-98	5-Aug-98	16-Dec-1998	N/A	16-Dec-1998	133	133	N/A	Class action concerning water contamination relating to property damage and personal injury in 1998 which settled in the same year in relation to economic loss only.
J F YANDLE & CO PTY LIMITED v CSN PTY LIMITED [2000] FCA 1823	NSD982/1998	FCA	NSW	Cowdroy and Hill JJ	Not ascertained	18-Sep-98	23-Jul-2007	N/A	5-Dec-00	3230	809	N/A	The application relates to a claim that the applicants and other representative parties suffered loss because of the faulty performance of an Alfarm A630 Cultivator Bare. The late date of finalisation provided by ComCourts appears to relate to cross claims

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JOHNSON TILES PTY LTD v ESSO AUSTRALIA LTD [2001] FCA 458	VID519/1998, VID524/1998	FCA	VIC	Merkel	25/9/1998- 8 October 1998	29-Sep-98	17-May-01	N/A	N/A	961	N/A	N/A	Common law cause of action arising out of the Longford explosion on 25 September - the listed period is the period in which electricity access was lost, leading to alleged losses. There were three actions: two filed on 29 September 1998 and one on 30 September 1998. The first two actions were consolidated into these proceedings. The proceedings were transferred by Merkel J to the VICSC on 17 May 2001.
HOGAN v SYDNEY WATER CORPORATION LIMITED	NSD1118 /1998	FCA	NSW	Hill J	1998	22-Oct-98	18-Jun-1999	18/6/99	N/A	239	239	N/A	Class action relating to water contamination leading to personal injury, dismissed on 18 June 1999.
COMMUNITY & PUBLIC SECTOR UNION v CROWN IN RIGHT OF VICTORIA [1999] FCA 743	VID656/1998	FCA	VIC	Marshall J	5-Nov-98	30-Nov-98	2/2/01	N/A	N/A	795	N/A	N/A	Industrial class action on behalf of employees of the Department of Education in administrative or non-teaching roles who had not entered into an award, alleging statutory breaches in a communication dated 5 November 1998. The group were not all union members, leading to an amended application in March 1999 that referred to representation of a subgroup. The respondent contended that the subgroup proceedings no longer continue as representative proceedings, this was dismissed by Marshall J. The matter was discontinued on 2 February 2001.
JONSANDI TRANSPORT v PACCAR AUSTRALIA LTD [1999] FCA 1788*	VID712/1998	FCA	VIC	Heerey J	Not ascertained	18-Dec-98	01-Nov-2000	Not ascertained	N/A	684	N/A	N/A	Class action related to Kenworth Truck products. The proceedings were delayed by the failure of the applicant to produce an adequate statement of claim, according to Heerey J. Professor Morabito notes in (2016) 35 C.J.Q. 61 at p. 86 "the class action was discontinued by the class representative following the difficulty experienced by his lawyers in finding strong scientific evidence to demonstrate the existence of a nexus between the ailments and the quality of the water".

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BATTEN V. CONTAINER TERMINAL MANAGEMENT SERVICES LIMITED*	QUD177/1998	FCA	QLD	Kiefel J	1997-1998	21-Dec-98	26/1/01	N/A	Not ascertained	767	Not ascertained	N/A	One of two class actions arising from the Waterfront industrial dispute, related to the recruiting and training of a non-union workforce for the Australian waterfront industry in late 1997 and early 1998 (<i>Batten v CTMS Ltd</i> [1999] FCA 1576). The action was settled.
CRANDELL v SERVIER LABORATORIES (AUST) PTY LTD	NSD1411/1998	FCA	NSW	Sackville J	Not ascertained	22-Dec-98	10/12/99	N/A	N/A	353	N/A	N/A	Proceedings alleging personal injury from the consumption of weight loss drugs, commenced under Part IVA. Subsequently the Court ordered that the proceedings no longer continue as representative proceedings per s 33N (an order taking effect on 10 December 1999), and the proceedings were transferred to the Supreme Court of NSW on 10 December 1999 by order dated 25 October 1999.
MURPHY v OVERTON INVESTMENTS PTY LTD [1999] FCA 1123	NSD159/1999	FCA	NSW	Emmett J	January 1987 -17 October 1996	23-Feb-99	17-Aug-99	N/A	N/A	175	N/A	N/A	Class action on behalf of elderly lessees at Heritage Retirement Village, claiming breaches of the TPA connected to misleading statements about the leases entered into between January 1987 and 17 October 1996. Emmett J found that there were insufficient substantial common issues identified in the statement of claim to satisfy s 33C(1)(c) and the proceedings were discontinued under Part IVA.
DOWDELL v KNISPEL FRUIT JUICES PTY LTD (TRADING AS "NIPPY'S")	SAD20/1999	FCA	SA	Selway	1999	10-Mar-1999	8/5/07	N/A	22-Mar-01	2981	N/A	N/A	Class action arising from an outbreak of food poisoning caused by class members drinking a product manufactured and sold by Knispel Fruit Juices Pty Ltd ('Nippy's'). There were subsequent cross claims.
FINANCE SECTOR UNION OF AUSTRALIA v COMMONWEALTH BANK OF AUSTRALIA (THE MACEY PROCEEDINGS)	NSD262/1999	FCA	NSW	O'Connor and Moore JJ	1997	1-Apr-99	20/9/02	18/6/02	N/A	1268	1174	N/A	Industrial class action concerning secondments to EDS Australia and alleged breaches of an industrial agreement and an award. The applicants were successful at first instance in the determination of a separate question on 16 November 2001, overturned on appeal 18 June 2002. Cost issues were finalised on 20 September 2002. Please note, the matter is listed as finalised on ComCourts on 26-Aug-1999.

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NIXON AND OTHERS v PHILLIP MORRIS (AUSTRALIA) LTD AND OTHERS [1999] FCA 1107; (1999) 95 FCR 453.	NSD326/1999	FCA	NSW	Wilcox J	16 April 1996 and 16 April 1999	16-Apr-99	13-Mar-00	N/A	N/A	332	N/A	N/A	Class action relating to cancer caused by smoking in the relevant period. Wilcox J found that the proceedings could continue under Part IVA on 13 August 1999. However, the Full Court held that the requirements of s 33C(1)(a) were not met.
BRIGHT v FEMCARE [2002] FCAFC 243; (2002) 195 ALR 574.	NSD410/1999; NSD1275/1999	FCA	NSW	Lehane and Stone JJ. On appeal: Justice Lindgren; Justice Kiefel; Justice Finkelstein.	On or after 10 May 1996	10-May-99	8 August 2003	N/A	N/A	1551	N/A	N/A	Class action relating to alleged breaches of the TPA by the manufacturer and distributor of defective equipment (Filshie clips) used in sterilisation procedures. Claims involved allegations involving the period from 1982 to August 1999. However, due to limitation periods, the class were those who suffered damage from on or after 10 May 1996. Interlocutory matters included a constitutional challenge by the respondent. The Full Court reversed a decision dated 19 October 2001 that the proceedings no longer continue under Part IVA on 20 August 2002. A High Court application for special leave to appeal was discontinued on 8 August 2003 by consent. The class action was withdrawn.
AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION v GREATER DANDENONG CITY COUNCIL*	VID248/1999	FCA	VIC	Madgwick J	At 17 May 1999	17-May-99	20-Aug-2001	Not ascertained	Not ascertained	826	Not ascertained	N/A	Industrial class action on behalf of employees of Greater Dandenong City Council for home and community care services as at 17 May 1999. Madgwick J handed down a judgment in the matter on 4 September 2000, ordering the parties to negotiate with a view to settling the matter by October 2000. The matter was noted as finalised/granted on 20-Aug-2001.
LOWE v MACK TRUCKS AUSTRALIA PTY LTD	VID249/1999	FCA	VIC	Kenny J	At at 17 May 1999	17-May-99	04-Apr-2008	04-Apr-2008	N/A	3245	N/A	N/A	Class action on behalf of those who had purchased trucks as at 17 May 1999, alleging breaches of the TPA. An unfavourable judgment was handed down on 04-Apr-2008.

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NEIL v P & O CRUISES AUSTRALIA LIMITED [2002] FCA 1325	VID314/1999	FCA	VIC	Weinberg J	1999	11-Jun-99	18-Jul-2003	N/A	30-Oct-02	1498	1237	N/A	A class action concerning allegations that food served on a cruise ship caused people to suffer injury. A number of group members became seriously ill after consuming food and drink at the restaurant. Others became ill after coming into contact with those who had consumed that food and drink.
HURLEY v MCDONALD'S AUSTRALIA LTD	QUD194/1999	FCA	QLD	Dowsett J	1999	2-Jul-99	01-May-2001	9-Mar-01	N/A	616	N/A	N/A	Class action relating to a Monopoly competition in 1999 by the fast food restaurant McDonald's. Dowsett J held that the plaintiff had failed in the claim on 9 March 2001.
DARWALLA MILLING CO PTY LTD v F HOFFMAN-LA ROCHE LTD [2006] FCA 915	VID359/1999	FCA	VIC	Jessup J	5 March 1992 to 31 December 1999	5-Jul-99	06-Nov-2006	N/A	27-Oct-06	2681	2671	N/A	Case relating to alleged cartel/ price fixing in relation to animal vitamin products, class members being those who spent more than \$2,000 on the products in the period listed
HOME ALARM SYSTEMS (WILLIAMS v FAI HOME SECURITY PTY LTD) [2001] FCA 399	VID383/1999	FCA	VIC	Goldberg J	From 9 July 1993	9-Jul-99	18-Apr-2001	N/A	11-Apr-01	249	642	N/A	Class members were those who entered into a sales contract with FAI Home Security on or after 9 July 1993 to purchase a Security Guard alarm system, entered into a loan contract after 9 July 1993 to finance the purchase of an alarm system, relied on a representation to the effect that the alarm system was the latest technology available and suffered financial loss as a result of the purchase of the alarm system. The first application for approval of settlement was refused by Goldberg J in December 2000.
PANTRAL PTY LTD v COMMISSIONER OF TAXATION	NSD739/1999; NSD1613/2001; NSD346/2002	FCA	NSW	Conti and Lindgren JJ	15 APRIL 1999 - 30 JUNE 2000	30-Jul-99	13/9/02	7/5/02	N/A	1141	1012	N/A	Representative proceedings concerning questions of sales tax on new motor vehicles. An AAT decision related to the request for refund of tax paid 29 September 1997 was dated 8 December 2000. On 21 November 2001, Lindgren J ordered that the Tribunal's decision be set aside. The proceedings related to a settlement deed were dismissed.

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KING v AG AUSTRALIA HOLDINGS LTD (FORMERLY GIO AUSTRALIA HOLDINGS LTD) [2003] FCA 980	NSD955/1999	FCA	NSW	Moore J	1998-1999	31-Aug-99	28-Jul-04	N/A	26 August 2003	1793	1456	N/A	A shareholder action involving misleading and deceptive conduct relating to a takeover of GIO. The class members were described as all persons who owned shares in GIO continuously between 25 August 1998 and 4 January 1999 ("the relevant period") and who did not accept the takeover offers for those shares made by AMP Insurance Investment Holdings Pty Ltd ("AMP") on 25 August 1998 (and varied on 9 December 1998).
L'BARROW v HILTON HOTELS AUSTRALIA PTY LTD	QUD229/1999	FCA	QLD	Cooper J	Not ascertained	10-Sep-99	24/9/99	N/A	N/A	14	N/A	N/A	Consumer protection proceedings under Part IVA which were discontinued by the applicant because of other proceedings concerning the same claims.
TOBACCO CONTROL COALITION INC v PHILIP MORRIS (AUSTRALIA) LTD	NSD1089/1999	FCA	NSW	Wilcox J	Not ascertained	22-Sep-99	14/9/00	N/A	N/A	358	N/A	N/A	Class action on behalf of health and medical groups related to the dangers of cigarettes and persons who have smoked the cigarettes produced by the respondent companies but had not yet developed smoking related diseases. On 27 July 2000 Wilcox J granted security for costs, noting issues with the statement of claim. The proceeding was subsequently discontinued.
BUZZACOTT v AUSTRALIAN ELECTORAL COMMISSIONER &ORS	SAD92/1999	FCA	SA	von Doussa J	Not ascertained	1-Nov-99	19/3/00	N/A	N/A	139	N/A	N/A	Human rights class action claiming the illegality of the referendum on constitutional monarchy on behalf of a group described as the Aboriginal Genocide Prosecutors. The proceeding was discontinued by the class representative.
WONG V. SKYE COURT PTY LTD	QUD277/1999	FCA	QLD	Spender J	31 October 1996 - August 1997	15-Nov-99	2-Oct-00	N/A	2-Oct-00	322	322	N/A	Three proceedings relating to contracts for the purchase of real property, contracts were signed in the relevant period by class members.
TASFAST AIR FREIGHT v MOBIL OIL & SCHUTT FLYING ACADEMY (AUSTRALIA) PTY LTD v MOBIL OIL AUSTRALIA LTD	4116 of 2000	VSC	N/A	Hedigan and Bongiorno JJ	November - December 1999	24-Jan-00	22-Oct-02	N/A	22-Oct-02	1002	1002	N/A	A class action related to light aircraft which were grounded as a result of fuel contamination from November - December 1999, alleging that those who owned, operated or piloted the aircraft had suffered loss. The proceedings involved a Court of Appeal and High Court appeal on the rules around representative proceedings.

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COOK v PASMINGO LTD (NO 2) [2000] FCA 1819	NSD132/2000	FCA	VIC	Lindgren J	1994-2000 (approx.)	18-Feb-00	07-Sep-2001	N/A	N/A	567	N/A	N/A	Class action on behalf of people within a certain geographical area who suffered injury from exposure to harmful emissions from the first and second defendants' plants. The lead plaintiff resided near the smelter from approximately 1989 to 1998. According to one news article, the class consisted of people born in the vicinity in the previous 21 years or resident in the previous 6 years Lindgren J dismissed the proceedings under Part IVA as incompetent on 12 May 2000 and the plaintiff solicitors were ordered to pay the respondent's costs. Separate proceedings brought in the Victorian Supreme Court in respect of claims at Cockle Creek and Port Pirie (2000/5364) were dismissed on 15 December 2000 with a right to re-commence by way of separate proceedings.
WONG v SILKFIELD [2000] FCA 1421	QUD25/2000	FCA	QLD	Spender J	31 October 1996 - August 1997	30-Mar-00	2-Oct-00	N/A	2-Oct-00	186	186	N/A	Three proceedings relating to contracts for the purchase of real property. The contracts were signed in the relevant period by class members.

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GAGARIMABU V. B.H.P. & OK TEDI	No. 5003 of 2000	VSC	N/A	Hedigan and Bongiorno JJ	1996	Apr-00	2003 (approx)	N/A	12-Feb-02	1095	683	N/A	In 2000 and 2001 further proceedings were commenced in the Victorian Supreme Court against BHP Billiton and Ok Tedi Mining Company seeking injunctive, declaratory and other relief, including specific performance, arising out of alleged failures to comply with a settlement agreement entered into in June 1996. Interlocutory proceedings were also instituted for alleged contempt of court. The proceedings resulted in a number of judgments (e.g., <i>Dagi v Broken Hill Proprietary Company</i> ; <i>Gagarimabu v Broken Hill Proprietary Company</i> [2000] VSC 486 (Hedigan J); <i>Gagarimabu v BHP & Ok Tedi</i> [2001] VSC 304 (Hedigan J); <i>Gagarimabu v BHP</i> [2001] VSC 517 (Bongiorno J); <i>Gargarimabu v BHP</i> [2002] VSC 525 (Bongiorno J); <i>Gargarimabu v BHP</i> [2003] VSC 416 (Bongiorno J).) At the hearing on 12 February 2002, 'issues then before the Court were resolved between the parties on the basis of certain undertakings', subject to further litigation on costs. Please note, dates are approximate.
HUNTER VALLEY COMMUNITY INVESTMENTS PTY LTD v BELL [2001] FCA 201*	NSD437/2000	FCA	NSW	Sackville J	May 1992 - December 1995	4-May-00	17/8/01	Not ascertained	Not ascertained	470	Not ascertained	N/A	Class action alleging misrepresentations in the period May 1992 to December 1995 in relation to an investment scheme. (2001) 37 ACSR 326.
HILTON v MELBOURNE UNDERWATER WORLD PTY LTD; SCICLUNA v MELBOURNE UNDERWATER PTY LTD	2000/5257	VSC	N/A	Gillard J	8-27 Apr 2000	4 May 2000	14-Jul-04	N/A	11-Feb-04	1532	1378	N/A	Two class actions on behalf of people who had contracted Legionnaires disease in April 2000, after attending the Melbourne Aquarium which settled on 11 February 2004. Subsequent amendments to the settlement were agreed by the parties.
SREIKA V. CARDINAL FINANCIAL SECURITIES LIMITED	NSD654/2000NSD 1005/2001	FCA	NSW	Tamberlin J	Not ascertained	21-Jun-2000 and 29-Jun-2001	07-Dec-2001	N/A	N/A	534	N/A	N/A	Two representative proceedings under Part IVA which concerned two tea tree oil projects. The earlier filing date is used for the purposes of determining the duration of the proceedings. Four statements of claim were filed which were found to be inadequate and the proceedings were ultimately dismissed.

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COURTNEY v MEDTEL PTY LTD [2004] FCA 1406	NSD661/2000	FCA	NSW	Sackville J	1998- 5 June 2000	22-Jun-00	03-Dec-2004	N/A	2-Nov-04	1625	1594	N/A	A class action relating to a 'Hazard Alert' issued on 5 June 2000 by the Therapeutic Goods Administration. The Hazard Alert related to a particular batch of Tempo Pacemakers manufactured by the second respondent in the United States and distributed in Australia by the first respondent (Medtel). The Tempo devices were manufactured from 1998.
GIRALDO v MINISTER FOR IMMIGRATION AND MULTICULTURAL AFFAIRS.	NSD869/2000	FCA	NSW	Sackville J	Not ascertained	10-Aug-00	18/10/00	N/A	N/A	69	N/A	N/A	Migration class action, discontinued shortly after it was commenced.
REIFFEL v ACN 075 839 226 PTY LIMITED (NO 2) [2004] FCA 1128	NSD966/2000	FCA	NSW	Gyles J	1996-1997	5-Sep-00	1-Sep-04	N/A	1-Sep-04	1457	1457	N/A	A shareholder class action. The proceeding related to allegations that an independent expert made misleading and deceptive statements in a prospectus for a trust, in which the Applicants acquired units.
FINANCE SECTOR UNION OF AUSTRALIA V. COMMONWEALTH BANK OF AUSTRALIA	NSD1068/2000	FCA	NSW	Moore and Wilcox JJ	1997	5-Oct-00	18 March 2004	18-Mar-2004	N/A	1260	1260	N/A	Industrial class action related to outsourcing of roles in which judgment was given on 18 March 2004.
GRAHAME V. LANG CORPORATION LIMITED	QUD132/2000	FCA	QLD	Kiefel J	1997-1998	30-Oct-00	26/1/01	N/A	Not ascertained	88	Not ascertained	N/A	One of two class actions arising from the Waterfront industrial dispute, related to the recruiting and training of a non-union workforce for the Australian waterfront industry in late 1997 and early 1998 (Batten v CTMS Ltd [1999] FCA 1576). The action was settled.
HOLT v MANZIE [2001] FCA 627	NTD1271/2000	FCA	NT	Olney J	6 September 2000 - 29 November 2000 (approx.)	28-Nov-00	5/6/01	5-Jun-01	N/A	189	189	N/A	Class action related to the illegal grant of mining and petroleum exploration permits over land subject to native title, notices were published from 6 September 2000 and thereafter at fortnightly intervals until 29 November 2000. The proceedings were dismissed following a trial.

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LUKEY v CORPORATE INVESTMENT AUSTRALIA FUNDS MANAGEMENT PTY LTD (TRACKNET) [2003] FCA 1602	NSD1348 /2000	FCA	NSW	Emmett J	1998	18-Dec-00	27-Jul-2005	N/A	8-Dec-03	1491	1085	N/A	Class action relating to allegations that statements in a Prospectus were misleading and deceptive, relating to tracking technology which had not yet been invented.
MCINTYRE v EASTERN PROSPERITY INVESTMENTS PTE LTD (NO 4)	WAD243 /2000	FCA	WA	French J	Prior to February 2000	22/12/2000	2-Jun-06	N/A	2-Jun-06	1988	1988	N/A	Class action alleging misleading or deceptive conduct and unconscionable conduct related to leases within a shopping centre, on behalf of past and present tenants of the centre. The representations the subject of the applicants' claim were made from October 1998 - February 2000. ComCourts notes the finalisation date as 1 March 2005. However, the settlement was approved per s 33V on 2-Jun-06.
SAAKSJARVI v HOLT NORMAN ASHMAN PTY LTD	4383 of 2001	VICSC	N/A	Beach J	After 11 October 1999	9/02/2001	Not ascertained	Not ascertained	Not ascertained	Not ascertained	Not ascertained	N/A	Proceedings under Part 4A on behalf of investors alleging misrepresentation and breach of duty. Beach J granted leave to amend the pleadings on 28/3/2001. Subsequent action is not ascertained.
REVIAN v DASFORD HOLDINGS PTY LTD [2002] FCA 1119 *	WAD101 /2001; WAD284 /2002	FCA	WA	French J	Not ascertained	6-Apr-01	15/5/07	Not ascertained	Not ascertained	2230	Not ascertained	N/A	Class action on behalf of tenants in the Clarkson Neighbourhood Shopping Centre
JOHNSON TILES PTY LTD v ESSO AUSTRALIA LTD	2001/5538	VICSC	N/A	Gillard J in VICSC	25/9/1998- 8 October 1998	26-Apr-01	8-Nov-04	N/A	8-Nov-04	1292	1292	N/A	Common law cause of action arising out of the Longford explosion on 25 September - the listed period is the period in which electricity access was lost, leading to alleged losses. There were three actions: two filed on 29 September 1998 and one on 30 September 1998. The first two actions were consolidated into these proceedings. The proceedings were transferred by Merkel J to the VICSC. The settlement was approved on 8 November 2004.

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AUSTRALIAN COMPETITION & CONSUMER COMMISSION v BIO ENVIRO PLAN PTY LTD (2003)	WAD208/2001	FCA	WA	Nicholson J	June 1998 - 2000	5-Jun-01	07-Apr-2004	24-Mar-03	N/A	1037	657	N/A	Class action alleging misleading or deceptive conduct and false representations connected to a worm farming scheme. On 24 March 2003 a judgment was handed down. A further judgment was handed down on 31 October 2003.
PATRICK v CAPITAL FINANCE CORPORATION (AUSTRALASIA) PTY LTD	VID637/2001	FCA	VIC	Tamberlin J	22-Apr-96	06-Jun-2001	24/9/04	18-Dec-02	N/A	1207	560	N/A	Class action on behalf of people who had borrowed money as part of an investment scheme known as the Crazy For You Fund, in order to defer income tax for the financial year ended 30 June 1996 over a six-year period, based on information in a prospectus issued on 22 April 1996. The respondents were successful in a judgment dated 18 December 2002. Tamberlin J stated that the 'hearing of the proceeding involved a number of interlocutory applications and extended over a period of many months'.
DARCY v MEDTEL PTY LIMITED (NO 4) [2004] FCA 1599	NSD932/2001	FCA	NSW	Sackville J	Up to 24 July 2000	14-Jun-01	03-Dec-2004	N/A	3-Dec-04	1268	1268	N/A	Class action relating to pacemakers distributed by Medtel, about which there was a hazard alert on 13 June 2000, extended on 24 July 2000. The action was similar to Courtney, differing in the models of pacemaker, and was run alongside Courtney (NSD661/2000).
NENDY ENTERPRISES PTY LTD v NEW HOLLAND AUSTRALIA PTY LTD (2001)	NSD1149/2001	FCA	NSW	Whitlam and Tamberlin JJ	Not ascertained	2-Aug-01	01-Aug-2002	N/A	N/A	364	N/A	N/A	Class action concerning alleged defects in combine harvesters. Whitlam J ordered security for costs on 6 November 2001. On 10/5/2002, Tamberlin J refused the applicants an extension of time to appeal the order of Whitlam J.
SPANGARO v CORPORATE INVESTMENT AUSTRALIA FUNDS MANAGEMENT LTD	VID3019/2001	FCA	VIC	Finkelstein J	1999	4-Sep-01	6/8/04	26-Sep-03	2003-4	1067	752	N/A	Class action arising from a managed investment scheme related to the purchase of land for cotton farming. Finkelstein J delivered judgments on 26 September 2003 and 28 November 2003. The matter was subsequently settled with payment to class members in 2004.

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MCEACHERN v BROAD*	No. 8162 of 2001	VICSC	N/A	Habersberger J	10 May 2001	31 October 2001	Not ascertained	N/A	N/A	Not ascertained	N/A	N/A	Proceedings on behalf of people who held rock lobster fishery access licences issued pursuant to the provisions of the Fisheries Act 1995 for either western or eastern zones of the Victorian rock lobster fishery, alleging quotas gazetted on 10 May 2001 were invalid. Relief was granted on an interim basis on 8 November 2001.
THORPE v BARRETT	VID1187/2001	FCA	VIC	Finkelstein and Sundberg JJ	Not ascertained	16-Nov-01	7/12/01	N/A	N/A	21	N/A	N/A	Class action against the Auditor General which was discontinued by the applicant.
CAUVIN v PHILIP MORRIS LIMITED [2002] NSWSC 736	2625 of 2002	NSWSC	N/A	Windeyer J	Approx. mid-1997- August 1998	2002	22-Aug-02	22-Aug-02	N/A	240	N/A	N/A	Representative action on behalf of cigarette smokers related to the wholesaler fees passed onto consumers. Unfavourable judgment dated 22 August 2002. Please note, dates are approximate. This representative proceeding was not included in our calculations.
AUSTRALIAN LIQUOR, HOSPITALITY AND MISCELLANEOUS WORKERS UNION v METROPOLITAN AMBULANCE SERVICE	VID198/2002	FCA	VIC	Merkel J	5 April 1996 - 5 April 2002	5-Apr-02	24/10/02	24-Oct-02	N/A	202	202	N/A	Industrial class action related to the payment of annual leave loading in the period from 5 April 1996 and 5 April 2002.
JOHNSTONE v HIH INSURANCE LIMITED [2004] FCA 190	NSD317/2002	FCA	NSW	Tamberlin J	Prior to 15 March 2001	17-Apr-02	06/11/2009	N/A	N/A	2760	N/A	N/A	The proceedings were commenced with a statement of claim filed 17 April 2002. An amended statement of claim was filed on 15 October 2002. The action alleged breaches of the TPA, Corporations Act and Fair Trading Act (noting, however, that the alleged conduct occurred prior to the commencement of the Corporations Act). The proceedings were purportedly brought on behalf of shareholders and noteholders who had suffered loss as a result of the conduct of the respondents. Deficiencies in the application led to orders on 5 March 2004 that those be corrected. The proceedings were discontinued on 6 November 2009.

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MCLEAN v NICHOLSON [2002] VSC 446.	No. 5816 of 2002	VSC	N/A	Bongiorno J	8-Jan-01	30-May-02	18 October 2002	N/A	N/A	141	N/A	N/A	Class action relating to ciguatera poisoning allegedly caused by the consumption of fish supplied by the defendant. The proceedings were discontinued under Part IVA on 18 October 2002.
GUGLIELMIN v TRECOWTHICK (NO5) [2006] FCA 1385	SAD153/2002	FCA	SA	Mansfield J	3 April 2001	7-Jun-02	14-Nov-2006	N/A	12-Oct-06	1621	1588	N/A	Shareholder action where the class is all those who owned shares in the company Harris Scarfe Holdings Ltd at the relevant date of 3 April 2001
PETRUSEVSKI v BULLDOGS RUGBY LEAGUE CLUB LIMITED [2004] FCA 1712	NSD962/2002	FCA	NSW	Gyles, Branson and Sackville JJ	On or before 19 August 2002	17-Sep-02	15-Dec-2004	N/A	15-Dec-04	820	820	N/A	Class action proceedings concerning alleged financial loss caused by the conduct of the Bulldogs in allegedly making a representation that the Bulldogs was properly eligible to field a team in the 2002 National Rugby League Premiership which would entitle the Bulldogs to the sporting and commercial benefits attached to competition points. The representation allegedly arose from various things said and not said by the Bulldogs on or before 19 August 2002. The representation was allegedly false because of alleged breaches by the Bulldogs of the salary cap imposed by the NRL for the 2002 competition. Such conduct allegedly caused loss to the applicants and other group members who had placed bets on the competition, for which the applicants seek damages and other relief on behalf of themselves and the group members.
VERSCHUUR v VYNOTAS PTY LTD	No 8167 of 2002	VSC	N/A	Mandie J	1993 to 1998	15-Nov-02	Not ascertained	Not ascertained	Not ascertained	Not ascertained	Not ascertained	N/A	Class action relating to defects in a residential development, namely the Victoria Albert Town Residence. The action relates to negligence and breach of standard form contracts of sale. On 23 April 2004, Mandie J declined to approve a settlement which involved the repair of buildings and so did not provide adequate remedy to original owners who had sold their interests.
AGUTTER V. LATROBE REGIONAL HOSPITAL	VID800/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.

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STAGE V. BENDIGO HEALTH CARE GROUP	VID801/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
HARMS V. EASTERN HEALTH	VID802/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
GRANT V. GOULBURN VALLEY HEALTH	VID803/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
BAYLISS V. BAYSIDE HEALTH	VID804/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
MCDONALD V. BALLARAT HEALTH SERVICES	VID805/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
OSMOND V. BARWON HEALTH	VID806/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
SNELL V. BEECHWORTH HOSPITAL	VID807/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
BENNETT V. MERCY PUBLIC HOSPITALS INCORPORATED	VID808/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
PINTER V. AUSTIN AND REPATRIATION MEDICAL CENTRE	VID809/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
FREESTONE V. WOMEN AND CHILDREN'S HEALTH	VID810/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
WESTON V. WANGARATTA DISTRICT BASE HOSPITAL	VID811/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
BILLMAN V. WODONGA REGIONAL HEALTH SERVICE	VID812/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.

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PHANG V. ST VINCENT'S HOSPITAL (MELBOURNE) LIMITED	VID813/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
WEST V. ST GEORGE'S HEALTH SERVICES LIMITED	VID814/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
NAIDU V. SOUTHERN HEALTH	VID815/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
ACKLAND V. SOUTH WEST HEALTHCARE	VID816/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
RACZ V. PENINSULA HEALTH	VID817/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
BRYCE V. MILDURA BASE HOSPITAL	VID818/2002	FCA	VIC	Marshall J	Not ascertained.	22-Nov-2002	26-Jun-2003	N/A	N/A	217	N/A	N/A	One of 19 industrial class actions brought by Slater and Gordon on behalf of psychiatric nurses against various Victorian hospitals.
LEAN v TUMUT RIVER ORCHARD MANAGEMENT LTD	WAD329/2002	FCA	WA	Carr and Nicholson JJ	Prior to 28 April 1999	29-Nov-02	17-Dec-2004	N/A	N/A	749	N/A	N/A	Class action related to an investment scheme for growing and selling peaches and nectarines which went into voluntary liquidation on 28 April 1999. The action was discontinued as a representative proceeding on 17-Dec-2004. ⁴
TANG v THANH PHY PTY LTD & ANOR	4335 of 2003	VICSC	N/A	Bongiorno J	January 2003	February 2003	August 2003	N/A	14 August 2003	194	194	N/A	Personal injury class action related to salmonella poisoning which caused one death and illness in over 100 people. The action was settled in August 2003 and payments were made by February 2004. Please note, dates are approximate.

⁴ In *Lean v Tumut River Orchard Management Limited* [2004] FCA 1670 at [17], Nicholson J stated: *the applicant contends he is seeking to have the representative proceeding discontinued because the continued prosecution of the matter is futile. The futility arises from a number of factors. First, the individual group members, including the applicant and the second respondent, have reached a confidential agreement to settle the proceedings which the second respondent had instituted, or threatened to institute, against the individual group members in New South Wales ('the NSW proceedings'). Second, the primary purpose of the representative proceeding was to remove the threat of the NSW proceedings and this purpose has been achieved. Third, the first respondent is in liquidation and its liquidator has estimated that it is likely that a dividend of only \$0.05 in the dollar will be paid to its unsecured creditors. Fourth, in these circumstances it is pointless to pursue a judgment against the first respondent. Fifth, the third respondent has negligible assets and no professional indemnity insurance. This aspect of the submissions is supported by an affidavit of the applicant's solicitor.*

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REYNOLDS v KEY PHARMACEUTICAL PTY LTD	No 5621 of 2003	VSC	N/A	Not ascertained	Prior to January 2003	2-May-03	9-Aug-05	N/A	9-Aug-05	830	830	N/A	Class action relating to personal injury claims following the use of Travacalm travel sickness, which was recalled in January 2003.
CLARK v KORDA	VID3155/2003	FCA	VIC	Lander and Goldberg JJ	12-Sep-01	4-Jul-03	08-Feb-2005	8-Feb-05	N/A	585	585	N/A	Industrial class action on behalf of airline pilots employed by Ansett Australia Ltd and its subsidiary or related companies as at 12 September 2001 (the date on which Ansett was placed into administration).
.AU DOMAIN ADMINISTRATION LIMITED v DOMAIN NAMES AUSTRALIA PTY LTD [2003] FCA 1106	VID656/2003	FCA	VIC	Finkelstein J	Not ascertained	18-Aug-03	30-Mar-06	N/A	N/A	955	N/A	N/A	Class action relating to alleged misleading notices regarding internet domain names. On 30 March 2006 the Applicant was granted leave to discontinue the proceedings.
LEUNG v AMERICAN INTERNATIONAL ASSURANCE COMPANY (AUSTRALIA) LIMITED	NSD1497/2003	FCA	NSW	Hill and Cowdroy JJ	Prior to 1 October 1997	1-Oct-03	16/12/04	N/A	N/A	442	N/A	N/A	Action related to contracts entered into prior to 1 October 1997. By order dated 16 December 2004, the proceedings ceased to continue under Part IVA.
DORAJAY PTY LTD v ARISTOCRAT LEISURE LTD [2009] FCA 19	NSD362/2004	FCA	NSW	Stone J	19 February 2002 - 26 May 2003	Nov-03	06-Oct-2009	N/A	28-Aug-08	2140	1736	N/A	A shareholder class action on behalf of those who purchased shares in the relevant period, alleged breach of continuous disclosure and misleading and deceptive conduct. It was commenced in the VICSC. Settlement agreement was reached after trial but before judgment was handed down.
WORCHILD v THE DRINK NIGHTCLUB (QLD) PTY LTD	QUD175/2003	FCA	QLD	Cooper J	1 January 2003 to 30 March 2003	13 November 2003	26/11/04	N/A	N/A	379	N/A	N/A	Proceedings under Part IVA alleging breaches of the TPA related to a customer discount scheme and a law society discount card, on behalf of those who had the cards from 1 January 2003 to 30 March 2003. The proceedings were related to the applicant's bankruptcy proceedings in which special leave was refused by the High Court on 10/5/2006. The proceedings were summarily dismissed on 26-Nov-2004.
GEORGINA GILBERT & ORS v ELDERSLIE	SAD835/2003	FCA	SA	Mansfield and Selway JJ	Not ascertained	02-Dec-2003	29-Jun-2006	N/A	N/A	941	N/A	N/A	Proceedings on behalf of Aboriginal people who entered into loan and mortgage contracts alleging unconscionable conduct.

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FINANCE CORP LTD & ANOR													According to Morabito and Ekstein, ⁵ the class representative discontinued the Part IVA proceedings, with class members appointed as co-applicants. That proceeding was subsequently settled.
JARRAMA PTY LTD v CALTEX AUSTRALIA PETROLEUM PTY LTD [2004] FCA 1114	VID3/2004	FCA	VIC	Crennan J	21-Aug-03	2-Jan-04	27-Aug-2004	N/A	27-Aug-04	238	238	N/A	Class action relating to franchises of petrol stations and alleged breaches of the TPA. The class were defined as all persons who entered into a Franchise Agreement in force as at 2 January 2004 and remained in force as at 30 July 2004, for that person to sell at a particular site on a retail basis, under the Caltex or Ampol brand (but not under the co-branded Caltex-Woolworths brand), fuel directly supplied by or on behalf of the First Respondent, and where the person occupies the site pursuant to a lease or license from the First Respondent, and/or any one or more members of the Caltex Group of companies doing business in Australia. It was claimed that the co-branded sites, announced on 21 August 2003, breached the terms of the franchise agreements.
CRAWFORD v BANK OF WESTERN AUSTRALIA LTD [2005] FCA 949	WAD1/2004	FCA	WA	Lee J	Not ascertained	2-Jan-04	11-Jul-2005	N/A	11-Jul-05	556	556	N/A	Class action relating to alleged misleading or deceptive conduct and unconscionable conduct concerning the signing of surety documents, constituting breaches of the ASIC Act and TPA.
AUTOMOTIVE FOOD METALS ENGINEERING PRINTING AND KINDRED INDUSTRIES UNION v THE AGE COMPANY LIMITED [2004] FCA 299	VID284/2004	FCA	VIC	Marshall J	Not ascertained	5-Mar-04	27-Jan-2005	Not ascertained	Not ascertained	328	Not ascertained	N/A	Industrial action related to a FWC dispute, in which part of the claim in the Federal Court involved damages for breaches of contracts of the third applicant and other persons who he represents as a representative party pursuant to Part IVA. The employer had issued notices of termination to employees which the applicant claimed were contrary to the terms of the applicable award. The matter was discontinued on 27 January 2005 by Kenny J.
DAVIES v SMITH & NEPHEW SURGICAL PTY LIMITED	NSD823/2004	FCA	NSW	Tamberlin J	Not ascertained	20 May 2004	29 April 2005	N/A	29 April 2005	374	374	N/A	Product Liability class action against Smith & Nephew Knees by Maurice Blackburn Cashman.

⁵ Ibid.

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DANIEL HALL AND PAUL ASKIN v AUSTRALIAN FINANCE DIRECT LTD	2004/2023	VSC	N/A	Hollingworth J	1 February 2002 - 25 November 2003	Jun-04	2008	N/A	2008	1440	1440	N/A	Class action concerning a real estate investment training program called the Investment Mastery Program, in which the respondent allegedly induced persons to participate and borrow money by making misrepresentations in the period between 1 February 2002 and 25 November 2003. Interlocutory proceedings included an application to stay the proceeding and that it no longer continue as a group proceeding. Roughly 12 months appears to have elapsed between one of the interlocutory hearings and the judgment being handed down. Please note, dates are approximate.
GEORGIU v OLD ENGLAND HOTEL PTY LTD [2006] FCA 705	VID878/2004	FCA	VIC	Young J	23 December 2003 - 7 January 2004.	14-Jul-04	13-Nov-07	N/A	7-Apr-06	1217	632	N/A	Class action on behalf of those who fell ill and suffered physical injury or financial loss after consuming food contaminated with salmonella bacteria prepared or sold by the respondent in the period from 23 December 2003 to 7 January 2004.
FRANCEY V. SHARPE DEVELOPMENT GROUP PTY LTD	NSD1123/2004	FCA	NSW	Branson J	21-Jul-04	21-Jul-04	1/11/2006	N/A	N/A	833	N/A	N/A	Action related to alleged breaches of the TPA in connection to a resort/spa near Airlie Beach for those with an interest in the relevant land at the date of filing. The representative applicant settled their action in around April 2006 and the proceedings were dismissed by consent.
CROSBIE, IN THE MATTER OF MEDIA WORLD COMMUNICATIONS LTD (ADMINISTRATOR APPOINTED) [2005] FCA 51	VID 1510/2004	FCA	VIC	Finkelstein J	April – May 2004	13-Dec-2004	31-Jan-2005	N/A	N/A	49	N/A	N/A	Proceedings on behalf of those who obtained shares in the relevant period. Finkelstein J permitted the joinder of a subscribing shareholder and a trade creditor in a representative capacity. Subscribing shareholders were found not to be able to maintain an action, pursuant to the rule in Houldsworth's case.

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CADENCE ASSET MANAGEMENT PTY LTD v CONCEPT SPORTS LIMITED (CONCEPT SPORTS)	VID1605/2004	FCA	VIC	Finkelstein J	25 May 2004 - 18 August 2004	21-Dec-04	14-Feb-2007	N/A	Oct-06	785	650	N/A	A shareholder class action relating to, inter alia, alleged breach of continuous disclosure obligations and misleading and deceptive conduct in a prospectus issued on 18 May 2004 until disclosures around profits were made on 18 August 2004. The class were those who acquired shares in the relevant period. The matter was set down for a trial in November 2006, with a settlement being reached in October and distributions made in December 2006. The procedural history appears to be quite complex, including interlocutory issues related to discovery and various cross claims.
ROD INVESTMENTS (VIC) PTY LTD v ABEYRATNE	2005/2011	VSC	N/A	Almond J	26 October 2000 - 1 September 2004	Jan-05	11-Oct-10	N/A	11-Oct-10	2109	2109	N/A	Class action alleging losses on behalf of people who acquired shares in Media World Communications Ltd between 26 October 2000 and 1 September 2004. The settlement was approved on 11 October 2010.
SONS OF GWALIA LITIGATION	NSD1099/2005	FCA	NSW	Emmett J	January 2003 - August 2004	04-Jul-2005	4 September 2009 (approx.)	N/A	N/A	1523	N/A	N/A	Proceedings for economic loss brought by shareholders relating to alleged non-disclosure. The proceedings were not brought under Part IVA. The High Court decision in the matter was dated 31 January 2007. A settlement was obtained on 4 September 2009. Please note, dates are approximate. The proceedings were not brought under Part IVA and were not included in our calculations.
HASLAM v MONEY FOR LIVING (AUST) PTY LTD (ADMINISTRATORS APPOINTED) [2007] FCA 897	VID1468/2005	FCA	VIC	Finkelstein and Gordon JJ	Prior to 16 November 2005	16-Nov-05	14-Oct-10	N/A	8-Jun-07	1793	569	N/A	Money for Living promoted a scheme that enticed homeowners, typically retirees or pensioners, to sell their homes in return for what the promoters described as a 'guaranteed' income and a 'guaranteed' right to live in their former home for life. The scheme collapsed. The companies that purchased their homes are insolvent and have had administrators appointed. Group members are those who sold their homes through the scheme and had entered into Contracts of Sale, Deeds of Agreement and Leases as at the filing date of 16 November 2005.

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GERALD EDWARD HARRISON AND ANOR v KERRILI PTY LTD	No 9864 of 2005	VSC	N/A	Gillard J	January 2004 and July 2005	12-Dec-05	6-Jun-07	N/A	6-Jun-07	541	541	N/A	A class action relating to the Money For Living property scheme for the sale and lease back of their residential properties aimed at retirees, alleging breach of duty of care.
TAYLOR v TELSTRA CORPORATION LTD [2007] FCA 2008	NSD89/2006	FCA	NSW	Jacobson J	11 August 2005 - 6 September 2005	20-Jan-06	20-Dec-2007	N/A	13-Dec-07	699	692	N/A	A commercial class action. The proceeding related to allegations that the Respondent failed to disclose material information to the ASX. The information was provided to the government on 11 August but not disclosed to the market until 7 September.
SMITH v UNIVERSITY OF BALLARAT [2006] FCA 148; (2006) 229 ALR 343.	VID135/2006	FCA	VIC	Young and North JJ	14-Dec-05	15-Feb-06	17-Mar-08	N/A	17-Mar-08	761	761	N/A	Class action against a university alleging misleading statements were made to employees on 14 December 2005. The settlement was approved on 17 March 2008.
PETERSON v MERCKE SHARP & DOHME (AUSTRALIA) PTY LIMITED [2015] FCA 123	VID451/2006	FCA	VIC	Jessup J	30 June 1999 to September 2004	10/04/2006	26/2/15	N/A	26-Feb-15	3244	3244	N/A	A consumer class action run alongside VID859/2006. The proceeding concerned allegations that the Respondent concealed information and engaged in misleading and deceptive conduct in relation to arthritis drug, Vioxx, leading class members who took the drug to develop injuries. The proceeding was before the Federal Court in 2010, the Full Federal Court in 2011 and the High Court of Australia in 2012, leading to the Petersen proceedings being dismissed. The drug was withdrawn from the market in September 2004. Mr Peterson was prescribed Vioxx on 10 May 2001.
JARRA CREEK CENTRAL PACKING SHED PTY LTD v AMCOR LTD [2011] FCA 671	NSD702/2006	FCA	NSW	Jacobson J	2000-2009	11-Apr-06	06-Dec-2011	N/A	2-May-11	2065	1847	N/A	Alleged cartel/price fixing causing losses on prices paid by Group Members for corrugated fibreboard packaging ("CFP") during the period from 2000 to 2009. The settlement was approved on 2 May 2011 with reasons published on 15 June 2011.
O'SULLIVAN v CHALLENGER MANAGED INVESTMENTS LIMITED [2008] NSWSC 602	4799/2006	NSWSC	N/A	Einstein and White JJ	13 December 2002 and 3 August 2003	13-Sep-06	11-Jun-08	N/A	11-Jun-08	637	637	N/A	Representative proceeding relating to allegations of breaches of the Fair Trading Act and ASIC Act by the respondent leading to the class members subscribing for units in the Challenger Howard Property Trust for the Penrith Mega Homemaker Centre Sydney, as a result of which they suffered loss or damage. This representative

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													proceeding was not included in our calculations.
ALLAN HENRY & ORS(2006)	Not ascertained	QSC	N/A	Not ascertained	1975 and 2000	11-Dec-06	11/4/07	N/A	N/A	121	N/A	N/A	Representative proceeding alleging personal injury on behalf of those involved in desal-reseal projects to clean F-111 fuel tanks. The action was discontinued on 11 April 2007 as a result of procedural issues, with the plaintiff law firm stating that another action would be commenced addressing those issues. This representative proceeding was not included in our calculations.
LEONIE'S TRAVEL PTY LTD v AIR NEW ZEALAND LTD [2013] FCA 73	NSD2449 /2006; NSD601/ 2009	FCA	NSW	Robertson, Moore and Rares JJ	11 May 2004 - 9 May 2007	15-Dec-06	09-Feb-2015	4-May-10	7-Feb-13	2978	2246	N/A	A class action relating to fuel surcharges and misleading and deceptive conduct by various airlines. Class members were those who carried on a business as a travel agent and sold tickets in the relevant period and were not paid commission on the component of tickers related to fuel surcharges. The relevant period is obtained from the Slater and Gordon website. The applicants were partly successful before Moore J in relation to the TPA claim but not on the matter of contractual breach. The applicants appealed this successfully. The Full Court hearing was on 10, 11 November 2009, with last submissions due on 1 December 2009. On 4 May 2010, the appeal was allowed. Special leave to the High Court was refused. The Court approved a settlement in relation to the class action on 7 February 2013.
P DAWSON NOMINEES PTY LTD v BROOKFIELD MULTIPLEX LTD (NO 4) [2010] FCA 1029	VID1380/ 2006	FCA	VIC	Finkelstein J	2 August 2004 - 30 May 2005	18/12/06	21-Sep-10	N/A	21-Jul-10	1373	1311	N/A	The shareholder class action is the consolidation of two actions, filed 18/12/2006 and 10/12/2008, related to shares purchased in the relevant period. ⁶ The judgment for approval of settlement was dated 21 September 2010, with the hearing and orders made on 21 July 2010.

⁶ *P Dawson Nominees Pty Ltd v Brookfield Multiplex Ltd (No 4)* [2010] FCA 1029 [1]: 'The action has a long history. In fact, the class action is a consolidation of two actions. One was commenced on 18 December 2006 by the first applicant. The other was commenced on 10 December 2008 by the second applicant. Progressing the consolidated claims has been both a lengthy and costly process. There have been over ten interlocutory disputes and a number of appeals. There was also a related action in which it was alleged, and an appeal court found, that an agreement to fund a class action where the class number exceeds twenty is a managed investment scheme which is prohibited unless registered under the Corporations Act 2001 (Cth). Now, many millions of dollars in costs later, the parties have agreed to resolve their dispute if the court agrees.'

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LEHMANN v WINNING TIME PTY LTD [2009] FCA 724	VID1419/2006	FCA	VIC	North J	Not ascertained	22-Dec-06	17 May 2011	N/A	30-Jun-09	1607	921	N/A	Class action relating to alleged representations regarding the expected return from leases of apartments. The first respondent was the developer of the apartment buildings and the vendor of the individual apartments. The applicant was the representative of the purchasers who bought the apartments subject to leases. Settlement was reached after the trial had started.
DE BRETT SEAFOOD PTY LTD & ANOR v QANTAS AIRWAYS LIMITED & ORS (AIR CARGO) [2015] FCA 979	VID12/2007	FCA	VIC	Middleton and Tracey JJ	1 January 2000 - 11 January 2007	11-Jan-07	08-Oct-2015	N/A	6-Jun-14	3192	2703	N/A	Class action relating to alleged cartel arrangements by airlines on freight service charges in breach of the TPA. The litigation was complex, with multiple cross claims. On 6 June 2014, the Court approved settlement with all parties excluding Air New Zealand. The Court approved settlement discontinuing the proceedings against Air New Zealand on 8 October 2015.
ROBYN BEVERLEY MCKERN & ORS (AS LIQUIDATORS OF CENTAUR MINING & EXPLORATION LTD) & ORS v JOSEPH GUTNICK & ORS	VID184/2007				31 December 2000 - 14 March 2001	6-Mar-2007	24-Mar-2009	N/A	N/A	749	N/A	N/A	Proceedings by Maurice Blackburn concerning alleged insolvent trading in the relevant period. The Maurice Blackburn website describes the proceeding as a class action, however, the proceedings were not initiated under Part IVA. A settlement was obtained on 19 February 2009 and the proceedings were finalised on 24 March 2009.
BAILEY v VEDA ADVANTAGE INFORMATION SERVICES AND SOLUTIONS LIMITED [2007] FCA 1664	NSD371/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	22-May-2008	N/A	N/A	437	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.

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MELISSA MARIE SZYCZEW v VEDA ADVANTAGE INFORMATION	NSD368/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	20-Feb-2008	N/A	N/A	345	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.
CHERYLA MATTHEWS v VEDA ADVANTAGE INFORMATION SERVICES AND SOLUTIONS LIMITED	NSD370/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	20-Feb-2008	N/A	N/A	345	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.

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CATHERINE LEANNE LYONS v VEDA ADVANTAGE INFORMATION SERVICES AND SOLUTIONS LIMITED	NSD369/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	20-Feb-2008	N/A	N/A	345	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.
DAVID WILLIAM HINES v VEDA ADVANTAGE INFORMATION SERVICES AND SOLUTIONS LIMITED	NSD372/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	20-Feb-2008	N/A	N/A	345	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.
MATTHEW ZION ROSE v VEDA ADVANTAGE INFORMATION SERVICES AND SOLUTIONS LIMITED	NSD373/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	20-Feb-2008	N/A	N/A	345	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.

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ALBERT WILLIAM KAPUA v VEDA ADVANTAGE INFORMATION SERVICES AND SOLUTIONS LIMITED	NSD377/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	20-Feb-2008	N/A	N/A	345	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.
STEPHEN JOHN GREGORY v VEDA ADVANTAGE INFORMATION SERVICES AND SOLUTIONS LIMITED	NSD378/2007	FCA	NSW	Lindgren J	Not ascertained	12-Mar-07	20-Feb-2008	N/A	N/A	345	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.
ZASHCA KNOCHELL v VEDA ADVANTAGE INFORMATION	NSD393/2007	FCA	NSW	Lindgren J	Not ascertained	13-Mar-07	20-Feb-2008	N/A	N/A	344	N/A	N/A	Class action relating to credit worthiness reports and the language utilised, claims of defamation and other tortious conduct. (N.B. there are 8 other representative proceedings which relate to similar claims). In <i>Bailey v Veda Advantage Information Services and Solutions Limited</i> [2007] FCA 1664, the Court stated that the applicant's conduct in the proceeding had been 'unsatisfactory' and led to intolerable burdens on the Court [13]. Lindgren J dismissed the proceedings on 22 May per an order of 20 February 2020. as a result of further delay and unsatisfactory documents prepared by the applicants.

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JOHN WATSON & KAYE WATSON IN THEIR OWN RIGHT AND AS REPRESENTATIVES OF THE GROUP MEMBERS v AWB LTD: AWB (WATSON v AWB)	NSD2020 /2007	FCA	NSW	Gyles and Foster JJ	11 March 2002-13 January 2006	17-Apr-07	9-Aug-11	N/A	27 April 2010	1575	1106	N/A	Shareholder class action relating to the alleged concealment from the Australian stock market and from relevant authorities the fact that it had paid inflated inland transportation fees and other payments in respect of wheat shipments to Iraq in breach of UN sanctions. The class acquired shares from 11 March 2002 and 13 January 2006. Interlocutory issues related to subpoena material and privilege. The deed of settlement was dated 15 March 2010. Foster J approved the settlement on 27 April 2010.
PAXTOURS INTERNATIONAL TRAVEL PTY LTD v SINGAPORE AIRLINES LTD	NSD787/2007	FCA	NSW	Moore and Robertson JJ	11 May 2004 - 18 August 2011	7-May-07	21/06/2012	N/A	29-Mar-12	1872	1788	N/A	Class action by travel agents related to the fuel surcharge component of airfares. Leonie's Travel was a related class action, in which special leave to the High Court was refused on 3 September 2010. In February 2012, Paxtours and Singapore Airlines agreed to settle. Robertson J approved the settlement on 29 March 2012. Subsequent issues related to a failed attempt by a group member (Webjet) who had opted out of the proceedings to take part in the settlement.
MCBRIDE v MONZIE PTY LTD	VID664/2007	FCA	VIC	Finkelstein and Middleton JJ	Not ascertained	26-Jul-07	07-May-2008	N/A	N/A	286	N/A	N/A	Class action related to an attempted scheme to defraud the State Revenue Office (Victoria) by backdating contracts for the sale of land to avoid stamp duty. The applicant was granted leave to withdraw as a representative party in the proceeding on 7 May and the proceedings were dismissed.
RUBBER CHEMICALS CARTEL (WRIGHT RUBBER PRODUCTS PTY LTD v BAYER AG) [2011] FCA 1172	VID882/2007	FCA	VIC	Tracey J	1 July 1995 - 31 December 2001	27-Sep-07	19-Jan-2012	N/A	2-Sep-11	1575	1436	N/A	Class action relating to alleged cartel price fixing of certain rubber chemicals between 1 July 1995 and 31 December 2001. The settlement was approved on 2 September 2011 with reasons provided on 20 October 2011.
LEWIS SECURITIES LIMITED (ACN 002 928 985) v FRANKLIN JOEL TATE	NSD1963 /2007	FCA	NSW	Rares J	15 August 2004 - 12 September 2005.	02-Oct-2007	25-Sep-2009	N/A	N/A		N/A	N/A	Class action on behalf of those who acquired shares in the relevant period. The proceedings were dismissed by consent after the lead applicant went into administration.

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RICHARD VERNON v VILLAGE LIFE LIMITED & ORS) [2009] FCA 516	NSD2050 /2007; NSD2049 /2007	FCA	NSW	Jacobson J	8 December 2003 - 23 May 2005	15-Oct-07	12-May-2009	N/A	12-May-2009	575	575	N/A	Two shareholder class actions relating to allegations of breach of continuous disclosure obligations by providing misleading profit forecasts. The two actions were run together with slightly different periods in which shares were acquired: 8 December 2003 - 1 February 2005 and 2 February 2005 - 23 May 2005.
FOWLER v AIRSERVICES AUSTRALIA [2009] FCA 1189	ACD48/2007	FCA	ACT	Bennett and Stone JJ	From August 2000	29-Oct-07	19-Oct-2009	N/A	19-Oct-09	721	721	N/A	Industrial class action relating to termination payments that did not include payment for accrued leave entitlements at a rate that took into account bonus components. The class was closed, consisting of a list of people who were former senior management employees of Airservices Australia, engaged under the terms of the employment contracts post-dating August 2000.
STOYEF v MASU FINANCIAL MANAGEMENT PTY LTD (NO 2) [2008] FCA 1849	NSD2469 /2007	FCA	NSW	Lindgren J	Jan-06	18-Dec-07	27-Nov-08	N/A	27-Nov-08	345	345	N/A	Class action arising out of the Westpoint collapse, on behalf of those who invested on the basis of advice from Masu and suffered loss. Class members were those who invested prior to the collapse in January 2006.
WINGECARRIBEE SHIRE COUNCIL v LEHMAN BROTHERS AUSTRALIA LIMITED [2013] FCA 1350	NSD2492 /2007 NSD1795 /2010	FCA	NSW	Rares and Jacobson JJ	On or before 26 September 2008	20-Dec-07	10-Mar-2014	N/A	12-Dec-13	2272	2184	N/A	Class actions on behalf of a group of local government authorities from New South Wales and Western Australia, public utilities and charitable organisations. The proceedings were settled at a very advanced stage, with judgment in favour of the applicants on 21 September 2012, being appealed at the time of settlement. On 21 September 2012 Rares J delivered a judgment in the Class Action Proceeding, with subsequent orders on 3 December 2012, 21 December 2012 and 25 March 2012 subject to appeal.
RIKYS v BONGIORNO FINANCIAL ADVISERS (AUSTRALIA) PTY LTD [2009] FCA 1603	VID1208/2007; VID114/2008	FCA	VIC	Finkelstein J	January 2006	20-Dec-07	22-Feb-2010	N/A	15-Dec-09	795	726	N/A	Class action arising out of the Westpoint collapse. Class members were those who invested prior to the collapse in January 2006.

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ADAMSON v PROFESSIONAL INVESTMENT SERVICES PTY LTD [2009] FCA 1235	QUD418/2007	FCA	QLD	Greenwood J	January 2006	20-Dec-07	17-Dec-2009	N/A	30-Oct-09	728	680	N/A	Class action arising out of Westpoint collapse, in relation to Westpoint Corporation promissory notes investments.
OASIS FUND MANAGEMENT LIMITED AND ROYAL BANK OF SCOTLAND NV & ORS [2012] NSWSC 532	2008/50183	NSWSC	N/A	Sackar J	May 2003-January 2004	2008	21/5/12	N/A	21/5/12	1461	1461	N/A	Representative proceeding related to investments in Principal Protected Income Notes in Absolute Capital Investment Ltd. Please note, dates are approximate. This representative proceeding was not included in our calculations.
CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION v CONTRACT BLINDS PTY LTD [2009] FCA 572	VID119/2008	FCA	VIC	Kenny J	Not ascertained	27-Feb-08	30-Oct-09	N/A	28-May-09	611	456	N/A	Industrial class action relating to underpayments by Contract Blinds, brought by the CFMEU.
CASEY v STATE TRUSTEES LTD [2010] FCA 163	VID162/2008	FCA	VIC	Kenny, Beach, Finkelstein, Gordon JJ	20 November 2002 -28 May 2003	20-Mar-08	21-Jun-17	N/A	26-Feb-10	3380	708	N/A	Class action arising out of the Westpoint collapse in January 2006, brought by ASIC. Group members invested in or otherwise held mezzanine notes issued by Market Street Mezzanine Ltd (ACN 091 354 513) pursuant to a prospectus dated 20 November 2002, until 28 May 2003 when the last note was sold.
MARLOV v DUKES [2010] FCA 1419; GREEN v BARZEN PTY LTD	VID207/2008 VID208/2008	FCA	VIC	Finkelstein J	Jan-06	9-Apr-08	16-Dec-10	N/A	17-Dec-10	981	982	N/A	Two class action proceedings arising out of the Westpoint collapse. Class members were those who invested prior to the collapse in January 2006. The eventual settlement outcome was small as a result of the impecunious state of the respondent.
KIRBY v CENTRO PROPERTIES LTD (NO 6) [2012] FCA 650	VID326/2008; VID327/2008	FCA	VIC	Middleton J	2007	9-May-08	19-Jun-12	N/A	19-Jun-12	1502	1502	N/A	The litigation arose from Centro misclassifying multi-billion dollar short term interest-bearing liabilities as long-term liabilities in its 2007 preliminary and final accounts. Heard with <i>Nicholas Vlachos & Ors v Centro</i> and <i>Stott v PricewaterhouseCoopers</i> .

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NICHOLAS VLACHOS & ORS v PRICEWATERHOUSECOOPERS	VID366/2008	FCA	VIC	Middleton J	2007	23/05/2008	13/12/2012	N/A	19/6/12	1665	1665	N/A	The litigation arose from Centro misclassifying multi-billion dollar short term interest-bearing liabilities as long-term liabilities in its 2007 preliminary and final accounts. The matter was heard with <i>Stott and Kirby</i>
IMOBILARI PTY LTD v OPES PRIME STOCKBROKING LIMITED	VID395/2008	FCA	VIC	Finkelstein J	Around March 2008	30-May-08	2-Jul-09	N/A	2-Jul-09	398	398	N/A	A class action related to allegations of misleading conduct in connection with share lending transactions. Finkelstein J stated in <i>Imobilari Pty Ltd v Opes Prime Stockbroking Ltd</i> [2008] FCA 1920 at [1]: 'Imobilari Pty Limited commenced a class action on behalf of a group of investors against the failed stockbrokerage Opes Prime Stockbroking Limited and its financier banks Australia and New Zealand Banking Group Limited and Merrill Lynch International (Australia) Ltd. The basic facts are well known. The statement of claim alleges, based on various equitable, statutory and common law grounds, that the banks are legally liable for the allegedly misleading conduct engaged in by Opes in connection with share lending transactions it entered into with investors.'
GOODMAN, IN THE MATTER OF GLENHURST CORPORATION PTY LTD IN LIQUIDATION [2010] FCA 667	VID638/2008	FCA	VIC	Finkelstein J/ Gordon J	Jan-06	13/8/08	24/6/10	N/A	24-Jun-2010	680	680	N/A	Class action arising out of the Westpoint collapse brought by ASIC. Class members were those who invested prior to the collapse in January 2006.

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WHEELAHAN v CITY OF CASEY & ORS (NO 3) [2013] VSC 316	2008/9776	VSC	N/A	Dixon J	From 1996 - 2013 (approximate)	Sep-08	2013	N/A	24-Mar-11	1800	934	N/A	Residents and former residents of the Brookland Greens Estate, affected by the migration of landfill gas from an adjacent former municipal landfill, brought a group proceeding against the first defendant and others. Ultimately, there were 13 defendants and third parties in the proceeding. The plaintiffs compromised their claims and this court approved the settlement. During 2012, other claims in the proceeding were compromised and duly struck out. While the proceeding commenced in 2008, the dispute between Frankston and Casey only commenced in July 2011 with a counterclaim by Frankston against Casey. The landfill was in existence from 1996 for around 17 years. The plaintiffs entered into a deed of settlement in 2011, however, the proceedings continued in relation to contributions etc. Please note, dates are approximate.
PAMPERED PAWS CONNECTION PTY LTD v PETS PARADISE FRANCHISING (QLD) PTY LTD	SAD142/2008	FCA	SA	Mansfield J	From August 1990	12-Sep-08	30-Aug-2013	27-Jan-12	N/A	1813	1232	N/A	Franchisee class action relating to franchises from approx. August 1990. The applicants were only partly successful in the judgment dated 27 January 2012 with subsequent litigation on costs.
JOAN REEVES v MERCK SHARP & DOHME (AUSTRALIA) PTY LTD & ANOR	VID859/2008	FCA	VIC	Jessup J	Prior to September 2004	16-Oct-08	26-Feb-2015	N/A	26-Feb-15	2324	2324	N/A	A closed consumer class action run alongside VID451/2006. The proceeding concerned allegations that the Respondent concealed information and engaged in misleading and deceptive conduct in relation to arthritis drug, Vioxx, leading class members who took the drug to develop injuries.

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PHARM-A-CARE LABORATORIES PTY LTD v COMMONWEALTH [2012] FCA 370	NSD1991/2008	FCA	NSW	Flick J	28-Apr-03	23 December 2008	6-Sep-12	N/A	25-Mar-11	987	822	N/A	Class action involving a government suspension of a licence of Pan Pharmaceuticals on 28 April 2003, which led to the collapse of the company. The action involved 'a number of contested (and protracted) interlocutory applications' (Flick J in <i>Pharm-a-Care Laboratories Pty Ltd v Commonwealth of Australia (No 6)</i> [2011] FCA 277 [2]). The settlement approval judgment was on 25 March 2011, orders were made on 14 April 2011 and entered on 11 May 2011. Further interlocutory proceedings related to administration of the settlement.
CLIME CAPITAL LIMITED v CREDIT CORP GROUP LTD	NSD1994/2008	FCA	NSW	Graham and Nicholas J	8 November 2007 - 11 February 2008	23-Dec-08	13-Mar-12	N/A	13-Mar-12	1176	1176	N/A	Shareholder class action on behalf of people who acquired shares between 8 November 2007 and 11 February 2008.
COHEN v THE STATE OF VICTORIA (NO 3) [2011] VSC 229	2008/10544	VSC	N/A	Forrest J	January - March 2003	24-Dec-08	13-May-11	13-May-11	N/A	870	870	N/A	Bushfire class action proceedings which were issued without the permission of the plaintiff. The proceedings were dismissed as an abuse of process on 13 May 2011.
PERRY v POWERCOR	No. 330 of 2009	VSC	N/A	Beach J	7-Feb-09	2009	29-Mar-12	N/A	29-Mar-12	1095	1095	N/A	Black Saturday Coleraine bushfire class action alleging negligence, nuisance and breach of statutory duty. The matter settled before a trial scheduled for 16 April 2012. Please note, dates are approximate.
MATTHEWS v AUSNET ELECTRICITY SERVICES PTY LTD [2014] VSC 663	2009/4788	VSC	N/A	Forrest J / Osborn JA	7 February 2009	16-Feb-09	23-Dec-14	N/A	23-Dec-14	2136	2136	N/A	Class action relating to the Black Saturday bushfire. Settlement of proceeding after trial I lasting some 208 days before Forrest J, but prior to delivery of judgment.
WOTTON v STATE OF QUEENSLAND	NSD199/2009	FCA	NSW	Rares J	2004	11/3/09	17/7/09	17-Jul-09	N/A	128	128	N/A	Human rights class action in relation to the 2004 Palm Island riots and racial discrimination. The proceedings were dismissed on 17 July 2009.

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MERCEDES HOLDINGS PTY LIMITED v WATERS (2015) 232 FCR 97	NSD324/2009 NSD557/2013	FCA	NSW	Perram J	1 January 2007 - 15 October 2008	30/3/09	27/3/15	N/A	8-Dec-14	2188	2079	N/A	At [1], in reasons published on 27 March 2015, Perram J describes the litigation as 'very protracted litigation...It sets out my reasons for making a series of orders on 4 November 2014 and 8 December 2014 which disposed of the proceedings in their entirety by approving a settlement of them which had been reached. Although there are some peripheral matters with which these reasons must also deal, the substantive issue concerns the Court's reasons for approving a settlement of the class action proceedings (brought on behalf of persons who purchased units in the MFS Premium Income Fund during the period 1 January 2007 to 15 October 2008) and of the other proceedings brought by the Fund's present responsible entity, Wellington Capital. I took the course of making orders immediately and providing reasons at a later date because many of the people involved in this litigation are elderly and I thought it expedient that the settlement proceeds be distributed as promptly as possible.'
WEIMANN v ALLPHONES RETAIL PTY LTD [2011] FCA 537	WAD45/2009	FCA	WA	Foster J	2008	30-Mar-09	20-May-2011	N/A	10-May-10	781	406	N/A	Class action involving franchisees of Allphones, which was one of four sets of proceedings and which settled at a late stage after the hearings had begun. The reasons for approval of settlement were published on 20 May 2010. NSD 408 of 2008, NSD 869 of 2009, NSD 1567 of 2008
YARRABEE CHICKEN COMPANY PTY LTD v STEGGLES LTD	NSD634/2009	FCA	NSW	Jagot J	2004-2009	29-Jun-09	17/07/2013	6/7/11	N/A	1479	737	N/A	Class action brought by a chicken grower against a large chicken processor alleging breach of contracts signed in 2004. The parties resolved part of the proceeding by agreement. At first instance on 27/4/2010, Jagot J found that there had been a breach of contract. However, this was overturned on appeal by Jacobson, Lander and Foster JJ on 6/7/2011.

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BARBARA RACHEL SHAW & ORS v MINISTER FOR FAMILIES, HOUSING, COMMUNITY SERVICES & INDIGENOUS AFFAIRS & ORS	VID558/2009; VID547/2009	FCA	VIC	Mansfield J	Not ascertained	27/07/2009; 30/07/2009	12/1/10	N/A	N/A	169	N/A	N/A	Class action arising out of actions of the Commonwealth Government and the Northern Territory Government in their implementation of policies of lease agreements in relation to the land colloquially known as the Alice Springs town camps. Mansfield J ordered that both matters no longer proceed as representative proceedings on 26 November 2009.
MARK HARRISON & ANOR v SANDHURST TRUSTEES LTD [2011] FCA 541	VID616/2009	FCA	VIC	Gordon J	7 December 2004 - 1 July 2006	24/8/09	20/5/11	N/A	20/5/11	634	634	N/A	A class action relating to alleged breaches of trustee obligations under the Corporations Act by failing to exercise reasonable diligence in relation to the supervision of debenture interests held in Fincorp. The alleged breaches occurred during the period 7 December 2004 to 1 July 2006.
THOMAS v POWERCOR	S CI 2009 09166	VSC	N/A	Beach J	7 February 2009	Sep-09	5-Dec-11	N/A	5-Dec-11	825	825	N/A	Class action relating to the Black Saturday bushfire at Horsham. The settlement was approved on 5 December 2011 with a judgment on further issues regarding costs handed down on 18 May 2012 but which was still not finalised in 2016.
KATHERINE ELIZABETH LAWRENCE v BRIGHTON HALL SECURITIES PTY LTD (IN LIQUIDATION)	WAD174/2009	FCA	WA	McKerracher J	to late 2005	7/10/09	7/3/19	N/A	N/A	3438	N/A	N/A	Action arising out of the Westpoint collapse, brought by ASIC as the legal representative for Lawrence. The respondent was in the process of being wound up and the Court granted leave for the action to proceed on 2 December 2009. There was a subsequent decision relating to the way in which the limited assets of the company should be distributed between two different representative proceedings, the Lawrence Proceeding and a cross claim in the (then settled) Casey proceeding on 27 September 2013, and subject to further orders on 20 November 2013. According to ComCourts, the proceeding was finalised/withdrawn on 07-Mar-2019.

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HOBBS ANDERSON INVESTMENTS PTY LTD v OZ MINERALS LTD [2011] FCA 801	NSD1127 /2009 NSD1433 /2010	FCA	NSW	Emmett J	1 August 2008 and ending on 27 November 2008; 23 July 2008 and 1 December 2008; 29 February 2008 and 22 July 2008.	7-Oct-09	9/12/11	N/A	1-Jul-11	803	632	N/A	Two separate proceedings were commenced under Part IVA against Oz Minerals Limited (Oz Minerals) in relation to continuous disclosure and misleading/deceptive conduct. The first proceeding (the Hobbs Anderson proceeding), NSD 1127 of 2009, has as its lead plaintiff Hobbs Anderson Investments Pty Ltd. The second proceeding (the Scott and Taws proceeding), NSD 1433 of 2010, has as its lead plaintiffs Anthony Scott and Nicola Taws. The relevant period relates to when members of the class obtained shares. Please note that the proceedings are listed as finalised in 2013 on ComCourts as a result of settlement administration
WOODCROFT-BROWN v TIMBERCORP SECURITIES LTD & ORS	S C1 2009 9807	VSC	N/A	Judd J	6 February 2007 - 23 April 2009	27-Oct-09	10-Oct-13	1-Sep-11	N/A	1444	674	N/A	Class action on behalf of those who became involved in the scheme from 6 February 2007 to 23 April 2009, when the group collapsed, alleging that the loans were void and unenforceable. Judd J handed down a judgment unfavourable to the plaintiffs on 1 September 2011. This decision was confirmed on appeal.
GILES v COMMONWEALTH OF AUSTRALIA [2014] NSWSC 83	2009/329 777	NSWSC	N/A	Garling J	1937 to 1974	18-Dec-09	26-Jun-15	N/A	26-Jun-15	2016	2016	N/A	A common law class action. The proceeding related to allegations that the Respondents breached their duty of care. The Applicant sought relief for loss suffered as a result of physical and/or sexual assaults at Fairbridge Farm. Of the identified group members, the oldest was born in 1928 and attended Fairbridge Farm between 1938 and 1947, the youngest was born in 1962 and attended Fairbridge Farm between 1966 and 1971. The first plaintiff, Dorothy Giles, was born in 1947 and was a resident of Fairbridge Farm between about 1954 and 1964. The second plaintiff, Vivian Drady, was born in 1955 and was a resident of Fairbridge Farm between about 1959 and 1971. Group members were defined as those who were harmed at the farm from 1937 to 1974.

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MERCIECA v SPI ELECTRICITY PTY LTD [2012] VSC 204	S CI 2010 1978	VSC	N/A	Emerton J	7-Feb-09	2010	16-May-12	N/A	16-May-12	730	730	N/A	Class action concerning the 'Black Saturday' bushfires on 7 February 2009 at Beechworth. The settlement was approved on 16/5/2012. Please note, dates are approximate.
CLARKE (AS TRUSTEE OF THE CLARKE FAMILY TRUST) & ORS v GREAT SOUTHERN FINANCE PTY LTD & ORS	S CI 2010 02882	VSC	N/A	Croft J	Prior to 16/5/2009	2010	11 December 2014	N/A	11 December 2014	1460	1460	N/A	Great Southern Proceedings: Class action related to the enforceability of grower loan agreements, involving 16 separate proceedings, commenced under Part 4A. The settlement was approved by the Court on 11 December 2014, after the matter had been heard but before judgment had been handed down. The hearings had involved 90 sitting days from 29 October 2012 - 24 October 2013. Judgment was reserved and was listed for delivery on Friday 25 July 2014; the parties were informed of this on 23 July 2014. The settlement was controversial, as it confirmed the loans as valid and enforceable, and led to further proceedings (<i>Javelin Asset Management v Byrne</i> , with judgment handed down on 13 September 2016). A further class action was being contemplated in August 2020. Please note, dates are approximate.
REGENT HOLDINGS PTY LTD v STATE OF VICTORIA [2012] VSCA 221; (2012) 36 VR 424.	S CI 2010 6132	VSC	N/A	Beach JA	May-06	2010	18-Aug-15	N/A	18-Aug-15	3486	647	N/A	Class action alleging liability in negligence for allowing an outbreak of a disease in wild abalone populations in the eastern and central zones of the Victorian abalone fishery in or about May 2006. Settlement was approved after trial where the action had been unsuccessful (Beach JA on 7 November 2013) and while an appeal was pending. The terms of the settlement were for the applicant to pay the State's costs. The second respondent's settlement was approved by Beach J on 18 September 2013.

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COLLIN v ASPEN PHARMACARE AUSTRALIA PTY LTD [2013] FCA 1336	VID5/2010	FCA	VIC	Davies and Bromberg JJ	1994 - 2010	8/1/10	9/12/13	N/A	9-Dec-13	1431	1431	N/A	Class action on behalf of people who took dopamine agonist tablets known under the trademark or brand "Permax"/"Pergolide" seeking compensation for loss and damage. It was alleged the respondents failed to warn, or adequately warn, consumers about potential side effects of the tablets which were claimed to cause obsessive or compulsive behaviours. Class members used the tablets during the period 1994-2010 and had a prescription for the tablets before and after 28 March 2003. Related to VID4/2010.
IAN WINTERFORD v PFIZER AUSTRALIA PTY LTD [2015] FCA 426	VID4/2010	FCA	VIC	Davies and Bromberg JJ	1996 - 2010	8/1/10	25/5/15	N/A	7-May-15	1963	1945	N/A	Class action relating to Cabaser made by Pfizer Australia, a dopamine agonist tablet which had potential side effects but about which class members were inadequately warned. Related to VID5/2010.
TMAC PTY LTD TRADING AS NORTHSTAR PROPERTY SERVICES v THOMAS FORD TRADING PTY LTD TRADING AS FRESH TELECOMS [2010] FCA 445	NSD163/2010	FCA	NSW	Cowdroy J	27 May 2007 - 19 June 2008	23-Feb-10	8/11/13	N/A	N/A	1354	N/A	N/A	Class action related to the leasing of equipment from around 27 May 2007 to 19 June 2008. By order in December 2012 the proceedings were dismissed. The finalisation date is that listed on ComCourts.
CASEY v DEPUY INTERNATIONAL LTD (NO 2) [2012] FCA 1370	ACD10/2010	FCA	ACT	Buchanan J	16-Dec-08	29-Mar-10	24/2/16	N/A	4-Dec-12	2158	981	N/A	The proceedings concern implants used as a component in total knee replacement surgery to address a patient's damaged or diseased femur. The implants in question were manufactured by the first respondent and distributed in Australia by the second respondent. In late July 2009 the implants were voluntarily recalled in Australia.16 December 2008 is the date the lead plaintiff had the defective product implanted. It was removed on 3 February 2010.
PLACE v POWERCOR AUSTRALIA LTD	S CI 2010 1099	VSC	N/A	Beach and Forrest JJ	7-Feb-09	April 2010	1-Feb-13	N/A	1-Feb-13	1037	1037	N/A	Class action relating to the Black Saturday Weerite-Pomborneit bushfire. The trial occurred on 3 September 2012 - 13 November 2012. Settlement terms were executed by the parties on the date that judgment was due to be delivered: 19

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													December 2012. Please note, dates are approximate.
SHERWOOD v COMMONWEALTH BANK OF AUSTRALIA (NO 5) (STORM FINANCIAL – CBA) [2015] FCA 688	NSD811/2010	FCA	NSW	Collier and Reeves JJ	from 18 May 2007	1-Jul-10	19-Apr-2017	N/A	7-Jul-15	2484	1832	N/A	Class action relating to the CBA and the collapse of Storm Financial. The hearing was on 20 May 2015 and the order and reasons approving settlement were published on 7 July 2015. The settlement was reached after the trial had concluded and while the judgment was reserved.
THE BOASE FAMILY TRUST WITH TRUSTEE TIMOTHY BOASE AS THE REPRESENTATIVE PARTY & ORS v SULLIVAN COMMERCIAL PTY LTD T/AS MCGEES PROPERTY & ANOR [2013] FCA 15	WAD240/2010	FCA	WA	McKerracher J	Aug-07	6-Sep-10	7-Mar-13	N/A	13-Dec-12	913	829	N/A	Representative proceedings on behalf of 22 people who allege that property valuers provided an incomplete report which led them to purchase certain property. The valuation report was dated 29 May 2007 with property settlement occurring in August 2007.
EATOCK v BOLT [2011] FCA 1103; AND EATOCK v BOLT (NO 2) [2011] FCA 1180.	VID770/2010	FCA	VIC	Bromberg J	15 April 2009, 21 August 2009	7-Sep-10	19/10/11	28-Sep-11	N/A	407	386	N/A	Class action relating to breaches of the RDA by publication of an article by Andrew Bolt.
BRISBANE BRONCOS LEAGUES CLUB v ALLEASING FINANCE AUSTRALIA PTY LTD	NSD1177/2010	FCA	NSW	Jacobson and Perram JJ	1 October 2004	8-Sep-10	31-Oct-2012	N/A	26-Sep-12	784	749	N/A	A class action brought on behalf of 7 sporting clubs who were allegedly induced by the respondent to enter into leasing agreement for the lease of plasma screens. The proceeding related to allegations of misleading and deceptive conduct in breach of the <i>Trade Practices Act 1974</i> (Cth). The settlement (approved on 26 September 2012) involved compromise on both sides: Alleasing surrendered its right to recover unpaid rent; the clubs have surrendered their claims against Alleasing. This was brought about because there were problems for the plaintiff to establish that the insolvent entity that had allegedly engaged in misleading and deceptive conduct was acting as the agent for

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													Alleasing. Reasons were provided on 15 October 2012.
ASQUITH RUGBY LEAGUE CLUB LTD v CAPITAL FINANCE AUSTRALIA LTD	NSD1198 /2010	FCA	NSW	Jacobson J	Not ascertained	13-Sep-10	21-Nov-2012	N/A	21 November 2012	800	800	N/A	A class action brought on behalf of sporting clubs who were allegedly induced by the respondent to enter into leasing agreement for the lease of digital signage, through the agent which had become insolvent. The proceeding related to allegations of misleading and deceptive conduct in breach of the <i>Trade Practices Act 1974</i> (Cth).
ANTHONY SCOTT & ANOR v OZ MINERALS LIMITED	NSD1433 /2010	FCA	NSW	Emmett J	1 August 2008 and ending on 27 November 2008; 23 July 2008 and 1 December 2008; 29 February 2008 and 22 July 2008.	17-Sep-10	08-Feb-2013	N/A	1-Jul-11	875	287	N/A	One of two separate proceedings were commenced under Part IVA against Oz Minerals Limited (Oz Minerals) in relation to continuous disclosure and misleading/deceptive conduct. The first proceeding (the Hobbs Anderson proceeding, NSD 1127 of 2009) has as its lead plaintiff Hobbs Anderson Investments Pty Ltd. The second proceeding (the Scott and Taws proceeding, NSD 1433 of 2010) has as its lead plaintiffs Anthony Scott and Nicola Taws. The relevant period relates to when members of the class obtained shares. The proceedings are listed as finalised in 2013 on ComCourts as a result of settlement administration.
ANDREWS v AUSTRALIA & NEW ZEALAND BANKING GROUP LTD [2019] FCA 2216	VID811/2010	FCA	VIC	Finkelstein; Gordon and Middleton JJ	1 August 2003 to 23 February 2016	22/9/10	10-Mar-20	N/A	6/12/19	3457	3362	N/A	The 'ANZ Bank Fees' class actions concerned various 'Exception Fees' charged by ANZ in the period after May 2004. The lengthy procedural history is set out by Middleton J [2019] FCA 2216 from [4]. ComCourts lists the finalisation date as 10-Mar-2020. The settlement was approved on 6/12/2019. Reasons were published on 10 March 2020, following submissions from the parties that the High Court decision in <i>Brewster</i> did not affect the proceedings.

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DOWNIE v SPIRAL FOODS PTY LTD [2015] VSC 190	2010/5318	VSC	N/A	Forrest J	1 July 2004 - 24 December 2009	30/09/2010	7-May-15	N/A	7-May-15	1680	1680	N/A	Class action relating to product liability. Ms Downie was the lead plaintiff on behalf of 496 others who allege injury and loss as a result of consuming Bonsoy, as a result of high iodine levels, between 1 July 2004 and 24 December 2009. On 8 March 2013, the Court ordered that the proceeding be fixed for trial on 12 November 2013. The trial date was subsequently vacated and re-fixed on two occasions before it was ultimately fixed on 27 October 2014 before Cavanough J. Following further negotiation, the settlement deed was executed on 17 November 2014.
MEADEN v BELL POTTER SECURITIES LIMITED [2011] FCA 136	NSD1310/2010	FCA	NSW	Edmonds J	13 December 2006 - 5 December 2007	6-Oct-10	Jun-15	N/A	N/A	1714	N/A	N/A	Class action alleging breaches of the ASIC Act and Corporations Law arising out of Bell's dealings as a stockbroker in relation to Progen Pharmaceuticals Limited. The proceedings were dismissed with no order as to costs on 16-Jun-2015.
EARGLOW PTY LTD v SIGMA PHARMACEUTICALS LTD [2012] FCA 1496	VID933/2010	FCA	VIC	Middleton J	7 September 2009 - 25 February 2010	29-Oct-10	2/8/13	N/A	19-Dec-12	1008	782	N/A	A shareholder class action. The proceeding related to allegations that the Respondent engaged in misleading and deceptive conduct and breached its continuous disclosure obligations. The class consisted of people who bought shares in the relevant period.
PATHWAY INVESTMENTS PTY LTD & ANOR v NATIONAL AUSTRALIA BANK LIMITED	S CI 2010 6249	VSC	N/A	Pagone J	1 January 2008 - 24 July 2008	18-Nov-10	19-Dec-12	N/A	19-Dec-12	762	762	N/A	Class action on behalf of NAB shareholders who acquired shares in the period from 1 January 2008 to 24 July 2008 related to non-disclosure of toxic debt.
NICHOLAS STOTT v PRICEWATERHOUSECOOPERS SECURITIES LIMITED	VID1028/2010	FCA	VIC	Middleton J	2007	30/11/10	19/6/12	N/A	19-Jun-12	567	567	N/A	The litigation arose from Centro misclassifying multi-billion dollar short term interest-bearing liabilities as long-term liabilities in its 2007 preliminary and final accounts. The matter was heard with <i>Vlachos and Kirby</i>

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NICHOLAS VLACHOS & ORS v PRICEWATERHOUSECOOPERS	VID1041/2010	FCA	VIC	Middleton J	2007	1/12/10	13/12/2012	N/A	19/6/12	743	566	N/A	The litigation arose from Centro misclassifying multi-billion dollar short term interest-bearing liabilities as long-term liabilities in its 2007 preliminary and final accounts. The matter was heard with <i>Stott and Kirby</i> and another file under the same name relating to the same conduct.
JC INTERNATIONAL INVESTMENTS PTY LTD v ZYX LEARNING CENTRES LTD (FORMERLY ABC LEARNING CENTRES LTD) (RECEIVERS AND MANAGERS APPOINTED) (IN LIQUIDATION)	NSD1776/2010	FCA	NSW	Emmett J	2006-2008	17-Dec-10	22/07/2011	N/A	N/A	217	N/A	N/A	Shareholder class action alleging misleading and deceptive conduct, dismissed with the plaintiff pursuing a separate civil proceeding per orders of Emmett J on 22 July 2011. See <i>CBA Corporate Services (NSW) Pty Ltd, in the matter of ZYX Learning Centres Ltd (receivers and managers appointed) (in liq) v Walker</i> [2013] FCA 243 [4]-[6].
RICHARDS v MACQUARIE BANK LTD (NO 4) (STORM FINANCIAL) [2013] FCA 438	QUD590/2010	FCA	QLD	Logan J	15 February 2005 - 31 October 2008.	24/12/10	17/3/15	N/A	3-May-13	1544	861	N/A	Class action on behalf of people who, on advice from Storm Financial, borrowed money in the form of margin loans from Macquarie, and then used that money to invest in one or more of nine managed investment schemes in the period between 15 February 2005 and about 31 October 2008. The settlement was challenged by ASIC in <i>Australian Securities and Investments Commission v Richards</i> [2013] FCAFC 89.
HADCHITI v NUFARM LTD [2012] FCA 1524	NSD1847/2010	FCA	NSW	Middleton J	28 September 2009 - 31 August 2010	24-Dec-10	1-May-14	N/A	28-Nov-12	1224	705	N/A	Shareholder continuous disclosure/ misleading and deceptive conduct action where the class is all those who purchased shares in the company during the relevant period. This action is a consolidated proceeding.
HADCHITI v NUFARM LTD [2012] FCA 1524	VID24/2011	FCA	NSW; VIC	Middleton J	28 September 2009 - 31 August 2010	14-Jan-11	24-Aug-11	N/A	N/A	222	N/A	N/A	Shareholder continuous disclosure/ misleading and deceptive conduct action where the class is all those who purchased shares in the company during the relevant period. This action is a consolidated proceeding, consolidated with another file on 9 August 2011. The file is noted as finalised on ComCourts on 24 August 2011.

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ELIZABETH SAUNDERS v COMMONWEALTH FINANCIAL PLANNING LIMITED	NSD104/2011	FCA	NSW	Jagot and Emmett JJ	2007	9/2/11	7/9/11	N/A	N/A	210	N/A	N/A	Class action relating to alleged misleading and deceptive conduct in relation to investment advice. The website for the plaintiff law firm, Maurice Blackburn, states that the matter was resolved on 23 August 2011. ComCourts states that the action was resolved/withdrawn on 07-Sep-2011.
STANFORD v DEPUY INTERNATIONAL LTD (NO 6) [2016] FCA 1452	NSD213/2011	FCA	NSW	Wigney J	2003- August 2010	28-Feb-11	6/12/19	N/A	29-Jun-16	3203	1948	N/A	Product liability class action. Between about late 2003 and December 2009, Johnson & Johnson Medical Pty Ltd imported into Australia medical devices, referred to generally as "ASR implants", manufactured by DePuy International Ltd for use in hip replacement or resurfacing surgery. Those devices were recalled by late August 2010. These proceedings consolidated two different proceedings. The overview of the procedural history shows that it was hard-fought: <i>Stanford v DePuy International Ltd</i> (No 6) [2016] FCA 1452 [4]-[7], [22]: The overlapping proceedings were commenced in 2011 and consolidated in 2012. In 2013, respondent parties discovered over 1.8 million documents, an equivalent action in the United States was settled in November 2013, a 2014 trial date was vacated because of the evidence served by respondent parties and the matter settled following a 17 week trial. The application for the approval of the settlement was heard by the Court on 24 June 2016.

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FOLEY v GUNNS	NSD499/2011	FCA	NSW	Perram and Emmett JJ	31 August 2009 - 19 February 2010	20/4/11	4/2/13	N/A	N/A	656	N/A	N/A	Shareholder class action on behalf of people who acquired shares in the respondent company from 31 August 2009 to 19 February 2010. In September 2012, the company went into administration and the proceedings were stayed. A subsequent action against certain directors and officers was later settled (NDS1021/2015, settled 21/3/2016).
KONNEH v STATE OF NSW (NO.3) [2013] NSWSC 1424; AMOM v STATE OF NSW	2011/187 125	NSWSC	N/A	Garling J	Prior to 20 May 2011	7-Jun-11	1/11/16	N/A	2-Mar-16	1974	1730	N/A	Tort proceedings related to bail conditions for offences being prosecuted in the Children's Court where the alleged breaches were for conditions that did not apply at the time of detention. The plaintiff was arrested in 2010. The group members were arrested prior to 20 May 2011, according to the third further amended statement of claim.
ROWE v GRÜNENTHAL & ORS; ROBBINS v GRÜNENTHAL	S CI 2011 3527	VSC	N/A	Beach J	1 January 1958 - 31 December 1970	5-Sep-11	7/2/14	N/A	7/2/14	886	886	N/A	Two class actions on behalf of people born between 1 January 1958 and 31 December 1970 who have suffered since birth from a congenital malformation and whose mothers, while pregnant with them, consumed thalidomide. Payment was agreed for the plaintiff in July 2012. The action was settled in December 2013, approved in February 2014.
JAMIE DUNSMORE v DEPUY INTERNATIONAL LIMITED & ANOR	QUD319/2011	FCA	QLD	Emmett and Reeves JJ	2003- August 2010	27/9/11	20/4/12	N/A	N/A	206	N/A	N/A	The proceeding was consolidated with <i>Tammy Stanford & Another v DePuy International Ltd & Another</i> (NSD 213 of 2011) on 20 April 2012
MODTECH ENGINEERING PTY LTD v GPT MANAGEMENT HOLDINGS LTD (NO. 3) [2014] FCA 680	VID1408/2011	FCA	VIC	Gordon J	27 February 2008 -6 July 2008	8-Dec-11	19/4/16	N/A	26 June 2013	1594	566	N/A	A shareholder class action. The proceeding related to allegations that the Respondent engaged in misleading and deceptive conduct and breached its continuous disclosure obligations. The action was on behalf of all of those who purchased GPT shares in the relevant period.
STEVEN HAROLD FRANCIS FAREY & ORS v NATIONAL AUSTRALIA BANK LTD	VID1459/2011	FCA	VIC	Beach and Gordon JJ	prior to 16 December 2011	16/12/11	31/8/16	N/A	6-Apr-16	1720	1573	N/A	NAB Bank Fees Class Action, relating to fees charged prior to 16 December 2011.

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THOMAS PINSCHOF & ORS v COMMONWEALTH BANK OF AUSTRALIA	VID1458/2011	FCA	VIC	Gordon J	Prior to 16 December 2011	16/12/11	13/1/17	N/A	N/A	1855	N/A	N/A	Class action relating to customer fees charged by CBA. On 24-Jan-2012 the proceedings were stayed until 1 August 2016, pending the outcome of a related matter. The applicants discontinued the proceedings under s 33V on 13 January 2017.
BERTRAM LANCE MALLETT & ANOR v CITIGROUP PTY LTD	VID1464/2011	FCA	VIC	Gordon J	Prior to 16 December 2012	16/12/11	19/12/16	N/A	N/A	1830	N/A	N/A	Class action relating to customer fees charged by Citigroup. The proceedings were stayed pending the outcome of a related matter. On 19 December 2016 the applicants were given leave to discontinue the proceedings under s 33V.
KELLY v WILLMOTT FORESTS LTD (IN LIQ) (NO 5) [2017] FCA 689; DAVID KELLY & ANOR v MIS FUNDING NO 1 PTY LTD; AARON GRANT v COMMONWEALTH BANK OF AUSTRALIA LTD	VID1483/2011	FCA	VIC	Murphy J	2007-2010	22-Dec-11	28/5/19	N/A	20-Jun-17	2714	2007	N/A	These proceedings involve four class actions, proceedings VID 1483 of 2011, VID 1484 of 2011 and VID 1485 of 2011 (the 2007/08/09 Schemes proceedings) and proceeding VID 187 of 2013 (the 2010 Scheme proceeding), brought by investors that acquired an interest in one or more managed investment schemes in forest plantations managed by the Willmott Forests corporate group. Schemes were from 2007-2010. Murphy J refused the first settlement application and a contradictor was appointed.
KELLY v WILLMOTT FORESTS LTD (IN LIQ) (NO 5) [2017] FCA 689; DAVID KELLY & ANOR v MIS FUNDING NO 1 PTY LTD; AARON GRANT v COMMONWEALTH BANK OF AUSTRALIA LTD	VID1484/2011	FCA	VIC	Murphy J	2007-2010	22-Dec-11	28/5/19	N/A	20-Jun-17	2714	2007	N/A	These proceedings involve four class actions, proceedings VID 1483 of 2011, VID 1484 of 2011 and VID 1485 of 2011 (the 2007/08/09 Schemes proceedings) and proceeding VID 187 of 2013 (the 2010 Scheme proceeding), brought by investors that acquired an interest in one or more managed investment schemes in forest plantations managed by the Willmott Forests corporate group. Schemes were from 2007-2010. Murphy J refused the first settlement application and a contradictor was appointed.

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KELLY v WILLMOTT FORESTS LTD (IN LIQ) (NO 5) [2017] FCA 689; DAVID KELLY & ANOR v MIS FUNDING NO 1 PTY LTD; AARON GRANT v COMMONWEALTH BANK OF AUSTRALIA LTD	VID1485/2011.	FCA	VIC	Murphy J	2007-2010	22-Dec-11	28/5/19	N/A	20-Jun-17	2714	2007	N/A	These proceedings involve four class actions, proceedings VID 1483 of 2011, VID 1484 of 2011 and VID 1485 of 2011 (the 2007/08/09 Schemes proceedings) and proceeding VID 187 of 2013 (the 2010 Scheme proceeding), brought by investors that acquired an interest in one or more managed investment schemes in forest plantations managed by the Willmott Forests corporate group. Schemes were from 2007-2010. Murphy J refused the first settlement application and a contradictor was appointed.
PAUL MARTIN ADNETT v WESTPAC BANKING CORPORATION	VID87/2012	FCA	VIC	Gordon J	Not ascertained	1/2/12	20/12/16	N/A	N/A	1784	N/A	N/A	Class action which was stayed pending the outcome of a related matter. Middleton J gave the applicants leave to discontinue the proceedings on 20 December 2016.
BRANNAGHAN v THIESS PTY LTD AND DEGREMONT PTY LTD TRADING AS THIESS DEGREMONT JOINT VENTURE [2013] FCA 790	VID242/2012	FCA	VIC	North J	2010	16/3/12	9/7/15	N/A	23 July 2013; 10/3/2015	1210	1089	N/A	An industrial class action related to the alleged wrongful collection and use of employees' confidential information. The action against the first respondent was settled on 23 July 2013. On 10 March 2015, the action against the other respondents was settled.
VALDA PTY LTD & ORS v MACARTHUR COAL LIMITED	VID272/2012	FCA	VIC	Kenny J	Jun-09	28/3/12	4/7/13	N/A	N/A	463	N/A	N/A	Shareholder class action arising out of an alleged invitation to subscribe to a share purchase plan in June 2009. The applicants say they were eligible shareholders, that they subscribed to the plan and that Macarthur refused to issue the shares but an agreement was formed upon payment of the subscription, or that this involved misleading or deceptive conduct or conduct oppressive to minority shareholders in breach of the <i>Corporations Act</i> . On 4 July 2013, the proceeding was dismissed by Kenny J with both parties bearing their own costs.
MICHAEL CHARLES BYRNE & ANOR v COMMONWEALTH BANK OF AUSTRALIA	VID304/2012	FCA	VIC	Gordon J	Not ascertained	18/4/12	13/1/17	N/A	N/A	1731	N/A	N/A	Class action which was stayed pending the outcome of a related matter. Middleton J gave the applicants leave to discontinue the proceedings on 13-Jan-2017.

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A v DR MARK SCHULBERG (NO 2) [2014] VSC 258	S CI 2012 2791	VSC	N/A	Beach J	January 2008 - mid December 2009	May-12	5-Jun-14	N/A	5-Jun-14	765	765	N/A	A common law class action. The proceeding related to allegations by the Applicants that they contracted Hepatitis C due to the negligent conduct of the Respondent after undergoing pregnancy terminations where anaesthetics were administered by him
HOPKINS v AECOM AUSTRALIA PTY LTD (NO 8) [2016] FCA 1096	NSD757/2012	FCA	NSW	Nicholas J	On or about 4 August 2006.	31/5/12	23/1/17	N/A	10-Aug-16	1698	1532	N/A	Shareholder action alleging a defective PDS (Rivercity). The PDS was dated 21 June 2006 and lodged with ASIC. The offer closed in July 2006 and trade in the Stapled Units on the Australian Securities Exchange commenced in August 2006. The applicants, Mr and Mrs Hopkins, are the trustees of the Hopkins Superannuation Fund ("HSF"). They acquired 40,000 Stapled Units on behalf of HSF on or about 4 August 2006.
PENDRIGH v EX ABA LTD & ORS	S CI 2012 03666	VSC	N/A	Derham As J	10 May 2006 - 1 July 2009	27-Jun-12	14-Dec-15	N/A	N/A	1265	N/A	N/A	Class action relating to defective product disclosure statements concerning managed investment scheme investments in the period 10 May 2006 - 1 July 2009. The proceedings were discontinued on 14 December 2015.
CAMPBELL v HAZELL BROS (VIC) PTY LTD	S CI 2012 03866	VSC	N/A	Emerton J	24-Feb-12	9-Jul-12	27-Feb-14	N/A	27-Feb-14	598	598	N/A	Class action concerning property loss from a bushfire near Blampied, Western Victoria
LORRAINE CARROLL & ORS v CLARENCE VALLEY SHIRE COUNCIL	NSD1102/2012	FCA	NSW	Emmett J	2006	6/8/12	9/11/12	N/A	N/A	95	N/A	N/A	Class action on behalf of a group of landowners claiming that the council had surreptitiously taken land from their lots along the river. Emmett J considered that the statement of claim was bordering on incomprehensible and would not succeed. It was dismissed with costs.
ROWE v AUSNET ELECTRICITY SERVICES PTY LTD [2015] VSC 232	S CI 2012 4538	VSC	N/A	Emerton J	7-Feb-09	7-Aug-12	27-May-15	N/A	27-May-15	1023	1023	N/A	Class action related to the bushfires on 'Black Saturday', 7 February 2009, near Murrindindi to the north-east of Melbourne. The settlement was approved on 27 May 2015.

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RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH) SARINA SUB BRANCH INC v RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH) & ANOR	QUD401/2012	FCA	QLD	Reeves and Collier J	18-Oct-10	20/8/12	20/8/13	N/A	N/A	365	N/A	N/A	Representative proceeding in respect of, inter alia, a Heads of Agreement entered between the applicant and the first respondent on 18 October 2010. The proceedings were finalised on 20 August 2013.
MUSWELLBROOK SHIRE COUNCIL v THE ROYAL BANK OF SCOTLAND NV [2017] FCA 414	NSD1322/2012	FCA	NSW	Wigney J	5 September 2006 to late 2007	5/09/2012	21/4/17	N/A	21-Apr-17	1689	1689	N/A	Negligence, misleading and deceptive conduct alleged in relation to sophisticated financial products that were given the name "Rembrandt Notes". Between 5 September 2006 and late 2007, people invested in those notes which failed despite a AAA rating. The settlement approval hearing was on 1 November 2016.
WEPAR NOMINEES PTY LTD v SCHOFIELD (NO 2) [2014] FCA 225	SAD234/2012	FCA	SA	Besanko J	6 December 2005 and 21 September 2006	17-Sep-12	14/3/14	N/A	14-Mar-14	543	543	N/A	Shareholder action The claims made against each of the defendants are based on their involvement in representations and disclosures (or non-disclosures) made in the prospectus issued for the purposes of the IPO dated 29 November 2005 ("the Prospectus") and in subsequent announcements made to the Australian Securities Exchange Ltd ("ASX"). Shares could be purchased from 6 January 2006 until 21 September 2006. The relevant period is when group members acquired shares. The company was declared insolvent, subject to a deed of arrangement, shares were consolidated and there was a recapitalisation scheme.
CAASON INVESTMENTS & ANOR v SIMON XIAO FAN CAO & ORS	NSD1558/2012	FCA	NSW	Farrell J (Case management by Murphy J)	25/8/2006- 2007	11-Oct-12	Open	N/A	6-Dec-17	Not yet finalised	1882	2973	Alleged false and misleading conduct in relation to share prospectuses and annual reports published and lodged with ASIC from 25 August 2006 to 2007 by Arasor. (See <i>Caason Investments Pty Limited v Cao</i> [2012] FCA 1502) [4]. There has been an interim distribution to class members, but the final distribution of the settlement monies has been delayed by claims made by the applicants, Caason Investments Pty Ltd

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													(Caason) and Wise Plan Pty Ltd (Wise Plan) (together the applicants), against the settlement fund. The applicants also made claims against the litigation funder of the proceeding, International Litigation Partners No. 3 Pte Ltd (the Funder). See <i>Caason Investments Pty Limited v Cao</i> (No 3) [2020] FCA 91.
JULIE DAVIS v ETHICON SARL & ORS	NSD1590 /2012	FCA	NSW	Katzmann J (Case management by Murphy J)	12 March 2001; 12 January 2007; 8 May 2009	15-Oct-12	Open	21/11/2019	N/A	Not yet finalised	2593	2969	Class action on pelvic mesh. The date at which each of the three applicants substituted for the initial applicant had the pelvic mesh inserted. Katzmann J found that the plaintiffs were successful in establishing negligence and their other statutory causes of action on 21/11/2019. The common questions were decided on 6 March 2020 in <i>Gill v Ethicon Sarl</i> (No 6) [2020] FCA 279. There was an appeal filed by the respondents on 3 April 2020. This appeal has not yet been heard.
ROBERT WILLIAM LEE & ANOR v BANK OF QUEENSLAND LIMITED [2014] FCA 1376	QUD732/2012	FCA	QLD	Collier J	8 November 2002 - 2 December 2008	5/12/12	16/12/14	N/A	16/12/14	741	741	N/A	Class action brought against the Bank of Queensland Limited by approximately 392 group members for loans to clients of Storm Financial, which collapsed in 2009. The group members borrowed money from the Bank in the period between 28 November 2002 and 2 December 2008, in order to invest in one or more Storm-branded index share funds in accordance with financial advice given by Storm.
BOLITHO v BANKSIA SECURITIES LTD (NO 6) [2019] VSC 653	2012/07185	VSC	N/A	Dixon J	25 October 2012	24-Dec-12	Open	N/A	2018	Not yet finalised	Not yet finalised	2899	Mr Bolitho commenced a group proceeding on his own behalf and on behalf of all debenture holders against Trust Co and others to recover losses in respect of the debentures held by them at the time of Banksia's collapse on 25 October 2012. There was a partial settlement in 2016, and a partial settlement was approved in 2018, however, there were allegations of impropriety relating to the funder and lawyers representing the plaintiff. The settlement was appealed and a contradictor was appointed. The matter is, as yet, unresolved.

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MELBOURNE CITY INVESTMENTS v TREASURY WINES	S CI 2013 5731	VSC	N/A	Ferguson J	17 August 2012- 15 July 2013	2013	15-May-15	N/A	N/A	730	N/A	N/A	Shareholder class action against Treasury wines on behalf of people who acquired shares from 17 August 2012- 15 July 2013. The respondent successfully appealed a decision on whether the proceedings were an abuse of process on 22 December 2014 and the proceedings were permanently stayed. On 15 May 2015, the High Court (Hayne and Keane JJ) refused MCI's application for special leave to appeal. Please note, dates are approximate.
CAMILO CASACLANG & ORS v WEALTHSURE PTY LTD ACN 097 405 108	NSD169/2013	FCA	NSW	Buchanan J	Not ascertained	5/2/13	18/8/15	N/A	N/A	924	N/A	N/A	On 16 September 2013, Buchanan J ordered that the proceedings not continue as representative proceedings
LARSSON v WEALTHSURE PTY LTD [2013] FCA 926	NSD169/2013	FCA	NSW	Buchanan J	November 2008 - May 2012	5-Feb-13	16 September 2013	N/A	N/A	223	N/A	N/A	Class action on behalf of those who invested with an individual in the period November 2008 - May 2012, Buchanan J ordered that the proceedings no longer continue as representative proceedings on 16 September 2013.
LAM v ROLLS ROYCE	2013/373 42	NSWSC	N/A	Beech-Jones J	4-Nov-10	6-Feb-13	16-Sep-16	N/A	Prior to 21/9/2017	1318	1688	N/A	Rolls Royce Aircraft Engine Class Action arising out of the failure of an engine during a flight on 4 November 2010. The defendant admitted a breach of duty of care and the parties mediated individual settlements. Beech-Jones J commented in <i>Lam v Rolls Royce PLC</i> (No 5) [2016] NSWSC 1332 at [6]: 'the proceedings have continued at a relatively slow pace' since Lam (No 3). On 16 September 2016, Beech-Jones J ordered the dismissal of claims of all class members who had not registered, pursuant to s 183 of the <i>Civil Procedure Act 2005</i> , operating as a final determination of the claims. Those who had registered, but not complied with requirements to mediate the claims, had the claims dismissed on 21 September 2017. Please note, dates are approximate.

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HUDSON VENTURES PTY LTD v COLLIERS INTERNATIONAL CONSULTANCY AND VALUATION PTY LIMITED [2014] FCA 982	NSD358/2013	FCA	NSW	Yates J	January 2007- June 2008	1/3/13	15/9/14	N/A	8-Sep-14	563	556	N/A	Class action related to damage alleged to have been suffered by reliance on a valuation in January 2007 with respect to land and water areas at Rozelle Bay in Sydney, and on a review and update, in June 2008, of the capitalisation rates used by the respondent in its initial valuation.
KELLY v WILLMOTT FORESTS LTD (IN LIQ) (NO 5) [2017] FCA 689; DAVID KELLY & ANOR v MIS FUNDING NO 1 PTY LTD; AARON GRANT v COMMONWEALTH BANK OF AUSTRALIA LTD	VID187/2013	FCA	VIC	Murphy J	2007-2010	13-Mar-13	28/5/19	N/A	20-Jun-17	2267	1560	N/A	These proceedings involve four class actions, proceedings VID 1483 of 2011, VID 1484 of 2011 and VID 1485 of 2011 (the 2007/08/09 Schemes proceedings) and proceeding VID 187 of 2013 (the 2010 Scheme proceeding), brought by investors that acquired an interest in one or more managed investment schemes in forest plantations managed by the Willmott Forests corporate group. Schemes were from 2007-2010. Murphy J refused the first settlement application and a contradictor was appointed.
LUCIO ROBERT PACIOCCO & ANOR v AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED	VID196/2013	FCA	VIC	Gordon and Middleton JJ	1 January 2008 - 23 February 2016	14/3/13	15/3/19	N/A	N/A	2192	N/A	N/A	Class action relating to exception fees charged by ANZ during the periods of: May 2004 to 14 December 2009; after March 2004; and after August 2004. On 15 March 2010 the matter was consolidated with VID 811 of 2010 (Andrews & Ors v Australia and New Zealand Banking Group Ltd).
CITY OF SWAN v MCGRAW-HILL COMPANIES IN INC (STANDARD & POORS) [2016] FCA 343	NSD656/2013	FCA	NSW	Wigney and Rares JJ	2005 and 2007	17/4/13	3/3/17	N/A	24-Mar-16	1416	1072	N/A	Class action relating to alleged misleading and deceptive conduct in Standard and Poor's ratings for synthetic collateralised debt obligations, or SCDOs issued by Lehman Brothers. The class were those who purchased the SCDOs between 2005 and 2007.
JOHN CHARLES LEE & ANOR v WESTPAC BANKING CORPORATION	QUD211/2013	FCA	QLD	Derrington, Dowsett and Reeves JJ	22 October 2004 - 31 October 2008	26/4/13	19/12/18	N/A	15-Dec-17	2063	1694	N/A	Class action relating to Storm Financial and loans from Westpac in the period 22 October 2004 to 31 October 2008, in which one consideration on approval of settlement was the submission by Westpac that the applicant had limited prospects of success were the proceedings to progress to trial.

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CLASUL PTY LTD v COMMONWEALTH [2016] FCA 1119	NSD368/2013	FCA	NSW	Foster J	Aug-07	15-May-13	23/2/17	N/A	30-Aug-16	1380	1203	N/A	Foster J in <i>Clasul Pty Ltd v Commonwealth of Australia</i> [2016] FCA 1119 [33]-[38]: The applicants alleged that the Commonwealth was guilty of negligence in causing or being responsible for the alleged escape of equine influenza virus (EIV) from the Eastern Creek Quarantine Station (ECQS) during August 2007. On 11 August 2009, the first applicant commenced the Queensland proceeding. In that proceeding, the first applicant made very similar allegations to those which were ultimately made in the present proceeding. On 2 April 2012, the first applicant procured a transfer of the Queensland proceeding to this Court. Under the settlement, the applicants and group members received no compensation whatsoever and are required to bear their own costs of the proceeding and of the Queensland proceeding. Given the complexity of the proceeding and the significant amounts already spent on costs by the time settlement was achieved, the Commonwealth's preparedness not to seek costs against the applicants gave something of real value to the applicants at the time when settlement was agreed in principle in late May 2016.
PERFECTION FRESH AUSTRALIA PTY LTD & ORS v MELBOURNE MARKET AUTHORITY	No. 02567 of 2013	VSC	N/A	Vickery J	2013	22-May-13	19/9/13	N/A	N/A	120	N/A	N/A	Class action on behalf of West Melbourne Market store holders related to the allocation of stores at the relocated market at Epping. Injunctive relief was ordered on 30 May 2013 by Vickery J and refused by Elliott J on 2 July 2013. The Court of Appeal granted injunctive relief on 19 September 2013.
JUNE YVONNE ESPOSITO & ORS v COMMONWEALTH OF AUSTRALIA & ORS	NSD924/2013	FCA	NSW	Foster J	13 March 2009	24/5/13	8/1/15	24/12/14	N/A	594	579	N/A	Class action related to an allegation of the acquisition of property on unjust terms, brought by five applicants who each owned land in the Shoalhaven local government area near Jervis Bay. One of the applicants purported to represent 700 other landowners in the area, although no particulars were provided in the originating application which confirmed that representation. The applicants alleged that imposing a national park over developable

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													land is sufficient to constitute an acquisition of property requiring just terms. Class members were those who owned land at 13 March 2009, until the processes of the Government began in about October 2012. On 24 December 2014, Foster J dismissed the application. A further decision was handed down on 8 January 2015 which finalised the proceedings. According to the prior judgment, the matter was heard on 21–25 October 2013 and 6 May 2014 with the latter being the last date for submissions.
CAMILLERI v THE TRUST CO (NOMINEES) LTD [2015] FCA 1468	VID410/2013	FCA	VIC	MOSHINSKY J	late 2005 - 2007	27-May-13	7/9/17	N/A	18 December 2015	1564	935	N/A	A commercial class action related to allegations of breach of a duty of care as trustee in relation to the supervision of debenture interests held in Australian Capital Reserve (ACR). Over a period from 2000 until 2007, Australian Capital Reserve Limited (ACR) issued certain “unsecured notes” pursuant to a series of prospectuses. The notes were debentures within the meaning of the Corporations Act 2001 (Cth). TCL was the trustee for the noteholders, pursuant to a deed entitled “Unsecured Note Trust Deed” dated 10 March 2000 executed by ACR and TCL (then called Permanent Nominees (Aust) Limited) (the Trust Deed).The applicants claim that by late 2005, proper diligence from TCL would have led it to reach certain conclusions, to the effect that it could not be confident that ACR would be able to meet its obligations to noteholders as those obligations fell due through 2006 and later. The applicants contend that ACR’s proposals for increased note issues involved a real risk that the operation would become, or resemble, a ‘Ponzi scheme’ during 2006.
KINSELLA v GOLD COAST CITY COUNCIL	BS 5010/2013	QSC	N/A	McMurdo and Burns JJ	From around April 2009	2013	1 June 2017	N/A	1 June 2017	1461	1461	N/A	Class action brought by Shine Lawyers on behalf of residents of Arundel concerning a rubbish tip at Arundel and alleged damage to the land from the escape of harmful gas.

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BLAIRGOWRIE TRADING LTD v ALLCO FINANCE GROUP (RECEIVERS & MANAGERS APPOINTED) (IN LIQUIDATION)) [2017] FCA 330	NSD1609 /2013	FCA	NSW	Beach J	21 August 2007 - 27 February 2008	8-Aug-13	20-Dec-2017	N/A	31-Mar-17	1595	1331	N/A	Shareholder action commenced on behalf of people who acquired an interest in ordinary shares in Allco between 21 August 2007 and 27 February 2008 (the relevant period) and suffered loss or damage as a result of the alleged conduct of Allco and KPMG. Maurice Blackburn and a litigation funder began to investigate the possibility of bringing the action in February 2008. However, there were concerns about the ability to recover and problems with changes in funders.
LEX WOTTON & ORS VS STATE OF QUEENSLAND	QUD535/ 2013	FCA	QLD	Mortimer J; Murphy J	19 November 2004 - 10 March 2010	9/8/13	Open	N/A	15-Jun-18	Not yet finalised	1771	2671	Human rights class action in relation to the 2004 Palm Island riots and racial discrimination. The applicants were successful in obtaining compensation before Mortimer J on 5 December 2016, leading to compensation claims by group members. The proceedings are still ongoing due to settlement distribution with the last order made by Murphy J on 29 May 2020.
NOEL WILLOUGHBY & ORS v TWIN CREEKS PROPERTIES PTY LIMITED & ANOR	NSD1807 /2013	FCA	NSW	Flick J	Not ascertained	4/9/13	22/4/15	N/A	N/A	595	N/A	N/A	Action which began under Part IVA, but no longer continued under that part as a result of a court order on 4 November 2013. Flick J noted that the parties had reached an agreement as to the resolution of the proceedings on 2 February 2015. The proceedings were dismissed on 22 April 2015. No order relating to approval of settlement is on ComCourts.
JOHN RUPERT HUTTON FRENCH & ANOR v MACQUARIE FORESTRY SERVICES PTY LTD	VID995/2 013	FCA	VIC	Middleton J	Not ascertained	17/9/13	4/3/14	N/A	N/A	168	N/A	N/A	Class action relating to alleged misleading and deceptive conduct concerning real property and Gunns Schemes in Tasmania. The first and second applicants applied for leave to withdraw as representative party and to settle their individual claim against the respondent pursuant to s.33W. Middleton J dismissed the proceedings with no orders as to costs on 4 March 2014.

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MCALISTER v NEW SOUTH WALES (NO 2) [2017] FCA 93; MCALISTER v NEW SOUTH WALES (NO 3) [2018] FCA 636	NSD1968 /2013	FCA	NSW	Mortimer J	1 January 2000 - 15 August 2011	20-Sep-13	10-May-18	N/A	24-Nov-16	1693	1161	N/A	Class action regarding alleged ill-treatment of people living in a residential centre, the Grand Western Lodge in Millthorpe, regional NSW, from 1 January 2000 to 15 August 2011, the date on which the last residents were removed pursuant to orders made by the NSW Guardianship Tribunal. The matter was listed for a trial of at least three months commencing on 27 September 2016 and the parties informed the Court of the settlement agreement on 24 August 2016.
BRADLEY DUNCAN v OWNERS CORPORATION FOR SP82638; OWNERS CORPORATION OF STRATA PLAN 82638 v VILLA WORLD DEVELOPMENTS PTY LIMITED ²²	NSD2001 /2013, NSD2000 /2013	FCA	NSW	Bennett and Jagot JJ	Sep-09	25/9/13	9/11/16	N/A	N/A	1141	N/A	N/A	Class action related to alleged defects in the Silverstone apartment building which was completed in 2009. The proceedings were dismissed on 9 November 2016.

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MELBOURNE CITY INVESTMENTS v LEIGHTON HOLDINGS	S CI 2015 36	VSC	N/A	Sifris, Ferguson, Judd JJ	23 November 2010- 3 October 2013	4-Oct-13	7-Sep-15	N/A	N/A	703	N/A	N/A	Shareholder class action relating to disclosure around the Unaoil bribery allegation. Class members held an interest in shares prior to 3 October 2013. An application for discovery in the proceedings was refused on 31 January 2014. There was also an application for a permanent stay concerning the plaintiff and whether it was a vehicle to allow Mark Elliott to pursue a claim so as to profit from legal fees. In another action commenced by MCI, the respondent successfully appealed a decision on whether the proceedings were an abuse of process on 22 December 2014. The present proceedings were stayed pending a special leave application in that other action, with Sifris stating that a permanent stay would result from the refusal of special leave or the appeal being unsuccessful (Treasury Wines). On 15 May 2015, the High Court (Hayne and Keane JJ) refused MCI's application for special leave to appeal and a permanent stay in the present proceedings was granted on 7 September 2015.
GRAY v CASH CONVERTERS INTERNATIONAL LIMITED (NO 2) (CASH CONVERTERS (NSW)) PL [2015] FCA 1109	NSD2089 /2013, NSD2090 /2013	FCA	NSW	Jagot J	1 July 2010 - 30 June 2013	10/10/13	14/11/16	N/A	12-Oct-15	1131	732	N/A	Class action in relation to loan fees on loans and taken out from 1 July 2010 to 30 June 2013 and cash advances in the same period.
SHURAT HADIN - THE ISRAEL LAW CENTER & ORS v JAKE LYNCH	NSD2235 /2013	FCA	NSW	Robertson J	Not ascertained	29/10/13	3/12/14	N/A	N/A	400	N/A	N/A	Human rights class action of various civil rights groups, citizens and companies in Israel against the director of the University of Sydney Centre for Peace and Conflict Studies relating to the Boycott, Divestment and Sanctions movement. On 3 July 2014 orders were made that the proceedings no longer continue as representative proceedings and the matter was finalised on 3/12/14.

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INABU PTY LTD v LEIGHTON HOLDINGS LTD [2014] FCA 622	NSD2244 /2013	FCA	NSW	Jacobson J	16 August 2010 - 11 April 2011	30-Oct-13	19/10/18	N/A	25 August 2014	1815	299	N/A	Shareholder action relating to disclosure and misleading and deceptive conduct, on behalf of shareholders who purchased shares in the relevant period. ⁷ The settlement date is approximately 4 years earlier than the finalisation date noted on ComCourts which is the date at which the proceedings were dismissed by Yates J.
MELBOURNE CITY INVESTMENTS PTY LTD v WORLEYPARSONS LIMITED (NO 2)	S CI 2013 6536	VSC	N/A	Ferguson JA	August - November 2013	Nov-13	17 October 2014	N/A	N/A	330	N/A	N/A	Shareholder class action against Worley Parsons. On 27 June 2014, Ferguson J found that MCI did not have standing. On 17 October 2014 it was dismissed by Ferguson JA, who stated: 'Despite multiple attempts over many months, MCI has been unable to articulate a cause of action which has reasonable prospects of success. Its prospects of doing so are negligible.' Please note, dates are approximate.
CHRISTOPHER EDGAR BUCKEE & ANOR v COMMONWEALTH OF AUSTRALIA & ORS	WAD433 /2013	FCA	WA	Barker J	6-Feb-11	15/11/13	18/3/14	N/A	N/A	123	N/A	N/A	Class action relating to a bushfire on 6 February 2011. The proceedings were dismissed on the grounds of lack of jurisdiction on 18 March 2014.
MEDIAN NAZAR IBRAHIMI v COMMONWEALTH	2013/377 410	NSWSC	N/A	Bellew J and on appeal: Meagher JA, Payne JA and Simpson AJA	15-Dec-10	16/12/13	19-Dec-18	13-Sep-17	N/A	1829	1367	N/A	Class action alleging negligence or breach of statutory duty in relation to the sinking of 'Suspected Illegal Entry Vessel' 221 off Christmas Island. The ship was not seaworthy and entered Australian waters and search and rescue vessels were alleged to be deficient. The class action was unsuccessful (13 September 2017) and this was affirmed on appeal. The appeal was heard on 26 and 27 June 2018, with orders made on 19 December 2018.

⁷ Jacobson J stated in *Inabu Pty Ltd v Leighton Holdings Ltd* [2014] FCA 911 at [7]: *The Proposed Settlement was reached at a very early stage of the proceeding, indeed, before Leighton had filed a defence. However, a great deal of preparatory work was undertaken by both parties and the Proposed Settlement was reached following an extensive exchange of information.*

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TYSON DUVAL-COMRIE (BY HIS LITIGATION REPRESENTATIVE KAIRSTIEN WILSON) v COMMONWEALTH OF AUSTRALIA	VID1367/2013	FCA	VIC	Davies and North JJ	22-Oct-13	20/12/13	16/12/16	N/A	16/12/16	1092	1092	N/A	Human rights class action on behalf of intellectually disabled workers who were, or had been, employed as at 22 October 2013, in an Australian Disability Enterprise (ADE) and whose wages had been or were proposed to be fixed using the Business Services Wage Assessment Tool (BSWAT). An earlier proceeding (<i>Nojin v Commonwealth</i>) was subject to orders that the proceeding no longer continue under Part IVA.
AS v MINISTER FOR IMMIGRATION & ORS	S CI 2014 04423	VSC	N/A	Forrest J	27 August 2011 and 26 August 2014	2014	27-Mar-17	N/A	N/A	1095	N/A	N/A	Proceedings concerning detention on Christmas Island in the relevant period. On 27 March 2017 J Forrest J ordered that the proceedings no longer continue under Part 4A. Please note, dates are approximate.
MITIC v OZ MINERALS LTD (NO 2) [2017] FCA 409	VID114/2014	FCA	VIC	Middleton J	3 March 2008 - 1 July 2008	24/2/14	11/11/16	N/A	18 July 2016	991	875	N/A	Shareholder class action on behalf of people who acquired shares in the respondent from 3 March 2008 - 1 July 2008. The plaintiff alleged misleading and deceptive conduct and breach of continuous disclosure obligations. Concurrent proceedings to VID114/2014, are proceedings VID603/2014, VID604/2014, VID605/2015, VID606/2014 and VID 608/2014. The settlement approval hearing was on 18 July 2016 and approval orders were made on that date. The reasons were published on 21/4/2017.

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HODGES v SANDHURST TRUSTEES LTD [2018] FCA 1346	NSD453/2014	FCA	NSW	Gleeson, Griffiths, Jacobson and Lee JJ	1-Aug-08	7/5/14	18/6/19	N/A	26/7/18	1868	1541	N/A	Lee J approved settlement in relation to this proceeding and the Smith proceeding (NSD1488/2017) on 26 July 2018. The two class actions are related to a further proceeding (the Clarke proceeding QUD 591/2015, in which settlement approval was granted on 11 April 2018, see <i>Clarke v Sandhurst Trustees Limited (No 2)</i> [2018] FCA 511. In relation to the Hodges proceeding, the action was commenced in 2014 on behalf of Mr Hodges and a closed class consisting of 804 persons who held debentures issued by LKM Capital Ltd as at 1 August 2008. It was alleged that they had suffered loss and damage by reason of the conduct of Sandhurst. The action involved alleged breaches of s 283DA(b)(ii) of the <i>Corporations Act 2001</i> (Cth) and of the relevant trust deeds.
SEAN JOHNSTON v ENDEAVOUR ENERGY	2014/148790	NSWSC	N/A	Hoeben CJ at CL, Garling J	17-Oct-13	16-May-14	26/9/16	N/A	29 February 2016, 26/9/2016	864	864	N/A	Springwood Bushfire Class Action. Another class action was commenced in relation to this bushfire (2014/313883). The plaintiff settled claims against two respondents, in the latter case with Hoeben CJ approving settlement partly on the basis that the applicant's prospects for success were quite poor.
HFPS PTY LTD (TRUSTEE) v TAMAYA RESOURCES LTD (IN LIQ) (NO 3) [2017] FCA 650	NSD529/2014	FCA	NSW	Wigney J	1 May 2008 - 27 May 2008	28-May-14	25-Sep-2019	N/A	13-Jun-17	1946	1112	N/A	Class action related to alleged misrepresentations concerning Tamaya's financial position, share value and on two capital raisings. The applicant also alleged that the Deloitte parties involved had made misrepresentations in relation to an audit in 2007. Class members were those who purchased shares pursuant to the capital raisings in May 2008. ⁸

⁸ Wigney J stated in *HFPS Pty Ltd (Trustee) v Tamaya Resources Ltd (in Liq) (No 3)* [2017] FCA 650 at [2]-[3]: ... *It would perhaps be an understatement to say that the proceedings did not progress smoothly. That was due in part to the fact that there were related proceedings in which Tamaya, as plaintiff, made allegations against its directors and similar Deloitte parties that were the same as, or similar to, the allegations made by the Plaintiffs in the representative proceedings. It was also in part due to the fact that the collective proceedings were plagued by interminable interlocutory fights involving, amongst other things, applications to amend the pleadings, applications concerning the use and admissibility of affidavits and reports, and applications to vacate trial dates. The Plaintiffs did not fare well in many of those fights. Indeed, it is probably fair to say that they came out second-best in most of them. Amidst the turmoil, or perhaps because of it, in March 2016 the Plaintiffs reached an in-principle settlement agreement with Tamaya and the Directors, and Tamaya reached agreement with its directors in the related proceedings. That left the Deloitte Parties. In early June 2016, on the day the trial concerning the Deloitte Parties commenced, the Plaintiffs reached a settlement agreement with the Deloitte Parties. A short time later, Tamaya and the Deloitte parties reached a settlement agreement in the related proceedings.*

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CAMPING WAREHOUSE AUSTRALIA PTY LTD (FORMERLY MOUNTAIN BUGGY AUSTRALIA PTY LTD) v DOWNER EDI PTY LTD	S CI 2014 01423	VSC	N/A	Sifris J	12 January 2010 to 31 May 2010	30-May-14	31-Oct-17	N/A	3-May-16	1250	704	N/A	A shareholder class action related to allegations of misleading and deceptive conduct and breach of continuous disclosure obligations during the period 12 January 2010 to 31 May 2010. A number of members of the Defendant participated in an earlier funded proposed class action which was settled on a confidential basis before proceedings were commenced, announced to the ASX on 27 February 2014. Following court approval of the settlement, there were issues relating to the administration of settlement.
JONES v TREASURY WINE ESTATES LTD (NO 2) [2017] FCA 296	NSD660/2014	FCA	NSW	Foster J	17 August 2012 to 14 July 2013	2/7/14	6/8/18	N/A	10/11/17	1496	1227	N/A	Shareholder class action relating to continuous disclosure and misleading and deceptive conduct. There was also a class action TWE was defending in the Victorian Supreme Court (commenced on 1 May 2020 by Steven Napier (Mr Napier) (Case: S ECI 2020 01983) (the Napier proceeding).)
RODRIGUEZ & SONS PTY LTD v QUEENSLAND BULK WATER SUPPLY AUTHORITY	2014/200 854	NSWSC	N/A	Beech-Jones J	9 January 2011 - 24 January 2011	08/07/14	Open	29-Nov-19	N/A	Not yet finalised	1970	2338	Queensland floods class action related to flooding which occurred from 11 January 2011. The matter was heard on various dates from 4 December 2017 to 12 – 14 February 2018 (view), 19 – 28 February 2018; 1 – 22 March 2018, 26 – 20 March 2019. The final written submissions were filed on 10 May 2019. The principal judgment was handed down on 29 November 2019, with some issues unresolved at first instance and the principal judgment also being the subject of an appeal by respondents. The matter is next listed on 11 December 2020.
EARGLOW PTY LTD v NEWCREST MINING LTD [2016] FCA 1433	VID406/2 014	FCA	VIC	Murphy J	13 August 2012 - 6 June 2013	21/7/14	28/11/16	N/A	28-Nov-16	861	861	N/A	Shareholder class action on behalf of those persons who acquired an interest in Newcrest shares from 13 August 2012 until 6 June 2013 inclusive (claim period) and who suffered loss and damage.

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BULENSE HOLDINGS PTY LIMITED v ARUP PTY LTD [2015] FCA 726	NSD770/2014	FCA	NSW	Gleeson J	29-Jul-08	28/7/14	21/7/15	N/A	20-Jul-15	358	357	N/A	Class action on behalf of people who acquired an interest in stapled units in the BrisConnections Investment Trust and the BrisConnections Holding Trust on the allotment date or on about 29 July 2008 and suffered loss and damage as a result of the conduct of the respondent.
MOORE v SCENIC TOURS P/L	2014/223 271	NSWSC	N/A	Garling J	19 May 2013 - 12 June 2013	29/7/14	Open	15-Nov-17	N/A	Not yet finalised	1205	2317	Class action on behalf of those who had tickets for a relevant cruise in the relevant period of 19 May 2013 to 12 June 2013. At first instance on 15 November 2017, Garling J gave judgment in favour of the plaintiff. This decision was partly reversed by the Court of Appeal on 24 October 2018. However, the High Court unanimously allowed an appeal from the Court of Appeal decision on 24/04/2020. According to the Supreme Court website, the proceeding was last listed before Justice Garling on 24 July 2020 for directions.
DIAB PTY LTD v YUM! RESTAURANTS AUSTRALIA PTY LTD	NSD832/2014	FCA	NSW	Bennett J	1 July 2014	12/8/14	13/2/17	5-Feb-16	N/A	916	542	N/A	Franchisee class action concerning Pizza Hut price promotions and strategies announced on 10 June 2014 and implemented on 1 July 2014. The class were franchisees as at operate Pizza Hut outlets as at 1 July 2014. The applicant was unsuccessful in the proceedings. The final resolution of the proceedings depended on issues related to costs.
WARREN BATES v THE LAW SOCIETY OF NEW SOUTH WALES & ORS	NSD883/2014	FCA	NSW	Buchanan J	Not ascertained	27/8/14	26/9/14	N/A	N/A	30	N/A	N/A	Bates filed a notice of discontinuance and leave was granted on 26-Sep-2014 at the first directions hearing.

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ADAMS v NAVRA GROUP PTY LTD [2019] FCA 1157	ACD91/2014	FCA	ACT	Murphy J	Around March 2006	12/9/14	26/7/19	N/A	N/A	1778	N/A	N/A	The class consisted of those who on, or around or after March 2006 received financial advice from Navra in relation to the entry into margin loans for the purposes of purchasing units in managed funds for which NavraInvest Limited was the responsible entity, using real property held in his or her name as security. There were Liquidator proceedings which 'followed a somewhat tortuous path, which included: the substitution of another liquidator to bring the proceeding; an application by the Australian Securities and Investment Commission in opposition to aspects of the proposed scheme; numerous case management hearings; and various amendments to the proposed scheme' (Murphy J at [15]). As a result of this scheme, the proceedings were discontinued on 26/7/2019.
OZTECH PTY LTD ACN 005 907 871 v THE PUBLIC TRUSTEE OF QUEENSLAND	NSD937/2014	FCA	NSW	Yates J	January 2008 - 29 February 2008	16/9/14	Open	4-Jun-18	N/A	Not yet finalised	1357	2268	Class action related to alleged breaches of statutory and equitable duties and unconscionable conduct in the period January 2008 to 29 February 2008, by a trustee for noteholders of unsecured notes issued by a company which subsequently went into liquidation. Class members held notes as at 25 February 2008. Yates J found for the respondent, publishing reasons on 4 June 2018, with hearings at the end of March 2018 (<i>Oztech Pty Ltd v Public Trustee of Queensland</i> (No 15) [2018] FCA 819). An order dismissing the proceeding was made on 13 June 2018 but there were further unresolved matters related to costs and the appointment of a costs referee. Please note, the file is listed as 'unresolved' on ComCourts as at 1 December 2020.
RAMSAY v AUSNET ELECTRICITY SERVICES PTY LTD & ORS	S CI 2014 05162	VSC	N/A	Emerton J	9-Feb-14	24 September 2014	2-Dec-16	N/A	2-Dec-16	1027	1027	N/A	Class action relating to a bushfire near Jack River in Gippsland on 9 February 2014

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MID-COAST COUNCIL v FITCH RATINGS INC [2019] FCA 1261	NSD995/2014	FCA	NSW	Lee and Foster JJ	2007-2008	1/10/14	25/7/19	N/A	25-Jul-19	1758	1758	N/A	Lee J approved settlement in relation to this proceeding on 25 July 2019. The action is on behalf of people who acquired interests during the period between 2007 and 2008 in one or more synthetic collateralised debt obligations known as Palladin AA and Palladin AAA (Palladin SCDOs) which were assigned credit ratings issued on behalf of the first respondent (Fitch); acquired those interests in reliance upon those credit ratings; and suffered loss and/or damage as a result of their investment in the Palladin SCDOs.
WILLIAMS v AUSNET ELECTRICITY SERVICES PTY LTD	S CI 2014 5296	VSC	N/A	Emerton J	9 February 2014	1-Oct-14	18-Oct-17	N/A	28 August 2017	1113	1062	N/A	Class action related to a bushfire which occurred on 9 February 2014 at Mickleham. The settlement approval application was heard on 4 July 2017 and judgment was given on 28 August 2017. Further issues related to costs were resolved on 18 October 2017.
DILLON v RBS GROUP (AUSTRALIA) PTY LTD (NO 2) [2018] FCA 395	NSD1016/2014	FCA	NSW	Lee J; Perry J	February 2008 - March 2011	7/10/14	18/1/19	N/A	20-Mar-18	1564	1260	N/A	The applicants commenced this proceeding seeking relief for themselves and on behalf of parties who, during a three-year period, acquired an interest in one or more Unlisted Rolling Instalment Warrants or Managed Fund Instalment Warrants (Claim Warrants).
COFFS HARBOUR CITY COUNCIL v MCGRAW-HILL FINANCIAL, INC (NOW KNOWN AS S&P GLOBAL INC.) & ANOR	NSD1020/2014	FCA	NSW	Lee J; Rares J; Foster J	2005-2008	7/10/14	9/8/18	N/A	9/8/18	1402	1402	N/A	The proceeding concerns the preparation by the respondents, S&P Global Inc (formerly McGraw-Hill Financial, Inc) and Standard & Poor's International, LLC (together, S&P), of credit ratings assigned by S&P to certain structured financial products. It is related to NSD957/2015; NSD1021/2014; NSD414/2016; NSD417/2016; NSD1344/2015; NSD1126/2015; NSD1018/2014.
COFFS HARBOUR CITY COUNCIL v AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD (TRADING AS ANZ INVESTMENT BANK)	NSD1021/2014	FCA	NSW	Lee, Rares and Foster JJ	2005-2008	7/10/14	9/8/18	N/A	9/8/18	1402	1402	N/A	The proceeding concerns the preparation by the respondents, S&P Global Inc (formerly McGraw-Hill Financial, Inc) and Standard & Poor's International, LLC (together, S&P), of credit ratings assigned by S&P to certain structured financial products. It is related to NSD957/2015; NSD1020/2014; NSD414/2016; NSD417/2016; NSD1344/2015; NSD1126/2015; NSD1018/2014.

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LIVERPOOL CITY COUNCIL v MCGRAW-HILL FINANCIAL INC (NOW KNOWN AS S&P GLOBAL INC) [2018] FCA 1289	NSD1018 /2014	FCA	NSW	Lee J; Rares J; Foster J	2005-2008	7/10/14	9/8/18	N/A	9/8/18	1402	1402	N/A	The proceeding concerns the preparation by the respondents, S&P Global Inc (formerly McGraw-Hill Financial, Inc) and Standard & Poor's International, LLC (together, S&P), of credit ratings assigned by S&P to certain structured financial products. It is related to NSD957/2015; NSD1020/2014; NSD1021/2014; NSD414/2016; NSD417/2016; NSD1344/2015; NSD1126/2015.
MORE AND MORE v ENDEAVOUR ENERGY	2014/313 883	NSWSC	N/A	Garling J	17-Oct-13	24-Oct-14	Mar-16	N/A	Mar-16	494	494	N/A	Springwood Bushfire Class Action relating to a fire starting on 17 October 2013, brought on behalf of insurers. Another class action was commenced in relation to this bushfire (2014/148790).
BRETT CATTLE COMPANY PTY LTD v MINISTER FOR AGRICULTURE, FISHERIES & FORESTRY & ANOR	NSD1102 /2014	FCA	NSW	Rares J	7-Jun-11	27-Oct-14	Open	29-Jun-20	N/A	Not yet finalised	2072	2227	Live export ban case, second control order was found to be invalid and constitute misfeasance in public office - date provided is the date of the second control order. The judgment was given on the validity of legislation and tort issue on 2 June 2020. Judgement in relation to damages and common questions was given on 29 June 2020, there are unresolved issues as to costs.
NEIL YOUNGER & ORS. v WESTPAC BANKING CORPORATION	2014/335 469	NSWSC	N/A	Garling J	1 May 2008 - 30 April 2013.	13-Nov-14	9-Dec-16	N/A	19/6/2015, 18 November 2016	727	N/A	N/A	St George Bank Employee Bonus Class Action on behalf of employees of St George in the period from 18 June 2008 until at least 13 November 2008, who received a letter regarding a bonus on 18 June 2008 for the 2008/9 financial year but were not paid that bonus on 13 November 2008. The Court approved settlement in relation to some members of the class on 19 June 2015. The period provided is the period between the approval of the Retention Incentive by the relevant board decision, and the date upon which the last group member signed their Deed of Release. The lead plaintiff settled their claim with the defendant and withdrew as representative plaintiff in the proceedings, which were

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													discontinued as representative proceedings on 9 December 2016. ⁹
GALLIANO PERAZZOLI & ORS v BANK SA	SAD307/2014 NSD1376/2019	FCA	SA/ NSW	White J; Lee J	2008	14-Nov-14	Open	N/A	14-Oct-19	Not yet finalised	1795	2209	Alleged breach of fiduciary duty and misrepresentations in relation to a Ponzi scheme. According to White J, The proceedings were commenced on 14 November 2014 but their progress has been delayed by interlocutory activity arising from subpoenas issued by the First Respondent (BankSA) for the production of documents in relation to its application for the permanent stay or striking out of the proceedings (<i>Perazzoli v BankSA</i> [2015] FCA 373), claims for client legal privilege with respect to documents produced on subpoena (<i>Perazzoli v BankSA (No 2)</i> [2016] FCA 260), an application for leave to appeal (<i>Perazzoli v BankSA (No 3)</i> [2016] FCA 677; <i>Perazzoli v BankSA (No 4)</i> [2016] FCA 725), and the subsequent appeal (<i>Perazzoli v BankSA, a Division of Westpac Banking Corporation Limited</i> [2017] FCAFC 204). Ongoing issues in relation to settlement distribution.
SYDNEY FOREX PTY LIMITED v WESTPAC BANKING CORPORATION	NSD1222/2014	FCA	NSW	Foster J	21-Nov-14	21/11/14	5/1/15	N/A	5-Jan-15	45	45	N/A	Class action against Westpac brought on behalf of businesses in relation to proposed closures of bank accounts held at Westpac affecting foreign remittance businesses, who held those accounts as at the date of filing, 21 November 2014.
JEFFREY ADAM LOCK & ORS v AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION	NSD1307/2014	FCA	NSW	Gleeson and Foster JJ	1 November 2007 - 31 January 2009	11/12/14	11/2/16	4/2/16	N/A	427	420	N/A	Class action against ASIC alleging torts of misfeasance in public office and negligence in connection with ASIC's regulation of Storm Financial Ltd, on behalf of those who held interests in Storm from 1 November 2007 to 31 January 2009. Gleeson struck out the statement of claim on 4 February 2016 and dismissed the proceedings on 11 February 2016.

⁹ Garling J stated in *Younger v Westpac Banking Corporation* [2016] NSWSC 1186 at [1]-[2]: *This is a representative proceeding which, regrettably, has now been on foot without a final hearing for too long...The final hearing of the plaintiff's claim, and the identified common issues, was fixed for 11 April 2016 for a period of five days. That hearing date has been vacated essentially because of a failure by the defendants to comply with their existing discovery obligations.*

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KAMASAE v COMMONWEALTH [2017] VSC 537; KAMASAE v COMMONWEALTH [2018] VSC 138	2014/6770	VSC	N/A	Macaulay J	21 November 2012 - 19 December 2014	19-Dec-14	27-Mar-18	N/A	6-Sep-17	1194	992	N/A	A common law class action. The proceeding related to claims in negligence and false imprisonment arising out of the transfer and subsequent confinement of asylum seekers at Manus Island 'Regional Processing Centre' (Centre) located at the Lombrum Naval Base on Los Negros Island, Manus Province, Papua New Guinea (PNG) between November 2012 and May 2016.
RUSHLEIGH SERVICES PTY LTD ACN 096 004 803 v FORGE GROUP LIMITED ACN 065 464 226 (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) & ORS	NSD1382/2014	FCA	NSW	Markovic J	7 March 2012 to 1 November 2013	23-Dec-14	Open	N/A	9-Dec-19	Not yet finalised	1812	2170	A shareholder class action. The relevant period is 7 March 2012 to 1 November 2013, in which class members purchased shares in the defendant company. Breaches of 674 and 1041H were alleged and where the company subsequently went into administration. Delays related, in part, to attempts to transfer the proceedings, and to join as other parties the insurers as well as attempts by the liquidators to bring an action against the directors which did not eventuate.
INNES CREIGHTON v AUSTRALIAN EXECUTOR TRUSTEES LTD (ACN 007 869 794)	VID790/2014	FCA	VIC	Middleton J	29 June 2012	23-Dec-14	30-Sep-15	N/A	23-Oct-18	281	1400	N/A	A class action involving allegations that the trustee breached its duty of care in relation to the supervision of debenture interests held in Provident Capital. The matter was transferred to the NSW Supreme Court (2015/171592; 2015/306222) on 30 September 2015.
WAIMOANA v CENTURIA	2015/326423	NSWSC	N/A	Sackar J	2007-2010	2015	10-Aug-17	N/A	10-Aug-17	730	730	N/A	Lang Centre Trust Class Action - class action involving, inter alia, alleged misleading or deceptive conduct in connection with capital raising for the Lang Centre Trust. Please note, dates are approximate.
IAN HENRY MACKINNON (FORMERLY PAUL BAKER) AS REPRESENTATIVE PLAINTIFF OF 153 GROUP MEMBERS v THE PARTNERSHIP OF ANNE PATRICIA LARTER, ALAN JONES, MIRALESTE PTY	2015/332497	NSWSC	N/A	Stevenson J	February 2013 - October 2014	2015	28/11/2019	2/2/2019	N/A	1792	1493	N/A	Sports Trading Club Class Action relating to allegations of a fraudulent loan and sports betting scheme, concerning representations and contracts entered into in the period from February 2013 to October 2014. On 19 May 2017 Justice Hammerschlag entered judgment against the seventh and eighth defendants. On 9 June 2017 Justice Ball entered judgment for the plaintiff against the sixth, tenth and eleventh defendants. The Principal Judgment of Stevenson J handed down 18 February 2019, in which Stevenson J held that group members are

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LTD TRADING AS USG PARTNER AND LEIGH JOHNSON, TRADING AS "STC SPORTS TRADING CLUB"													entitled to judgment against Mr Foster for the unrecovered balance of the amounts advanced. A further judgment of Stevenson J was handed down 28 November 2019. Please note, dates are approximate.
NAVROZOGLOU v ICM GROUP FINANCE PTY LTD	2015/62086	NSWSC	N/A	None listed	From 30 June 2010	27-Feb-15	15-Jun-16	N/A	15-Jun-16	474	474	N/A	Wollongong/Cash-AFX Payday Loans Class Action brought by a plaintiff who was represented by Legal Aid, relating to consumer credit loans by Cash-AFX. On 18 March 2016 the defendants undertook to immediately cease collection activity on all outstanding loans to group members.
NEWSTART 123 PTY LTD v BILLABONG INTERNATIONAL LTD [2016] FCA 1194	VID143/2015	FCA	VIC	Beach J	18 February 2011- 19 December 2011.	24/3/15	20/8/19	N/A	7-Oct-16	1610	563	N/A	Shareholder class action on behalf of investors who acquired securities in Billabong during the claim period, 18 February 2011 to immediately prior to the publication of Billabong's December 2011 trading update on 19 December 2011.
MELBOURNE CITY INVESTMENTS PTY LTD v MYER HOLDINGS LIMITED	S CI 2015 01318	VSC	N/A	Sifris J	11 September 2014 - 19 March 2015	25-Mar-15	9-Dec-16	N/A	N/A	625	N/A	N/A	Shareholder class action on behalf of those who acquired shares in the relevant period. This class action was permanently stayed as an abuse of process on 9 December 2016.
MELBOURNE CITY INVESTMENTS v UGL	S CI 2015 01440	VSC	N/A	Robson J	12 August 2013 - 6 November 2014	1 April 2015	2-Jun-17	N/A	N/A	793	N/A	N/A	Shareholder class action on behalf of those who acquired shares in the period 12 August 2013 - 6 November 2014. Robson J struck out the statement of claim on 7 October 2015. UGL sought to have the proceedings stayed as an abuse of process. MCI then unsuccessfully appealed an application for his recusal on the grounds of alleged bias, heard on 8 February 2017 with a judgment dated 2 June 2017.
BEETSON v SUNWATER LIMITED	S CI 2015 02556	VICSC	N/A	Dixon J	18-20 February 2015	20-May-15	15/11/16	N/A	N/A	545	N/A	N/A	Two proceedings arising from Queensland Floods in 2015, discontinued before the proceedings were served by an order on 21 October 2016, with reasons published on 15 November 2016.
LAINE v THIESS PTY LTD [2016] VSC 689	S CI 2015 02583	VICSC	N/A	Dixon J	1-May-15	21-May-15	15/11/16	N/A	N/A	544	N/A	N/A	Two proceedings arising from Queensland Floods in 2015, discontinued before the proceedings were served by an order on 21 October 2016, with reasons published on 15 November 2016.

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SMITH v AUSTRALIAN EXECUTOR TRUSTEES LTD; CREIGHTON v AUSTRALIAN EXECUTOR TRUSTEES LTD (NO 4) [2018] NSWSC 1584	2015/171 592 2015/306 222	NSWSC	N/A	Ball J	29-Jun-12	10-Jun-15	23-Oct-18	N/A	23-Oct-18	1231	1231	N/A	This matter was originally before the Federal Court (VID790/2014), transferred on 30/09/2015. It concerns two representative proceedings against Australian Executor Trustees Limited (AET) in connection with the collapse of Provident Capital Ltd (In Liq) (Provident) in June 2012. Between 1999 and 2012, Provident operated a business of lending money to third parties secured by mortgages over real property. The class was clarified in the course of proceedings as all persons who were holders of debentures issued by Provident as at 29 June 2012. The Creighton proceedings were transferred by Middleton J from the Federal Court on 30 September 2015. The Smith proceedings were filed in the Federal Court on 10 June 2015.
ROO ROOFING PTY LTD v COMMONWEALTH [2017] VSC 31	S CI 2015 03382	VICSC	N/A	J Dixon J	From 3 February 2009	30 June 2015	31 May 2019	31 May 2019	N/A	1431	1431	N/A	Proceedings arising from the HIP program. The applicant was unsuccessful with a judgment handed down on 31 May 2019, with hearings from April to June 2018.
JACKSON v GP & JM BRUTY PTY LTD	S CI 2015 03495	VSC	N/A	Forrest J	8 January 2013	7-Jul-15	31-Oct-17	N/A	31-Oct-17	847	847	N/A	Class action alleging that the defendants negligently caused a fire which destroyed properties at Snake Valley, near Ballarat on 8 January 2013. The trial of the proceeding was due to commence on 25 September 2017. On 31 October 2017 the Court approved a 'walk away' settlement.

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CLARKE v SANDHURST TRUSTEES LTD (NO 2) [2018] FCA 511	QUD591/2015	FCA	QLD	Lee J	21 December 2012	15/7/15	11/4/18	N/A	11-Apr-18	1001	1001	N/A	The plaintiffs commenced this proceeding in 2015 against Sandhurst Trustees Limited (Sandhurst) as trustee of an unsecured note scheme operated by Wickham Securities Limited (Inc) (Wickham) under Chapter 2L of the Corporations Act 2001 (Cth), seeking compensation for breaches by Sandhurst of the terms of a trust deed and also for conduct said to be in breach of s 283DA(b)(ii) of the Corporations Act. The Group Members are those persons and entities who were a holder of Notes as at 21 December 2012 issued by Wickham pursuant to any one or more of 11 Prospectuses. The matter is related to two other actions against Sandhurst - the Hodges and Smith proceedings.
SEAN LYNCH v CASH CONVERTERS PERSONAL FINANCE PTY LTD & ANOR	NSD900/2015	FCA	NSW	Gleeson J	30 July 2009 - 30 June 2013	30-Jul-15	24-Mar-20	N/A	24-Mar-20	1699	1699	N/A	Alleged contraventions of s 32(1) of the Qld Credit Act and s 21(1) of the Qld Credit Code and unconscionable conduct in breach of s 12CB(1) of the ASIC Act in respect of three loans. NSD 900 of 2015 and NSD 601 of 2016 are related. The settlement was approved on 24 March 2020 by Robertson J. The proceeding concerned the lawfulness of the respondents' use of a "brokerage model" of lending in the State of Queensland with respect to a payday loan product known as a "Personal Loan" in use during the period 30 July 2009 to 30 June 2013.
CLURNAME PTY LTD & ANOR v MCGRAW-HILL FINANCIAL INC (FORMERLY MCGRAW- HILL COMPANIES, INC)(A COMPANY INCORPORATED IN NEW YORK) & ANOR	NSD957/2015	FCA	NSW	Lee J; Rares J; Wigney J	2005 - 2008	12/8/15	27/8/18	N/A	9/8/18	1111	1093	N/A	The proceeding concerns the preparation by the respondents, S&P Global Inc (formerly McGraw-Hill Financial, Inc) and Standard & Poor's International, LLC (together, S&P), of credit ratings assigned by S&P to certain structured financial products. It is related to NSD1344/2015; NSD1020/2014; NSD1021/2014; NSD414/2016; NSD1126/2015; NSD417/2016; NSD1018/2014. The file on ComCourts was closed on 27-Aug-2018. However, the most recent order relating to the settlement administration scheme was made on 24-Mar-2020.

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CHERYL WHITTENBURY v VOCATION LIMITED	VID434/2015	FCA	VIC	Middleton J	7 November 2013 - 4 December 2014	20-Aug-15	Open			Not yet finalised	Not yet finalised	1930	Class action alleging that statements by PWC to Vocation in August and September 2014 were a cause of Vocation publishing its results for the financial year ending 30 June 2014 in financial statements which misrepresented Vocation's financial position. As a result, the price of Vocation Securities was inflated until corrective disclosures by Vocation were made in late October to early December 2014. The Applicants also allege that the statements by PWC to the market on 3 September 2014 were a direct cause of the price inflation. It is alleged that the conduct of PWC caused investors in Vocation Securities to suffer loss and damage. Class members acquired shares in the period 7 November 2013 and 4 December 2014. The matter was consolidated with VID1306/2016. The matter was listed for hearing in March 2021. A settlement was announced on 30 November 2020, with an approval hearing set for early 2021.
FOLEY v GAY (GUNNS) [2016] FCA 273	NSD1021/2015	FCA	NSW	Yates J	31 August 2009 - 19 February 2010	27/8/15	4/5/17	N/A	21-Mar-16	616	207	N/A	Shareholder class action on behalf of people who acquired shares in Gunns, against certain directors and officers of the company, from 31 August 2009 to 19 February 2010.
DE JONG v CARNIVAL PLC	2015/254964	NSWSC	N/A	Beech-Jones J	9-10 March 2015	31/08/2015	Oct-16	N/A	N/A	397	N/A	N/A	Consumer class action on behalf of people who bought tickets for a cruise to New Caledonia, which departed on 10 March 2015 and was diverted as a result of a cyclone on 11 March 2015. It was alleged that the respondent should have been aware that the cruise would not reach New Caledonia before 10 March 2015 because of available information about the cyclone. The proceedings were not funded and Beech-Jones J made an order for security for costs on 14 October 2016. Following this order, the proceedings were discontinued. Please note, dates are approximate.

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MONEY MAX INT PTY LTD (TRUSTEE) v QBE INSURANCE GROUP LTD [2018] FCA 1030	VID513/2015	FCA	VIC	Murphy J	20 August 2013 - 6 December 2013	9/9/15	02-Jul-2020	N/A	4-May-18	1758	968	N/A	A shareholder class action on behalf of all persons who acquired an interest in fully paid ordinary shares in QBE between 20 August 2013 and 6 December 2013 inclusive (relevant period) and who suffered loss or damage by or resulting from QBE's alleged wrongful conduct. The settlement was approved by orders dated 4 May with reasons published on 9/7/2018.
CERAMIC FUEL CELLS LIMITED (IN LIQUIDATION) ACN 055 736 671 v MCGRAW-HILL FINANCIAL, INC. (FORMERLY MCGRAW-HILL COMPANIES, INC) & ANOR	NSD1126/2015	FCA	NSW	Lee J; Rares J; Foster J	2006 - 2008	18/9/15	20/5/19	N/A	9/8/18	1340	1056	N/A	The proceeding concerns the preparation by the respondents, S&P Global Inc (formerly McGraw-Hill Financial, Inc) and Standard & Poor's International, LLC (together, S&P), of credit ratings assigned by S&P to certain structured financial products. It is related to NSD1344/2015; NSD1020/2014; NSD1021/2014; NSD414/2016; NSD417/2016; NSD1018/2014.
EADES v ENDEAVOUR ENERGY	2015/310264	NSWSC	N/A	Adamson and Garling JJ	17-Oct-13	22/10/15	Dec-18	N/A	Dec-18	1136	1136	N/A	Mount Victoria Bushfire Class Action, which started on 17 October 2013. Class members were all those who suffered personal injury, loss or damage to property and economic loss. The statement of claim was filed on 22 October 2015 but not served until February 2016. The class action was settled after the commencement of trial for a relatively small sum of \$2,680,000 inclusive of interest and costs, with no admission of liability by Endeavour Energy, Asplundh and Pinnacle and no contribution to the settlement by Endeavour Energy.
LARRY CROWLEY v WORLEY PARSONS LIMITED ACN 096 090 158	NSD1292/2015	FCA	NSW	Jagot J	14 August 2013 to 19 November 2013	27-Oct-15	Open	22 October 2020	N/A	Not yet finalised	1822	1862	A shareholder class action, in which it was alleged that from 14 August 2013, WorleyParsons' statements to the market gave rise to the implication that its 2014 earnings would be higher than the \$322.1 million for the 2013 year. The relevant period in which class members acquired shares breaches of ss 674 and 1041H. Judgment was reserved on 12-Dec-2019, time expended included a strike out application and delays associated with preparing lay and expert evidence. Gleeson J published a judgment in favour of the respondent on 22 October 2020. The

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													plaintiff law firm indicated that it would appeal the decision.
CANTOR v AUDI AUSTRALIA PTY LTD (NO 5) [2020] FCA 637; JOSEFINA TOLENTINO v VOLKSWAGEN GROUP AUSTRALIA PTY LTD; ALISTER DALTON & ANOR v VOLKSWAGEN AG & ANOR; ROBYN TANYA RICHARDSON v AUDI AG & ORS; STEVEN ROE v SKODA AUTO A.S. & ORS	NSD1307 /2015; NSD1308 /2015; NSD1459 /2015; NSD1472 /2015; NSD1473 /2015	FCA	NSW	Foster J	January 2008 - 28 October 2015	27/10/15 ; 30/10/15 ; 20/11/15 ; 22/11/15 ; 22/11/15	16-Jul-2020	N/A	1-Apr-20	1724	1618	N/A	Five consumer class actions brought against Volkswagen Aktiengesellschaft (VWAG) and a number of its subsidiaries on behalf of Australian consumers who had purchased Volkswagen, Audi and Skoda diesel motor vehicles in the period 2008–2015 which had been fitted with a prohibited defeat device. Foster J published his reasons on 13 May 2020. The claims are still being processed and it is understood that the actual payments to class members may not be made until the end of 2020 or early 2021.
MITSUB PTY LIMITED, AS TRUSTEE FOR THE CHRIS CARROLL SUPERANNUATION FUND ACN 130 784 333 v MCGRAW-HILL FINANCIAL, INC. (FORMERLY MCGRAW-HILL COMPANIES, INC) & ANOR	NSD1344 /2015	FCA	NSW	Rares J	2005 - 2008	2/11/15	24/7/17	N/A	9/8/18	630	1011	N/A	The class action was commenced in the Federal Court by Mitsub Pty Limited as Trustee for the Chris Carroll Superannuation Fund (Mitsub) against McGraw-Hill Financial, Inc (now known as S&P Global, Inc) and Standard & Poor's International, LLC (now known as S&P International, Inc) on its own behalf and on behalf of Group Members who purchased the synthetic collateralised debt obligation (SCDO) known as Blue Gum AA which is alleged to have been rated by Standard & Poor's, and suffered loss or damage as a result (Mitsub Class Action). It is related to NSD957/2015; NSD1020/2014; NSD1021/2014; NSD414/2016; NSD1126/2015; NSD417/2016; NSD1018/2014. The proceeding was consolidated with NSD 414/2016 on 24/7/2017 and settlement approval was granted by Lee J on 9/8/18.
HOPKINS AS TRUSTEE OF THE DAVID HOPKINS SUPER FUND v MACMAHON	NSD1346 /2015	FCA	NSW	Jagot J	2012	4/11/15	12/12/18	N/A	12/12/18	1134	1134	N/A	The case alleged that the respondent contravened the continuous disclosure requirements in s 674(2) of the Corporations Act 2001 (Cth) and engaged in misleading and deceptive conduct in respect

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HOLDINGS LTD [2018] FCA 2061													of a rail earthworks project in 2012 and promulgated earnings guidance for the 2013 financial year in 2012 without reasonable grounds which made such guidance misleading. ¹⁰
KENQUIST NOMINEES PTY LIMITED AFT THE KENQUIST SUPERANNUATION FUND v PETER CAMPBELL & ORS	NSD1364 /2015	FCA	NSW	Yates J	6 November 2009 to 25 June 2012	6-Nov-15	30/09/2020	N/A	29/09/2020	1790	1789	N/A	A shareholder class action. Alleged misleading and deceptive conduct alleged in relation to capital raisings during the period 2009-11. Fixed for hearing on 23 September 2020. Interlocutory orders have related, inter alia, to discovery and a strike out application. McKerracher J approved a settlement on 29 September 2020 and the proceedings are noted as finalised on 30/09/2020 on ComCourts.
WEBER v GREATER HUME SHIRE COUNCIL	2015/368036 2018/180967	NSWSC	N/A	Walton J	17-Dec-09	15/12/15	May-20	17-Apr-19	N/A	1599	1219	N/A	Walla Walla Rubbish Tip Fire Class Action on behalf of all those who suffered loss as a result of a fire in Walla Walla and Gerogery which started on 17 December 2009. At first instance on 14 May 2018, the claim fell down on the issue of causation. On 17 April 2019, the Supreme Court gave judgement for the plaintiff against the defendant. The defendant's appeal to the High Court was dismissed in September 2019. The parties agreed to settle the group members claims and on 6 March 2020 the Court provisionally approved this settlement.
O'DEA v FAMULARO	2016/35575	NSWSC	N/A	Sackar J	2005 - 2009	3-Feb-16	24-Jul-19	N/A	24-Jul-19	1267	1267	N/A	Famularo Advice Class Action relating to an alleged fraudulent investment Ponzi scheme run by Anthony Famularo. Settlement was reached the month before the listed trial date.
STOYANOVA v EQUITY-ONE MORTGAGE FUND LTD [2016] VSC 414*	S CI 201600402	VSC	N/A	Riordan J	2011-2015	5 February 2016	2 August 2016	N/A	N/A	179	N/A	N/A	Class action in the Victorian Supreme Court on behalf of borrowers or guarantors under three refinancing agreements in the period from 2011 to 2015. The Court granted a partial strike out and indicated that the remaining aspects of the claim had low prospects for success on 2 August 2016. The

¹⁰ In *Hopkins as Trustee of the David Hopkins Super Fund v Macmahon Holdings Ltd* [2018] FCA 2061 at[7], Jagot J stated: *Regrettably, the case did not settle at an early stage. This too has caused the legal costs to be greater than might be expected given the settlement sum. Despite early mediation the proceeding was scheduled for a hearing of four weeks in December 2018 before settlement was achieved after a further mediation in September 2018. By that stage many interlocutory steps necessary for the hearing, including extensive discovery and the filing of evidence including expert evidence had been completed, but further substantial steps remained which, if necessary to be undertaken, would have involved even greater legal costs which must be taken into account in assessing the reasonableness of the settlement sum.*

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													claim does not appear to have been pursued further.
SEARLE v COMMONWEALTH OF AUSTRALIA	2016/450 27; 2018/227 274; 2019/663 25	NSWSC	N/A	At first instance: Fagan J. On appeal: Bathurst CJ, Bell P and Basten JA. Before Garling J	20-Jun-11	11-Feb-16	Open	31 May 2019	N/A	Not yet finalised	1205	1755	Navy Training Class Action involving a four-year training contract entered into on 20 June 2011 in which training was not provided. The plaintiff was unsuccessful at first instance in relation to the operation of the fettering doctrine, reversed on appeal on 31 May 2019 by the NSW Court of Appeal. The matter was remitted to the Common Law Division for the determination of the claims of other group members and the resolution of common questions.
RODNEY CARR v COMMINS HENDRICKS PTY LIMITED ABN 84 119 727 490	NSD238/2016	FCA	NSW	Rares J	2009-2011	18/2/16	27/1/17	N/A	N/A	344	N/A	N/A	Class action related to solicitor fee sin costs agreements with Commins Hendriks. The plaintiff entered into these agreements on 15 April 2009 and 20 September 2011. Rares J ordered on 12 August 2016 that the proceedings no longer continue as representative proceedings under Part IVA.
HARDY v RECKITT BENCKISER (AUSTRALIA) PTY LTD (NO 3) [2017] FCA 1165 / GRAHAM PHILLIPS & ANOR v RECKITT BENCKISER (AUSTRALIA) PTY LTD [2017] FCA 1165	NSD273/2016	FCA	NSW	Jagot and Nicholas JJ	1 January 2011 - December 2015	24/2/16	25/1/18	N/A	20-Sep-17	701	574	N/A	Class action relating to misleading and deceptive conduct under the ACL concerning the claims made about certain painkillers

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PETERSEN SUPERANNUATION FUND PTY LTD v BANK OF QUEENSLAND LTD (NO 3) [2018] FCA 1842	NSD362/2016	FCA	NSW	Yates J; Lee J; Murphy J	From 11 March 2010	11/3/16	24/1/20	N/A	23-Nov-18	1414	987	N/A	The proceeding concerns a fraudulent Ponzi scheme in which the retirement savings of hundreds of people were misappropriated by their financial advisor, Sherwin Financial Planners Pty Ltd and associated companies (Sherwin), through unauthorised withdrawals from Money Market Deposit Accounts (MMDAs) operated by the respondents, the Bank of Queensland Limited (BoQ) and DDH Graham Limited (DDH) as agent for BoQ. Mr Brad Sherwin, the architect of the fraud, has been jailed and his associated companies wound up. Claims brought before 11 March 2010 were statute barred. The settlement was administered up to 24/1/20.
AUSTRALIAN RETIREMENT GROUP PTY LTD v THE COMMONWEALTH BANK OF AUSTRALIA LIMITED	2016/86790	NSWSC	N/A	Hammerschlag J	19-Dec-08	20-Mar-16	Open			Not yet finalised	Not yet finalised	1717	Australian Retirement Group Class Action on behalf of people who were customers of BankWest prior to the completion date of 19 December 2008.
LIFEPLAN AUSTRALIA FRIENDLY SOCIETY LTD v S&P GLOBAL INC [2018] FCA 379	NSD417/2016	FCA	NSW	Lee J; Rares J; Foster J	2005 - 2008	23/3/16	10/10/18	N/A	8-Mar-18	931	715	N/A	The proceeding concerns the preparation by the respondents, S&P Global Inc (formerly McGraw-Hill Financial, Inc) and Standard & Poor's International, LLC (together, S&P), of credit ratings assigned by S&P to certain structured financial products. It is related to NSD957/2015; NSD1020/2014; NSD1021/2014; NSD414/2016; NSD1344/2015; NSD1018/2014.
MDA NATIONAL INSURANCE PTY LTD v MCGRAW-HILL FINANCIAL INC (FORMERLY MCGRAW-HILL COMPANIES INC) & ANOR	NSD414/2016	FCA	NSW	Lee J; Rares J; Foster J	2005 - 2008	23/3/16	9/8/18	N/A	9/8/18	869	869	N/A	A class action was commenced in the Federal Court against Standard and Poor's by MDA National Insurance Pty Limited (MDA) on its own behalf and on behalf of Group Members who purchased the SCDOs listed in the table below which are alleged to have been rated by Standard & Poor's, and suffered loss or damage as a result. It is related to NSD1344/2015; NSD1020/2014; NSD1021/2014; NSD1126/2015; NSD1126/2015; NSD417/2016; NSD1018/2014.

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JAEWON CHOI & ANOR v HODGSON FARADAY PTY LTD LIMITED & ORS	NSD529/2016	FCA	NSW	Jagot J	Not ascertained	12-Apr-16	Open			Not yet finalised	Not yet finalised	1694	A shareholder class action. Jay Wang, who was involved in the management of the company, was banned from providing financial services in 2017, upheld by the AAT and Federal Court, with the latest decision in August 2019.
MCKENZIE v CASH CONVERTERS INTERNATIONAL LTD (NO 4) [2019] FCA 166	NSD601/2016	FCA	NSW	Gleeson and Lee JJ	28 April 2010 - 30 June 2013	27/4/16	4/11/19	N/A	31-Jan-19	1286	1009	N/A	The class action was on behalf of persons who entered into one or more credit contracts styled as "cash advances" in Queensland between 28 April 2010 and 30 June 2013. On 18 January 2019 Lee J dismissed an application for his recusal on the grounds of apprehended bias. Settlement was approved on 31 January 2019. Lee J stated at [6]: <i>This representative proceeding was commenced by Ms McKenzie in 2016. The litigation was, it is fair to say, hard fought. Following an unsuccessful mediation in May 2018, the parties eventually reached an agreement, but only immediately prior to an initial trial scheduled to commence before a judge of the Court in October last year. NSD 900 of 2015 and NSD 601 of 2016 are related.</i>
BILJANA CAPIC v FORD MOTOR COMPANY OF AUSTRALIA LTD	NSD724/2016	FCA	NSW	Perram J	24-Dec-12	17-May-16	Open			Not yet finalised	Not yet finalised	1659	The Ford case concerns interests obtained in Ford cars fitted with the powershift transmission between January 2011 and 29 November 2018. The date listed is the date that the lead applicant acquired her vehicle. The action 'has had a tortured procedural history' (<i>Capic v Ford Motor Company of Australia Limited (Adjournment)</i> [2020] FCA 486). The six-week hearing concluded on 24 July 2020 and judgment is currently reserved as at 1 December 2020.
KING v LIVERPOOL CITY COUNCIL	2016/169197	NSWSC	N/A	Garling J	Jun-14	02/06/16	13-Jul-18	N/A	13-Jul-18	771	771	N/A	Dumping of Harmful Fill Class Action, in which class members allegedly suffered loss from harmful asbestos substances being dumped in the vicinity of their homes or businesses in Chipping Norton in New South Wales. One hearing date was vacated because of delays in the preparation of the plaintiff's expert evidence.

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GIBSON v MALAYSIAN AIRLINE SYSTEM BERHAD (SETTLEMENT APPROVAL) [2019] FCA 1007	NSD1067 /2016	FCA	NSW	Perram J	17-Jul-14	1-Jul-16	28-Aug-19	N/A	26-Jun-19	1153	1090	N/A	A class action proceeding arising out of the MH17 disaster in the Ukraine on 17 July 2014. Settlement approval was made on 26 June 2019.
SUNANDA BALKRISHNA KADAM & ORS v MIRESORTS GROUP 1 PTY LTD ACN 140 177 395 & ORS	QUD528/ 2016	FCA	QLD	Lee J	1996 - 2014	13/7/16	11/3/19	20-Jul-18	N/A	971	737	N/A	Part IVA class action and related proceeding by Indian regulator seeking relief on behalf of investors in large 'Ponzi' scheme operated in the Republic of India for two decades. Judgment was handed down on 20 July 2018 with the hearings and submissions made in the period from 6 February- 9 April 2018.
DAVID CHARLES BARROW v NATIONAL AUSTRALIA BANK LTD	VID876/2 016	FCA	VIC	Registrar Buljan	Not ascertained	26/7/16	26/9/16	N/A	N/A	62	N/A	N/A	Action begun by a self-represented litigant. The proceedings were discontinued on 26/9/16 by Registrar Buljan.
DANIEL ARISTABULUS SANDA v PTTEP AUSTRALASIA (ASHMORE CARTIER) PTY LTD	NSD1245 /2016	FCA	NSW	Yates J	21 August 2009- 3 November 2009	3-Aug-16	Open			Not yet finalised	Not yet finalised	1581	The Montara oil spill occurred in 2009, the applicant provided that damage to crops was noticeable from September 2009. Yates J reserved judgment on 13-Dec-2019.
HANS PEARSON v STATE OF QUEENSLAND	QUD 714/2016	FCA	QLD	Murphy J	1939 to 1972	12-Sep-16	Open	N/A	17-Jan-20	Not yet finalised	1222	1541	Stolen wages which were not paid between 1939 and 1972 to Aboriginal and Torres Strait Islander workers. The matter was heard in November -December 2019 and judgment was given on 17 January, however, reasons were not published until May 2020. Ongoing issues relate to settlement administration.
SANTA TRADE CONCERNS PTY LTD v ROBINSON (NO 2) [2018] FCA 1491	NSD1684 /2016	FCA	NSW	Wigney J; Lee J	29 September 2010 - 26 April 2012	29/9/16	27/8/18	N/A	27/8/18	697	697	N/A	The shareholder proceeding was commenced on behalf of those who acquired an interest in fully paid shares in Kagara Ltd in the period between 29 September 2010 and 26 April 2012. The proceeding was commenced against the directors and officers of Kagara who held office and who participated in signing-off the company accounts in the claim period.

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HALL v SLATER & GORDON LTD [2018] FCA 2071	VID1213/2016; VID1146/2017	FCA	VIC	Middleton J	30 March 2015 - 24 February 2016	12/10/16	21/12/18	N/A	14/12/17	800	428	N/A	The shareholder class action was on behalf of those who purchased shares from 30 March 2015 to 24 February 2016. ¹¹
JACOB CORNELIUS BYWATER v APPCO GROUP AUSTRALIA PTY LTD ABN 49 092 605 671	NSD1857 /2016	FCA	NSW	Lee J	14 May 2014 to 17 February 2016,	20-Oct-16	Open			Not yet finalised	Not yet finalised	1503	Industrial relations case where the company purported to deal with the applicant as an independent contractor, and they claim work entitlements under the FWA. The period in which these entitlements owed to the applicant are alleged to have accrued are listed. The proposed settlement provided for a very small amount to the class because of the state of the respondent's finances. Lee J refused to approve the settlement and an investigation is being undertaken into the finances of Appco before the application to approve the settlement is heard again.
MANNY KARAGEORGIU v VOCATION LIMITED (IN LIQUIDATION)	VID1306/2016	FCA	VIC	Middleton J	7 November 2013 - 4 December 2014	2/11/16	17/3/17	N/A	N/A	135	N/A	N/A	Shareholder class action on behalf of class members who held shares from 7 November 2013 - 4 December 2014. On 17 March 2017 the matter was consolidated with NSD434/2015.
SMITH v COMMONWEALTH	NSD1908 /2016	FCA	NSW	Jagot and Lee JJ	Not ascertained	2/11/16	5-Jun-20	N/A	5-Jun-20	1311	1311	N/A	The three proceedings are known as the Williamstown class action, the Oakey class action and the Katherine class action. They involve claims made by group members, being either land owners or business owners, in relation to damages allegedly suffered by reason of the use of a certain type of firefighting foam, containing PFAS, at Royal Australian Air Force bases close to the localities in which the group members either reside and/or operate businesses.

¹¹ Middleton J stated at [6], [38]: *These two proceedings brought before the Court involved a very carefully thought out plan to prevent Slater & Gordon Limited ('Slater & Gordon') from becoming insolvent or forced to enter voluntary administration, and at the same time settle representative proceedings where there was only a limited pool of money available for distribution to group members. As only a limited pool of money was available to distribute to group members, their legal representatives (Maurice Blackburn) and the litigation funder (International Litigation Partners ('ILP')), the merits of any of the claims brought on behalf of the group members became effectively an irrelevant consideration...the claim pursued in Babsco Pty Ltd v Slater & Gordon Limited (VID 659 of 2017) (the 'Babsco proceeding') differed from the claim pursued in the Hall proceeding in terms of the respective time periods of share acquisitions and the alleged deficiencies or misrepresentations by Slater & Gordon. The value of the claim in the Babsco proceeding was said to be approximately one third of the value of the claim pursued in the Hall proceeding. However, there did appear to be a degree of overlap between the two claims, leading to a circumstance whereby, for instance, Babsco was a group member of both proceedings.*

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FRANK SHEEHAN v THIESS P/L	WAD542/2016	FCA	WA	Colvin J	5 September 2012 and 31 December 2013	22-Nov-16	Open	1/11/2019	N/A	Not yet finalised	1074	1470	Industrial relations class action. The period listed is the period in which class members worked on a particular work site, the subject of the dispute being entitlement to payment for transportation time and the interpretation of the workplace agreement. Judgment in favour of the plaintiff was given on 1 November 2019. Leave to appeal was granted but leave was dismissed 16/11/2020 by Flick, Kerr and Snaden JJ.
INABU PTY LTD AS TRUSTEE FOR THE ALIDAS SUPERANNUATION FUND v CIMIC GROUP LTD [2020] FCA 510	ACD93/2016	FCA	ACT	Jagot J	23 November 2010 - 3 October 2013	23/11/16	28-Apr-20	N/A	28-Apr-20	1252	1252	N/A	Shareholder class action for people who acquired shares in CIMIC between 23 November 2010 and 3 October 2013.
BRADGATE (TRUSTEE) v ASHLEY SERVICES GROUP LTD (NO 2) [2019] FCA 1210	NSD2074/2016	FCA	NSW	Middleton J	21 August 2014 - 26 April 2015	30/11/16	13/6/19	N/A	13-Jun-19	925	925	N/A	A shareholder class action. Group members purchased shares as part of the 7 August 2014 prospectus issue or in the period from 21 August 2014 to 26 April 2015. The judgment approving settlement was made on 13 June 2019. Reasons were published on 5 August 2019.
SCHMID v SKIMMING	2016/5027	VSC	N/A	Forbes J	19-Dec-15	8-Dec-16	20-Aug-20	N/A	20-Aug-20	1351	1351	N/A	Class action related to the Scotsburn bushfire on 19 December 2015.
DYLAN RILEY JENKINGS & ANOR v NORTHERN TERRITORY OF AUSTRALIA	NTD64/2016	FCA	NT	White J	1 August 2006 - 23/12/2016	23-Dec-16	Open			Not yet finalised	Not yet finalised	1439	The action was on behalf of people detained under the Youth Justice Act, from its commencement on 1 August 2006 up to the date of filing of 23/12/2016.

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TPT PATROL PTY LTD AS TRUSTEE FOR AMIES SUPERANNUATION FUND v MYER HOLDINGS LIMITED	VID1494/2016	FCA	VIC	Beach J	11 September 2014 - 19 March 2015	29/12/16	5-May-20	24-Oct-19	N/A	1223	1029	N/A	Shareholder class action on behalf of all persons who acquired ordinary fully paid shares in the respondent on or after 11 September 2014 and who were at the commencement of trading on 19 March 2015 holders of any of those securities and who have claims for loss and damage caused by Myer's alleged breaches of ss 674 and 1041H of the Corporations Act 2001 (Cth) (the Act) concerning non-disclosure to the ASX of price sensitive information about MYRE securities and misleading or deceptive conduct. The class action as unsuccessful with judgment handed down on 24 October 2019, and hearings on 8, 9, 13 to 17, 20 to 23 August, 9 and 10 October, 5 and 21 December 2018.
HASSID v QUEENSLAND BULK WATER SUPPLY AUTHORITY T/AS SEQWATER	2017/7321	NSWSC	N/A	Beech-Jones J	9 January 2011 - 24 January 2011	9/01/2017	11-Aug-17	N/A	N/A	214	N/A	N/A	Queensland floods class action. On 11 August 2017 the Court ordered that the proceedings no longer continued as representative proceedings.
KUHN v INFIGEN ENERGY LTD	2017/131194	NSWSC	N/A	Hoeben CJ	17-Jan-17	02/02/17	10/12/18	N/A	10/12/18	676	676	N/A	Curraudooley Bushfire Class Action alleging failures and breach of duty of care by Infigen. The fire started 17 January 2017.
TODD HAYWARD v SIRTEX MEDICAL LIMITED	VID91/2017	FCA	VIC	Murphy J	24 August 2016 - 16 December 2016	9/2/17	30/4/18	N/A	N/A	445	N/A	N/A	Murphy J consolidated the file with VID1375/2017 (Pawel Kuterba v Sirtex Medical Limited) (Kuterba proceeding) on 30 April 2018.
ARJ17 v MINISTER FOR IMMIGRATION AND BORDER PROTECTION & ORS; SZSZM v MINISTER FOR IMMIGRATION & ORS	NSD223/2017 and NSD725/2017	FCA	NSW	Rares, Flick and Rangiah JJ	2016	20/2/17	16/5/19	22-Jun-18	N/A	815	815	N/A	Two proceedings heard together relating to the policy to seize mobile phones and SIM cards in immigration detention centres. The substantive issue was reserved for consideration by the Full Court on 16 November 2017. The judgment of the Full Court finding the policy to be invalid was handed down on 22 June 2018, with the hearing on 28 February 2018 and submissions due by 9 March 2018.

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MCKAY SUPER SOLUTIONS PTY LTD (TRUSTEE) v BELLAMY'S AUSTRALIA LTD (NO 3) [2020] FCA 461	VID163/2017	FCA	VIC	Beach J	14 April 2016 - 12 December 2016	23/2/17	13-Mar-2020	N/A	13-Mar-2020	1114	1114	N/A	A shareholder class action related to VID213/2017. The proceeding related to allegations that the Respondent contravened its continuous disclosure obligations and engaged in misleading and deceptive conduct. The action was on behalf of persons who had acquired an interest in ordinary shares in the respondent during the period from 14 April 2016 to a trading halt in such shares on 12 December 2016
ANTHONY LENARD SIMONETTA & ANOR v SPOTLESS GROUP HOLDINGS LIMITED	NSD268/2017	FCA	NSW	Yates J	25 August 2015 - 2 December 2015	24/2/17	11/9/17	N/A	N/A	199	N/A	N/A	Class action against Spotless Group Holdings Limited, in relation to alleged contraventions of its continuous disclosure obligations under s 674(2) of the Corporations Act 2001 (Cth) (the Corporations Act), and for misleading or deceptive conduct in contravention of s 1041H of the Corporations Act, s 12DA(1) of the Australian Securities and Investment Commission Act 2001 (Cth) and/or s 18(1) of the Australian Consumer Law (NSW) and the Australian Consumer Law (Vic). Yates J approved the discontinuance of the proceedings on 8 September 2017. Class members acquired shares in the period 25 August 2015 - 2 December 2015.
KELVIN TURNER v MYBUDGET PTY LTD ACN 82 093 118 597	NSD297/2017	FCA	NSW	Lee J	2013-2014	2/3/17	8/10/18	18-Sep-18	N/A	585	555	N/A	Class action against MyBudget related to interest payments, alleged unfair terms, unconscionable conduct and breach of trust and fiduciary duty. On 23 July 2013, Mr Turner entered into an agreement with MyBudget, until July 2013 to July 2014. Lee J handed down a judgment on 18 September 2018, with hearings on 1, 3 May 2018.
PETER ANTHONY BASIL v BELLAMY'S AUSTRALIA LIMITED	VID213/2017	FCA	VIC	Beach J	14 April 2016 and 9 December 2016	7/3/17	13-Mar-2020	N/A	13-Mar-2020	1102	1102	N/A	A closed shareholder class action related to VID163/2017. The proceeding related to allegations that the Respondent contravened its continuous disclosure obligations and engaged in misleading and deceptive conduct. The action was brought on behalf of those who acquired shares from 14 April 2016 and 9 December 2016, excluding those who had signed up to the McKay proceedings.

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BURKE v ASH SOUNDS PTY LTD	2017/891	VSC	N/A	McDonald J	30 December 2016	15-Mar-17	1274	N/A	9/09/2020	1274	1274	N/A	Class action on behalf of persons who suffered injury, damage or loss when attempting to exit one of the venues at the Falls Music & Arts Festival at Lorne on 30 December 2016. A notice of proposed settlement was made on 10 August 2020. Settlement approval was made on 9 September 2020 by Incerti J.
BENJAMIN TUTTON v CHUBB INSURANCE AUSTRALIA LIMITED (ABN 23 001 642 020)	QUD177/2017	FCA	QLD	Rangiah J	Not ascertained	27/3/17	22/9/17	N/A	N/A	179	N/A	N/A	Industrial class action relating to alleged award breaches on behalf of 39 individuals. There was difficulty obtaining funding for the action. Rangiah J approved the discontinuance of the proceedings on 20 September 2017.
CASEY CHERYL SIMPSON v THORN AUSTRALIA PTY LTD T/AS RADIO RENTALS ACN 008 454 439	NSD448/2017	FCA	NSW	Gleeson J	Not ascertained	29-Mar-17	12 May 2020	N/A	20-Dec-19	1140	996	N/A	Class action in relation to Radio Rentals alleged unfair contract terms claims. According to the Maurice Blackburn website, all monies were distributed by 12 May 2020 and the matter was concluded.
MALLONLAND PTY LTD & ANOR v ADVANTA SEEDS PTY LTD	BS No 4103 of 2017	QSC	N/A	Jackson J	2010 and 2014	24-Apr-17	Open			Not yet finalised	Not yet finalised	1317	Class action alleging the negligent, misleading or deceptive supply of a product seed known as MH43, contaminated with a seed for another species of plant commonly known as shattercane, or which had similar properties to shattercane.
RITCHIE v ADVANCED PLUMBING AND DRAINS PTY LTD	2017/126 664	NSWSC	N/A	Beech-Jones J	17 February 2017	28-Apr-17	Open			Not yet finalised	Not yet finalised	1313	Class action proceedings relating to the fire at Carwoola on 17 February 2017.
JOHN WILLIAM CRUSE WEBSTER AS TRUSTEE FOR THE ELCAR PTY LTD SUPER FUND TRUST v MURRAY GOULBURN CO-OPERATIVE CO LIMITED & ORS	VID508/17	FCA	VIC	Beach and Murphy J	3 July 2015 - 2 May 2017	9-May-17	Open	N/A	9-Apr-20	Not yet finalised	1066	1302	Shareholder class action concerning Murray Goulburn. Murphy J approved the settlement in orders on 9 April 2020 with reasons published on 9 July 2020. It is noted that the hearings were on 1 November 2019, 6 December 2019, and 20 December 2019 and the last submissions were due on 24 January 2020. A contradictor and intervener were appointed. On 29 September 2020, Murphy J published further reasons relating to the settlement approval reasons following the information which had come to light in <i>Banksia</i> .

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WARWICK BLAIN COOK & ORS v SURFSTITCH GROUP LTD	2017/5111	QSC	N/A	Dalton J	25 February 2016, 3 May 2016 or 9 June 2016	22-May-17	31 October 2017	N/A	N/A	162	N/A	N/A	SurfStitch Group Class Action commenced in Queensland and transferred by Justice Dalton of the Supreme Court of Queensland to the NSW Supreme Court on 31 October 2017 (2017/347082).
ALISON COURT v SPOTLESS GROUP HOLDINGS LIMITED	VID561/2017	FCA	VIC	Murphy J	25 August 2015 - 1 December 2015	25-May-17	Open	N/A	9-Sep-20	Not yet finalised	1203	1286	Shareholder class action re ss 674 and 1041H. The parties announced that they had reached a settlement on 22 May 2020, approved on 9 September 2020.
JOANNE WALSH v WORLEYPARSONS LIMITED	VID576/2017	FCA	VIC	Jagot J	14-Aug-13	30/5/17	17-Aug-17	N/A	N/A	79	N/A	N/A	A shareholder class action, in which it was alleged that from 14 August 2013, WorleyParsons' statements to the market gave rise to the implication that its 2014 earnings would be higher than the \$322.1 million for the 2013 year. Discontinued under s 33V – withdrawn.
SADIE VILLE PTY LTD (AS TRUSTEE FOR SADIE VILLE SUPERANNUATION FUND) v DELOITTE TOUCHE TOHMATSU (A FIRM) & ANOR	VID632/2017	FCA	VIC	Moshinsky J	14 June 2011 - 21 February 2012	13-Jun-17	Open			Not yet finalised	Not yet finalised	1267	The action related to auditing carried out by Deloitte in 2010 and 2011, with class members being those who purchased shares during the relevant period.
BABSCAY v SLATER AND GORDON	VID659/2017	FCA	VIC	Middleton J	Not ascertained	19-Jun-17	14/12/17	N/A	N/A	178	N/A	N/A	This matter was dismissed.
TW MCCONNELL PTY LTD AS TRUSTEE FOR THE MCCONNELL SUPERANNUATION FUND v SURFSTITCH GROUP LTD (IN ADMINISTRATION)	2017/193375	NSWSC	N/A	Stevenson J	25 February 2016, 3 May 2016 or 9 June 2016	28-Jun-17	Open			Not yet finalised	Not yet finalised	1252	SurfStitch Group Class Action on behalf of people who held shares at 25 February 2016, 3 May 2016 or 9 June 2016. Another proceeding commenced in Queensland was transferred to the NSWSC and heard alongside this action. The proceedings settled in principle in 2018, on the basis of a deed of company arrangement entered into on 18 April 2018. The settlement had not been approved as at 1 December 2020.

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DBE17 (BY HIS LITIGATION GUARDIAN MARIE THERESA ARTHUR) v THE COMMONWEALTH OF AUSTRALIA	VID750/2017	FCA	VIC	Mortimer J	27 August 2011 - 7 July 2017	7/7/17	19/11/18	N/A	N/A	500	N/A	N/A	This was a claim for damages for unlawful imprisonment relating to immigration detention. The class represented by the applicant is the class of people detained in immigration detention in Australia, or a part of Australia, for more than two working days between 27 August 2011 and 7 July 2017 and who do not have any of six characteristics set out in paragraph 2(b)-(g) of the amended statement of claim filed on 20 October 2017. In substance, for the purposes of this application, the class can be described in general terms as intended to capture those people who remain in Australia, mostly having been granted visas, but having arrived here by boat seeking asylum and having been detained during some or all of the period set out above. Mortimer J found on 27 August 2018 that the Federal Court did not have jurisdiction to hear the matter. On 19 November, the proceedings were dismissed for want of jurisdiction.
HUDSON v COMMONWEALTH	NSD1155/2017	FCA	NSW	Jagot and Lee JJ	Not ascertained	11/07/2017	12-Jun-20	N/A	5-Jun-20	1067	1060	N/A	The three proceedings are known as the Williamstown class action, the Oakey class action and the Katherine class action. They involve claims made by group members, being either land owners or business owners, in relation to damages allegedly suffered by reason of the use of a certain type of firefighting foam, containing PFAS, at Royal Australian Air Force bases close to the localities in which the group members either reside and/or operate businesses.
MURPHY & ORS v GLADSTONE PORTS CORPORATION LTD	2017/7495	QSC	N/A	Crow J	2010-2011	21-Jul-17	Open			Not yet finalised	Not yet finalised	1229	Class action in relation to alleged negligence in the design and construction of the bund wall for the Fisherman's Landing Port Expansion and Western Basin Dredging and Disposal Project in Gladstone Harbour during 2010 and 2011. It is claimed that the bund wall failed and allowed contaminants which materially decreased the quality of the water in affected waters, causing economic loss. The Court of Appeal dismissed a challenge to the validity of the

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													funding agreement in the matter in November 2020.
MURILLO v SKM SERVICES PTY LTD	S CI 2017 02779	VSC	N/A	Dixon J	13-Jul-17	21-Jul-17	7-Oct-19	N/A	1-Aug-19	808	741	N/A	Class action concerning alleged losses suffered as a result of a fire in 2017 at the Coolaroo recycling plant, which emitted smoke and soot into neighbouring areas. The settlement was approved on 1 August 2019 with reasons given on 7 October 2019.
DOMASCHENZ v SCENE NO. 3 LIMITED & ORS	2017/177	VSC	N/A	Kennedy J	Not ascertained	1 August 2017	23-Nov-18	N/A	N/A	479	N/A	N/A	Class action on behalf of those who entered into contracts for the purchase of a lease interest in apartments in the 'Scene Three' residential complex in Auckland. Kennedy J granted approval for the discontinuance of the proceedings under s 33V as a result of lack of funding on 23 November 2018.
CREESE v HAMILTON-BYRNE	2017/3007	VSC	N/A	Incerti J	1968 - 1987	1-Aug-17	Open			Not yet finalised	Not yet finalised	1218	Personal injury class action related to the operations of the sect known as 'The Family' from 1968 to 1987. The matter was listed for trial on 16 November 2020 before Incerti J.
EDGAR TREDREA v KPMG FINANCIAL ADVISORY SERVICES (AUSTRALIA) PTY LTD	2017/234966	NSWSC	N/A	Parker J	23 November 2012 - 15 February 2013	2-Aug-17	Open	N/A	28-May	Not yet finalised	664	1217	The proceedings arose from a takeover bid in October 2012 for Discovery Metals Limited, a mining company. The defendant, KPMG provided an independent expert report paid for by DML. Class members held shares in the period between 23 November 2012 and 15 February 2013. Parker J approved a settlement on 28 May 2019 as between the parties. However, a contradictor was appointed and the CFO sought was refused on 30 July 2019.

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SUSAN MARGARET LLOYD v BELCONNEN LAKEVIEW PTY LTD	NSD1417 /2017	FCA	NSW	Lee J	21 May 2010 - 14 August 2015	14-Aug-17	Open	20/12/2019	N/A	Not yet finalised	858	1205	Claims relating to contract and GST in relation to the sale of 'new residential premises'. NSD 1417 of 2017 and NSD 1555 of 2018 were related matters. Mrs Lloyd brought the Altitude proceeding on her behalf and on behalf of the Altitude group members, to recover the component of the purchase price payable pursuant to the Altitude Contract said to be referable to GST. She pleaded an array of causes of action, including for money had and received, breach of contract, misleading or deceptive conduct and unconscionable conduct (contrary to the provisions of the Australian Consumer Law, as applied by Pt XI of the Competition and Consumer Act 2010 (Cth) (ACL) and the Trade Practices Act 1974 (Cth) (TP Act)). Judgment was given in the principal judgment on 20 December 2019, the matter was then subject to further hearings on s 33ZB, including an attempt by the respondent to re-open the proceedings, a de-classing application, and an appeal on the s 33ZB orders was expected by the Court.
JOHN SMITH & ANOR v SANDHURST TRUSTEES LIMITED ACN 004 030 737	NSD1488 /2017	FCA	NSW	Lee J	13-Oct-11	25/8/17	13/3/19	N/A	26-Jul-18	565	335	N/A	Lee J approved settlement in relation to this proceeding and the Hodges proceeding (NSD453/2014) on 26 July 2018. The two class actions are related to a further proceeding (the Clarke proceeding QUD 591/2015, in which settlement approval was granted on 11 April 2018, see <i>Clarke v Sandhurst Trustees Limited (No 2)</i> [2018] FCA 511. The Smith proceeding was brought in 2017, on behalf of an open class, being persons who held GR First Ranking Notes in GR Finance Limited as at 13 October 2011. It was alleged that they suffered loss and damage by reason of the conduct of Sandhurst. The action involved alleged breaches of s 283DA(b)(ii) of the <i>Corporations Act 2001</i> (Cth) and of the relevant trust deeds.

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ANDREW JOHN WYMA v QUINTIS LTD ABN 97 092 200 854 & ANOR	NSD1568 /2017	FCA	NSW	Jagot J	1 July 2015 - 10 May 2017	7/9/17	11/12/18	N/A	N/A	460	N/A	N/A	A shareholder class action alleging misleading and deceptive conduct in relation to Quintis and EY its auditor, with another class action called the Davis Action run by Piper Alderman. The class was constituted by those who purchased shares in the relevant period. Consolidated with another file: <i>Excel Texel Pty Ltd (as trustee for the Mandex Family Trust) & Anor v Quintis Ltd & Anor</i> (No. NSD1983 of 2017).
ROBERT MICHAEL LUKE (IN HIS CAPACITY AS THE CO-EXECUTOR OF THE ESTATE OF ROBERT COLIN LUKE, DECEASED) & ANOR v AVEO GROUP LIMITED	VID996/2 017	FCA	VIC	Murphy J	late 2014 and early 2015 to current	13-Sep-17	Open			Not yet finalised	Not yet finalised	1175	Class action against a retirement village company regarding the fairness of its contracts, which were in use from late 2014. The most recent event on the ComCourts file is an order for security for costs in December 2019. The matter is listed for a case management hearing on 17 December 2020.
AMY RICKHUSS v THE COSMETIC INSTITUTE PTY LTD	2017/002 79308	NSWSC	N/A	Garling J	2012-15 September 2017	14-Sep-17	Open			Not yet finalised	Not yet finalised	1174	Class action relating to breast augmentation surgery at the Cosmetic Institute in the relevant period.
ALLEN DODD, AS TRUSTEE FOR THE DODD SUPERANNUATION FUND v SHINE CORPORATE LTD	BS No 10009 of 2017	QSC	N/A	Martin J	27 August 2014 - 29 January 2016 or 17 August 2015 - 19 January 2016	26-Sep-17	21-Aug-19	N/A	21-Aug-19	694	694	N/A	Shareholder class action against Shine, a listed law firm alleging misleading or deceptive conduct and breach of continuous disclosure obligation between 27 August 2014 and 29 January 2016
EPAMINONDAS MASTORIS V DSHE HOLDINGS LIMITED	2018/005 2431	NSWSC	N/A	Ball J	14 November 2013- 3 January 2016	28-Sep-17	Open			Not yet finalised	Not yet finalised	1160	Dick Smith Holdings Class Action heard with 2017/00294069. Class members were those who acquired shares in the relevant period.
HALIBURTON CHARLES DAVID FINDLAY v DSHE HOLDINGS LTD (RECEIVERS AND MANAGERS APPOINTED) (IN LIQUIDATION)	2017/002 94069	NSWSC	N/A	Ball J	16 January 2015- 3 January 2016	28-Sep-17	Open			Not yet finalised	Not yet finalised	1160	Shareholder Class Action relating to Dick Smith Holdings heard with 2018/0052431. Class members were those who acquired shares in the relevant period.

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ZONIA HOLDINGS PTY LTD v COMMONWEALTH BANK OF AUSTRALIA LIMITED	VID1085/2017	FCA	VIC	Yates J	16 June 2014 - 3 August 2017	9/10/17	Open			Not yet finalised	Not yet finalised	1149	On 3 August 2017, the Australian Transaction Reports and Analysis Centre (AUSTRAC) brought civil penalty proceedings against CBA in the Federal Court of Australia for "serious and systemic non-compliance" with the AML/CTF Act. On 9 August 2017, the Chairman of CBA, Catherine Livingstone AO, confirmed that the Board of CBA was made aware of "alleged issues relating to Threshold Transaction Reporting in the Intelligent Deposit Machines" in the second half of 2015. This matter was run alongside Baron v CBA (NSD1158/2018).
GREGORY JOHN LENTHALL & ANOR v WESTPAC BANKING CORPORATION & ANOR	NSD 1812/2017	FCA	NSW	Lee J	12/10/2011 onwards	12-Oct-17	Open			Not yet finalised	Not yet finalised	1146	the action relates to financial advice given on or after 12 October 2011 in relation to life insurance and obtained Westpac Life insurance as a result. The action is set down for hearing in May 2021. Note that the notice provides a funding commission of 30%.
BABSCAY PTY LTD v PITCHER PARTNERS	VID1188/2017	FCA	VIC	Middleton and Anastassiou JJ	24 August 2012 - 19 November 2015	1-Nov-17	09-Nov-2020	N/A	N/A	1104	N/A	N/A	Slater and Gordon auditor class action with multiple cross claims, class members being those who acquired shares in Slater & Gordon between 24 August 2012 and 19 November 2015 inclusive. The applicant applied to discontinue the proceedings on 24 July 2020 and this was approved on 5 November 2020. Final orders were made on 9 November 2020.
EXCEL TEXEL PTY LTD (AS TRUSTEE FOR THE MANDEX FAMILY TRUST) v QUINTIS LTD	NSD1983/2017	FCA	NSW	Lee J	1 July 2015 - 10 May 2017	9-Nov-17	Open			Not yet finalised	Not yet finalised	1118	A shareholder class action - alleged misleading and deceptive conduct case in relation to Quintis and EY its auditor, with another class action called the Davis Action run by Piper Alderman. The class is constituted by those who purchased shares in the listed period. Hearings in relation to a proposed settlement were adjourned by Lee J on 3 July 2020.
HASELHURST v TOYOTA MOTOR CORPORATION AUSTRALIA LTD	2017/340824	NSWSC	N/A	Sackar J	1 November 2000 - 27 February 2018	10-Nov-17	Open			Not yet finalised	Not yet finalised	1117	Seven representative proceedings heard together, relating to vehicles containing the defective Takata airbag. The matter is listed for mediation in March 2021 and a hearing of 8 weeks duration starting 3 May 2021.

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NAKALI PTY LTD v SURFSTITCH GROUP LTD (ADMINISTRATOR S APPOINTED)	2017/347 082	NSWSC	N/A	Stevenson J	25 February 2016, 3 May 2016 or 9 June 2016	16-Nov-17	Open			Not yet finalised	Not yet finalised	1111	On 31 October 2017 Justice Dalton of the Supreme Court of Queensland ordered that the Nakali proceedings be transferred to the Supreme Court of New South Wales. The NSW proceedings were commenced on 16 November 2017.
TRACEY EVANS v HAC	2017/374 456	NSWSC	N/A	Ward CJ	14 January 2013 - 1 February 2013.	20-Nov-17	9-Dec-19	N/A	9-Dec-19	749	749	N/A	Class action on behalf of NSW Ambulance workers whose personal information was the subject of a data breach on 14 January 2013 - 1 February 2013.
WHISSON v SUBARU (AUST) PTY LTD	2017/353 017	NSWSC	N/A	Sackar J	1 January 2004 - 27 February 2018	22-Nov-17	Open			Not yet finalised	Not yet finalised	1105	Seven representative proceedings heard together, relating to vehicles containing the defective Takata airbag. The matter is listed for mediation in March 2020 and a hearing of 8 weeks duration starting 3 May 2021.
ZANTRAN P/L VS CROWN RESORTS P/L	VID1317/ 2017	FCA	VIC	Murphy J	6 February 2015- 16 October 2016	4-Dec-17	Open			Not yet finalised	Not yet finalised	1093	Shareholder class action in relation to disclosure of China operations of Crown Casinos. The matter is listed for hearing in November-December 2020. A possible expansion of the class action was being investigated in October 2020.
KULARATHNE v HONDA AUSTRALIA PTY LTD	2017/378 526	NSWSC	N/A	Sackar J	1 January 2001 to 27 February 2018	14-Dec-17	Open			Not yet finalised	Not yet finalised	1083	Seven representative proceedings heard together, relating to vehicles containing the defective Takata airbag. The matter is listed for mediation in March 2020 and a hearing of 8 weeks duration starting 3 May 2021.
PAWEL KUTERBA v SIRTEX MEDICAL LIMITED	VID1375/ 2017	FCA	VIC	Murphy J	24 August 2016 - 16 December 2016	15-Dec-17	23/8/19	N/A	23-Aug-19	616	616	N/A	Shareholder class action in relation to continuous disclosure/ misleading and deceptive conduct on behalf of those who held shares in the relevant period.
CLIME CAPITAL LTD v UGL PTY LTD [2020] FCA 66	VID1390/ 2017	FCA	VIC	Murphy J; Anastassiu J	16 April 2014 to 5 November 2014	18/12/17	5-Feb-20	N/A	19/12/19	779	731	N/A	A shareholder class action on behalf of those who acquired shares in the period from 16 April 2014 to 5 November 2014. Settlement approval was given on 19/12/2019, reasons were published on 5 February 2020: <i>Clime Capital Limited v UGL Pty Limited</i> [2020] FCA 66.

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CATHERINE DUCK v AIRSERVICES AUSTRALIA	ACD97/2017	FCA	ACT	Bromwich J	From 15 March 2010	22-Dec-17	Open	26-Jul-20	N/A	Not yet finalised	947	1075	industrial relations matter for work entitlements under relevant enterprise agreements. The test case applicant was initially covered by an enterprise agreement. However, the respondent contends that this coverage stopped on 15 March 2010, per a term of the contract. Judgment was given in favour of the respondents on 26 July 2020. The matter is listed as open on ComCourts with the most recent court event being an interlocutory hearing on costs before Bromwich J on 29 October 2019 with judgment reserved.
BREWSTER v BMW AUSTRALIA LTD	2018/9555	NSWSC	N/A	Sackar J	1 January 1999 to 27 February 2018	10 January 2018	Open			Not yet finalised	Not yet finalised	1056	Seven representative proceedings heard together, relating to vehicles containing the defective Takata airbag. The proceedings involved a High Court determination on the power of the courts to make common fund orders. The issue of whether an order can be made at settlement will be heard by the Court of Appeal. The matter is listed for mediation in March 2021 and a hearing of 8 weeks duration starting 3 May 2021.
JAYDAN BOND v NISSAN MOTOR COMPANY AUSTRALIA PTY LTD	2018/9565	NSWSC	N/A	Sackar J	1 January 2000 - 27 February 2018	10-Jan-18	Open			Not yet finalised	Not yet finalised	1056	Seven representative proceedings heard together, relating to vehicles containing the defective Takata airbag. The matter is listed for mediation in March 2020 and a hearing of 8 weeks duration starting 3 May 2021.

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JODIE PHILIPSEN v AMERICAN MEDICAL SYSTEMS LLC	NSD35/2018	FCA	NSW	Katzmann J	5 July 2006 / 9 October 2007.	16-Jan-18	Open			Not yet finalised	Not yet finalised	1050	One of two pelvic mesh actions brought by Shine. The devices were allegedly supplied to an Australian company, American Medical Systems Australia Pty Ltd (AMS Australia), between 2003 and 2015 and acquired by that company for re-supply to doctors and hospitals in this country. Mrs Philipsen alleges that she was implanted with two AMS devices on 5 July 2006 experienced complications at some point prior to 25 June 2008. She pleads several causes of action under the Trade Practices Act. Ms Seymour was added as an applicant on 31 July 2018, she had a device inserted on 9 October 2007. The group consists of all those who were operated on in Australia to insert one of the specified products, as at 31 July 2018. The dates listed are the dates at which both lead plaintiffs had their devices inserted.
COATES v MAZDA AUSTRALIA PTY LTD	2018/42244	NSWSC	N/A	Sackar J	1 January 2002 to 27 February 2018 inclusive	8-Feb-18	Open			Not yet finalised	Not yet finalised	1027	Seven representative proceedings heard together, relating to vehicles containing the defective Takata airbag. The matter is listed for mediation in March 2020 and a hearing of 8 weeks duration starting 3 May 2021.
DAVARIA PTY LTD v 7-ELEVEN STORES PTY LTD & ORS AND PARESHKUMAR DAVARIA & ANOR v 7-ELEVEN STORES PTY LIMITED & ANOR	VID180/2018; VID182/2018	FCA	VIC	Middleton J	20 February 2012 - 19 February 2018	20-Feb-18	Open			Not yet finalised	Not yet finalised	1015	Franchisee and guarantor class actions claiming compensation from 7-Eleven for misleading or deceptive conduct, breach of contract and unconscionable conduct. Davaria Pty Ltd is a 7-Eleven franchisee. It brings proceeding VID180/2018. Pareshkumar Davaria and Khushbu Davaria bring proceeding VID 182 of 2018 on their own behalf and on behalf of guarantors and mortgagors who have not entered into a binding and enforceable release of all their claims against 7-Eleven and ANZ which are the subject of the proceeding. Group members entered into the relevant franchise agreements between 20 February 2012 and 19 February 2018. The proceedings have been protracted and the trial is delayed until 2021.

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DWAYNE CAVAN SHANAHAN PERERA v GETSWIFT LTD & ANOR	NSD226/2018	FCA	NSW		24 February 2017 - 19 January 2018	20-Feb-18	23/5/18	N/A	N/A	92	N/A	N/A	This action was permanently stayed as a result of a multiplicity dispute (see NSD580/2018).
JOE CACHIA v DPG SERVICES PTY LTD	2018/68746	NSWSC	N/A	Garling J	18-Nov-11	2-Mar-18	14-Jun-19	N/A	14-Jun-19	469	469	N/A	Class Action on behalf of people who suffered mental harm, nervous shock, loss and damage caused by the death of a close family member as a result of a fire at the Quakers Hill Nursing Home on 18 November 2011
GIABAL PTY LIMITED v GUNNS PLANTATIONS LTD (IN LIQUIDATION) (RECEIVERS & MANAGERS APPOINTED)	2018/00076580	NSWSC	N/A	Ball and Hammersc hlag JJ	Sep-12	8/3/18	Open			Not yet finalised	Not yet finalised	999	Class action alleging breaches of trust and the Corporations Act, connected to the collapse of the Gunns group in September 2012. The closed class was constituted of a group of growers who acquired an interest in one or more of six of the schemes, who have allegedly suffered loss and damage. On 13 April 2018, the Court granted leave to continue the proceedings against GPL and Gunns. Leave was revoked on 4 December 2019. Insurers were joined by a decision of Ball J dated 14 August 2020.
RACHAEL ABBOTT v ZOETIS AUSTRALIA PTY LTD	NSD406/2018	FCA	NSW	Lee J	10 August 2012 to 20 March 2018	16-Mar-18	Open			Not yet finalised	Not yet finalised	991	This proceeding relates to the use of an equine vaccine for the Hendra virus. The Hendra virus owes its name to the fact it was discovered following an outbreak of illness in a large horseracing stable in the suburb of Hendra in Brisbane in 1994. It has apparently killed at least 77 horses and four people in Australia. Among other allegations, it is alleged that from 10 August 2012 to 20 March 2018 class members' horses suffered side effects from the HeV vaccine and as result, the class members suffered loss or damage. There appears to have been some delay related to the adequacy of the pleadings. There was also a security for costs issue, and the matter has not yet been heard. From ComCourts, it appears to be listed for early 2021. ¹²

¹² See Lee J in *Abbott v Zoetis Australia Pty Ltd (No 2)* [2019] FCA 462 [21]: *It is fair to say the interlocutory progression of the claim has been lamentable. To use an equine analogy, this case would not be looked upon as the Winx of class actions. Remarkably, nine iterations of the statement of claim have been served on the respondent (two of which have been filed with the Court). A tenth version of an amended pleading is to be*

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SHAUN MCTAGGART & ANOR v GETSWIFT LTD & ORS	NSD440/2018	FCA	NSW		24 February 2017 - 19 January 2018	26-Mar-18	23-May-18	N/A	N/A	58	N/A	N/A	This action was permanently stayed as a result of a multiplicity dispute (see NSD580/2018).
FRANCIS v POWERCOR AUSTRALIA LIMITED	2018/01113	VSC	N/A	Nichols J	17-Mar-18	28/3/18	6-Apr-20	N/A	20-Dec-19	740	632	N/A	Class action concerning the St Patrick's Day fires at Garvoc. The Court approved settlement on 20 December 2019. On 6 April 2020, the Supreme Court approved distribution of the settlement proceeds. These proceedings were managed alongside <i>Lenehan v Powercor Australia Ltd</i> .
LENEHAN v POWERCOR AUSTRALIA LTD [2020] VSC 82	2018/01290	VSC	N/A	Nichols J	17-Mar-18	10-Apr-18	3-Jul-20	N/A	20-Dec-19	815	619	N/A	Class action relating to the bushfires on 17-Mar-18 near Terang. Settlement was approved on 20 December 2019, with further directions hearings and materials filed before reasons were handed down on 6 April 2020. Issues related to costs were decided on 3 July 2020.
JAMES BONHAM AS TRUSTEE FOR AUCHAM SUPER FUND v ILUKA RESOURCES LTD	NSD576/2018	FCA	NSW	Perram J	12 April 2012 - 9 July 2012	11-Apr-18	Open			Not yet finalised	Not yet finalised	965	Shareholder class action involving earnings guidance and disclosure in the period from 12 April 2012 to 9 July 2012. There was uncertainty as a result of Harbour dropping out, however, a new funder was found. ComCourts indicates that this is listed for early 2021.

served by the applicant shortly. The respondent is yet to file a defence to any allegation made against it, but submits that it will "vigorously defend" the claims made. Vigorously or otherwise, assuming pleading issues are resolved, the proceeding will likely be contested and will occasion significant legal costs until it is resolved either by a paction (subject to approval by the Court) or determined at a hearing or hearings. Having reached the view that a case is prima facie arguable and can be pleaded, more than once, I have entreated those acting for the applicant to undertake a "root and branch" review of the defective pleading. Hitherto this course seems to have met some resistance, perhaps reflecting a comment made almost a year ago, when Senior Counsel for the applicant said he had "never seen, in 40 years, a case where the pleadings actually make a lot of difference" (Transcript, 19 April 2017, T2.25). I confess my experience is different and the time has now long past for the pleading to undertake its basic function, that is, providing procedural fairness to the respondent and setting out, in comprehensible terms, the material facts relied upon in the individual case of the applicant and pleading, at a high level of generality, the claims of group members.

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RAFFAELE WEBB v GETSWIFT LTD ACN 604 611 556 & ANOR	NSD580/2018	FCA	NSW	Lee J	24 February 2017 - 19 January 2018	13-Apr-18	Open			Not yet finalised	Not yet finalised	963	This action involved a multiplicity dispute in which two other proceedings (NSD226/2018 - DWAYNE CAVAN SHANAHAN PERERA v GETSWIFT LTD & ANOR and NSD440/2018, filed on 20 February 2020 - SHAUN MCTAGGART & ANOR v GETSWIFT LTD & ORS, filed on 26 March 2018) were permanently stayed. The class is made up of shareholders who acquired shares in GetSwift between 24 February 2017 to 19 January 2018. The hearings were also scheduled to occur a few months after the ASIC proceedings, which were drawn out partly as a result of the number of witnesses involved. The hearing of the proceeding listed to commence on 15 September 2020 was vacated by Lee J following an application that he recuse himself.
WILEYPARK PTY LTD v AMP LIMITED	VID535/2018; 2018/310082	FCA; NSWSC	VIC	Middleton J; Ward CJ	10 May 2012-17 April 2018 and 7 June 2012-17 April 2018	9/5/18	23-May-19	N/A	N/A	379	N/A	N/A	Class action against AMP subject to multiplicity dispute. Transferred or moved to another jurisdiction (NSWSC) on 5/10/2018. The proceeding was subsequently stayed.
WIGMANS v AMP	2018/145792	NSWSC	N/A	Stevenson J	10 May 2012 to 17 April 2018 and prior to 17 April 2018	9-May-18	23-May-19	N/A	N/A	379	N/A	N/A	Shareholder class action against AMP in which there was a multiplicity dispute. The matter was stayed on 23 May 2019. However, this is subject to a High Court appeal.
HAWKER v POWERCOR AUSTRALIA LTD [2019] VSC 521	2018/01833	VSC	N/A	Forbes J	17-Mar-18	17-May-18	2-Aug-19	N/A	2-Aug-19	442	442	N/A	This class action relates to bushfire damage occurring on 17 March 2018. Settlement approval was given on 2 August 2019.
GEOFFREY PETER DAVIS & ANOR v QUINTIS LIMITED (RECEIVERS AND MANAGERS APPOINTED) (VOLUNTARY ADMINISTRATORS)	NSD862/2018	FCA	NSW	Lee J	31 August 2015 - 15 May 2017	23-May-18	Open			Not yet finalised	Not yet finalised	923	Shareholder class action in relation to continuous disclosure and misleading and deceptive conduct. The class members in the Davis Class Action are those shareholders who acquired Quintis (ASX: QIN) shares listed on the ASX at any time in the period 31 August 2015 to 15 May 2017. An application to approve a settlement in the matter was adjourned by Lee J on 3 July 2020.

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ANDREW GEORGIOU v AMP LIMITED	NSD878/2018; 2018/310 103	FCA; NSWSC	NSW	Middleton J; Ward CJ	10 May 2012-13 April 2018 and 7 June 2012 - 13 April 2018	25/5/18	23-May-19	N/A	N/A	363	N/A	N/A	Class action against AMP subject to multiplicity dispute. Transferred or moved to another jurisdiction (NSWSC) on 5/10/2018. The proceeding was subsequently stayed.
VINCE IMPIOMBATO v BHP BILLITON LIMITED	VID649/2018	FCA	VIC	Moshinsky J	8 August 2012 - 9 November 2015	31-May-18	Open			Not yet finalised	Not yet finalised	915	Shareholder class action arising out of the failure of the Fundão tailings dam in Brazil (the Fundão Dam) in November 2015, the result of a consolidation of two proceedings. A consolidated originating application was filed on 16 August 2019. The class members are those who acquired shares in various BHP entities from 8 August 2012 to the close of trade on 9 November 2015, in which it is alleged that BHP was aware of problems with the dam. In October 2016, criminal proceedings were commenced in Brazil against Samarco, BHP Brasil and certain individuals in relation to the failure of the Fundão Dam. Most recently on 27 November 2020, the respondent was unsuccessful in an attempt to argue that Part IVA cannot apply to claims brought on behalf of persons who are not resident in Australia.
FERNBROOK (AUST) INVESTMENTS PTY LTD v AMP LIMITED	VID670/2018; 2018/310 118	FCA; NSWSC	VIC	Middleton J; Ward CJ	10 May 2012-15 April 2018 and 7 June 2012-15 April 2018	6/6/18	5/10/18			Not yet finalised	Not yet finalised	909	Class action against AMP subject to multiplicity dispute. Transferred or moved to another jurisdiction (NSWSC) on 5/10/2018. The proceeding was subsequently consolidated with the Komlotex proceedings.
KOMLOTEX PROPRIETARY LIMITED AS TRUSTEE FOR BREA SINCLAIR INDUSTRIES SUPERANNUATION FUND v AMP LIMITED	VID680/2018; 2018/310 118	FCA; NSWSC	VIC	Middleton J; Ward CJ	11 May 2012-15 April 2018 and 7 June 2012-15 April 2018	7/6/18	5/10/18			Not yet finalised	Not yet finalised	908	Class action against AMP subject to multiplicity dispute. Transferred or moved to another jurisdiction (NSWSC) on 5/10/2018. The proceeding was subsequently consolidated with the Fernbrook proceedings.

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BLOCK v POWERCOR AUSTRALIA LIMITED	S CI 2018 2155	VICSC	N/A	Dixon J	17-Mar-18	7-Jun-18	6/2/19	N/A	N/A	244	N/A	N/A	St Patrick's Day Gazette Bushfire class action, John Dixon J summarily dismissed the proceeding on the ground that the claim had no real prospects of success. The matter was heard on 17 October 2018 with a decision handed down on 6 February 2019
SIMON ALEXANDER TURNER v TESA MINING (NSW) PTY LIMITED (ABN 76 111 753 792) & ORS AND SIMON ALEXANDER TURNER v READY WORKFORCE (A DIVISION OF CHANDLER MACLEOD) PTY LTD & ORS	ACD46/2 018 and ACD47/2 018	FCA	ACT	Murphy J case managing	7 December 2012 - 19 December 2018.	27-Jun-18	Open			Not yet finalised	Not yet finalised	888	Industrial class action alleging breaches of the FWA and the mischaracterisation of employees as casual workers in the period 7 December 2012 to 27 September 2014, at which point they were made redundant. The second period relates to persons employed by the first respondent to work at the Mount Arthur Coal Mine at any time in the six years prior to 19 December 2018; and were either "coal mining employees" within the meaning of the Black Coal Mining Industry Award 2010 (Award) at any time in that period before 10 June 2015; and/or were a party to and bound by the Chandler Macleod Northern District of NSW Black Coal Mining Agreement 2015 (Chandler Macleod agreement) at any time during the period 11 June 2015 and 19 December 2018. Security for costs was ordered on 8 October 2019.
BOLEM INVESTMENTS PTY LTD v SETTLERS INVESTMENT MANAGEMENT LIMITED & ORS	VID769/2 018	FCA	VIC	Beach J	Not ascertained	27/6/18	14/5/19	N/A	N/A	321	N/A	N/A	Class action involving a failed managed investment scheme. Discontinued by Beach J on 14 May 2019.

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PHILIP ANTHONY BARON & ANOR v COMMONWEALTH BANK OF AUSTRALIA	NSD1158 /2018	FCA	NSW	Yates J	16 June 2014 - 3 August 2017	29-Jun-18	Open			Not yet finalised	Not yet finalised	886	On 3 August 2017, the Australian Transaction Reports and Analysis Centre (AUSTRAC) brought civil penalty proceedings against CBA in the Federal Court of Australia for “serious and systemic non-compliance” with the AML/CTF Act. On 9 August 2017, the Chairman of CBA, Catherine Livingstone AO, confirmed that the Board of CBA was made aware of “alleged issues relating to Threshold Transaction Reporting in the Intelligent Deposit Machines” in the second half of 2015. This matter is case managed alongside the Zonia proceedings. On 10 July 2019, the Court ordered that Maurice Blackburn and Phi Finney McDonald will be allowed to work together without consolidating their separate shareholder class actions against CBA. The claim period is from 16 June 2014 - 3 August 2017.
MATTHEW HALL v PITCHER PARTNERS (A FIRM)	VID918/2018	FCA	VIC	Middleton J	1 July 2015 - 3 August 2017	31-Jul-18	Open			Not yet finalised	Not yet finalised	854	Shareholder class action relating to the acquisition of shares in CBA during the period between 1 July 2015 and 1.00 pm on 3 August 2017.
BARTLETT v COMMONWEALTH	NSD1388 /2018	FCA	NSW	Jagot and Lee JJ	23-Nov-16	2-Aug-18	12-Jun-20	N/A	5-Jun-20	680	673	N/A	The three proceedings are known as the Williamtown class action, the Oakey class action and the Katherine class action. They involve claims made by group members, being either land owners or business owners as at the relevant date, in relation to damages allegedly suffered by reason of the use of a certain type of firefighting foam, containing PFAS, at Royal Australian Air Force bases close to the localities in which the group members either reside and/or operate businesses.

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HOLLY SOUTHERNWOOD v BRAMBLES LIMITED	VID972/2018	FCA	VIC	Murphy J	18 August 2016 - 17 February 2017.	8-Aug-18	Open			Not yet finalised	Not yet finalised	846	Shareholder action on behalf of all of those who purchased shares in Brambles Limited in the period of 18 August 2016 to 17 February 2017 resulting from falls in the share price after announcements on 23 January and 20 February 2017 that it would not meet its sales and profits forecasts. There was a multiplicity issue and the proceedings were consolidated with <i>WILLIAM VINCENT KIDD AND MARY AGNES COLLUM AS TRUSTEES FOR THE MAGNESS-BENNETT SUPERANNUATION FUND v BRAMBLES LIMITED</i> .
SISTER MARIE BRIGID ARTHUR AS LITIGATION REPRESENTATIVE FOR THE PERSONS NAMED IN THE FIRST SCHEDULE v NORTHERN TERRITORY OF AUSTRALIA (SISTER MARIE BRIGID ARTHUR (LITIGATION REPRESENTATIVE) v NORTHERN TERRITORY OF AUSTRALIA [2019] FCA 859)	NTD34/2018	FCA	NT	White J	9 August 2018 - 24 October 2018 or after 24 October 2018.	9-Aug-18	26-Feb-20	N/A	26-Feb-20	566	566	N/A	The proceeding is a class action seeking declarations and injunctions for alleged breaches under the <i>Youth Justice Act 2005</i> (NT), the Youth Justice Regulations 2005 (NT), Policy Determinations made under the regulations and, in addition, for alleged breaches of the <i>Racial Discrimination Act 1975</i> (Cth). Group members are children detained at the Alice Springs Youth Detention Centre (ASYDC) and the Don Dale Youth Detention Centre (DDYDC) between the commencement of proceedings on 9 August 2018 and 24 October 2018. Settlement involved the NT government publicly announcing the Statement of Commitments in the form negotiated between the parties. The Statement of Commitments set out a series of government initiatives to address shortcomings in the system of youth detention in the NT.
BRETT WILLIAM EVANS v DAVANTAGE GROUP PTY LTD	VID982/2018	FCA	VIC	Beach J	1 July 2013 - 28 May 2015	10-Aug-18	Open			Not yet finalised	Not yet finalised	844	Class action regarding allegedly unfair warranties for motor vehicles by group owned by McMillan Shakespeare. The relevant period is the period in which class members signed the said warranties. In April 2020, Beach J gave a judgment in relation to an interlocutory request for documents on the respondent's insurance, so that the applicant could assess whether the respondent could meet a judgment and in to inform decisions about settlement or whether an action should be pursued against the insurers. A settlement was

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													reached by the parties on 5 October 2020, pending court approval with a hearing scheduled for February 2021.
WILLIAM VINCENT KIDD AND MARY AGNES COLLUM AS TRUSTEES FOR THE MAGNESS-BENNETT SUPERANNUATION FUND v BRAMBLES LIMITED	VID1006/2018	FCA	VIC	Murphy J	18 August 2016 - 17 February 2017.	14-Aug-18	Open			Not yet finalised	Not yet finalised	840	Shareholder action on behalf of all of those who purchased shares in Brambles Limited in the period of 18 August 2016 to 17 February 2017 resulting from falls in the share price after announcements on 23 January and 20 February 2017 that it would not meet its sales and profits forecasts. There was a multiplicity issue and the proceedings were consolidated with <i>HOLLY SOUTHERNWOOD v BRAMBLES LIMITED</i> .
CALINOIU v QLD LAW GROUP – A NEW DIRECTION PTY LTD [2019] FCA 2019	NSD1477/2018	FCA	NSW	Rares and Lee JJ	Not ascertained	15/8/18	10/12/19	N/A	10/12/19	482	482	N/A	Class action alleging a personal injury law firm had entered into costs agreements contrary to the provisions of the <i>Legal Profession Act 2007</i> (Qld). The matter was finalised; discontinued on 10 December 2019 with a settlement which did not finalise the claims of group members.
ENDEAVOUR RIVER PTY LTD v MG RESPONSIBLE ENTITY LIMITED & ANOR	VID1010/2018	FCA	VIC	Beach J / Murphy J	29 May 2015- 26 April 2016	16-Aug-18	Open	N/A	9 July 2020	Not yet finalised	693	838	The applicant, Endeavour River Pty Ltd (Endeavour River), brings the class action against the respondents, MG Responsible Entity Limited and Murray Goulburn Co-operative Co. Limited (together, MG), on its own behalf and on behalf of all persons who acquired an interest in fully paid units in the Murray Goulburn Unit Trust during the period between 29 May 2015 to 26 April 2016 (the relevant period), who are alleged to have suffered loss or damage. The parties reached an in-principle settlement through a Settlement Agreement dated 24 June 2019, approved by Murphy J on 9 July 2020.

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HASSAN EL-BANNA EL-ZEIN & ORS v BARTON NINE PTY LIMITED ATF THE BARTON NINE SETTLEMENT ACN 143 616 693 & ANOR	NSD1555 /2018	FCA	NSW	Lee J	15 August 2013- 23 June 2015 / from 30 July 2015	23-Aug-18	12-Aug-2020	N/A	12-Aug-20	720	720	N/A	Morris Property Group/Doma Group class action. Claims relating to contract and GST in relation to the sale of 'new residential premises'. NSD 1417 of 2017 and NSD 1555 of 2018 were related matters. The first and second applicants in proceeding NSD 1555 of 2018 (Governor Place proceeding), Mr Hassan El-Zein and Mrs Deborah El-Zein, and the third and fourth applicants, Mr Glenn Eppelstun and Mrs Atsuko Eppelstun and each of the represented persons in the Governor Place proceeding (Governor Place group members) purchased a Governor Place Unit pursuant to a contract. There were different contracts entered into (Governor Place Contracts): Mr and Mrs El-Zein and the Taxable Supply Group Members (from about 15 August 2013 to about 23 June 2015) entered into the Taxable Supply Contracts; while it appears other group members (from about 30 July 2015) entered into the Margin Scheme Contracts. Mr and Mrs El-Zein and Mr and Mrs Eppelstun sought to recover the component of the purchase price payable said to be referable to GST.
FERNANDEZ v STATE OF NSW	2018/263 134	NSWSC	N/A	Garling and Wright JJ	4 March 2011	27/8/18	Open			Not yet finalised	Not yet finalised	827	Public Hospital Service Charges Class Action on behalf of people who guaranteed the payment of fees for patients in Public Hospitals in New South Wales from 4 March 2011, where those patients were ineligible for Medicare Benefits. It is claimed that hospitals should not ask people to provide guarantees as they have an obligation to provide care and treatment to all patients who need treatment. The Plaintiffs also claim contraventions of the ACL.

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HUNT LEATHER PTY LTD) AND SOPHIE IRENE HUNT v TRANSPORT FOR NSW	2018/263841	NSWSC	N/A	Garling J	2016-2019	28/8/18	Open			Not yet finalised	Not yet finalised	826	Light Rail Nuisance Class Action, involving delays in the Project, and allegations that the Project has substantially and unreasonably interfered with the enjoyment by the Plaintiff and group members of their private property. The project was announced in 2012 and works commenced in 2014 were due to be completed by 16 March 2019. The statement of claim describes alleged losses in the period 2016-2019. The action is listed for hearing in May or June 2021.
KLEMWEB NOMINEES PTY LTD (AS TRUSTEE FOR THE KLEMWEB SUPERANNUATION FUND) v BHP GROUP LIMITED	VID1077/2018	FCA	VIC	Moshinsky J	8 August 2012 - 9 November 2015	31/8/18	16/9/19	N/A	N/A	381	N/A	N/A	Shareholder class action relating to alleged losses due to the share price fall following the Fundão Dam collapse on 5 November 2015. Consolidated With Another File: Vince Impiombato, and Klemweb Nominees Pty Ltd as trustee for the Klemweb Superannuation Fund v BHP Group Ltd (VID649/2018)
NOEL MURRAY UREN v RMBL INVESTMENTS LTD & ANOR	VID1093/2018	FCA	VIC	Murphy J	Prior to 4 September 2018	4-Sep-18	Open	N/A	13 May 2020	Not yet finalised	617	819	Open class action on behalf of those who entered into loan agreements with the respondent, RMBL Investments Ltd which contain or contained a clause in the same or substantially the same terms as the Collection Charge Clause who had not received a refund by the filing date. The plaintiff alleges that the clause only entitled RMBL to charge borrowers the amount of costs, charges and expenses actually incurred in connection with the collection of interest payable under the loan agreements. Ongoing issues relate to settlement administration.

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NORMAN LESLIE WILLS AND JANE ANNE DANAHER (AS TRUSTEES FOR THE MINTY TIN SUPERANNUATION FUND) v WOOLWORTHS GROUP LTD (FORMERLY WOOLWORTHS LTD)	VID1131/2018	FCA	VIC	Beach J	29 August 2014 - 5 May 2015	10-Sep-18	Open			Not yet finalised	Not yet finalised	813	Shareholder class action on behalf of Woolworths shareholders who purchased WOW shares between 29 August 2014 to 5 May 2015. The action is now funded by International Litigation Funding Partners, after IMF Bentham Limited withdrew from funding the case in January 2018, saying the class action no longer met its investment criteria.
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION v BHP GROUP LIMITED	VID1218/2018	FCA	VIC	Moshinsky J	2015	24/9/18	18/11/19	N/A	N/A	420	N/A	N/A	Shareholder class action in relation to the BHP Fundão Dam collapse on 5 November 2015, subject to multiplicity dispute, that was permanently stayed on 18 November 2019.
SAMANTHA CLARK v NATIONAL AUSTRALIA BANK LIMITED & ANOR	VID1238/2018	FCA	VIC	Lee J	From 26 September 2012; and/or 13 June 2013.	26-Sep-18	Open	N/A	8-May-20	Not yet finalised	590	797	A consumer class action. The proceeding related to the sale of consumer credit insurance policies sold to customers of the Respondents. The Plaintiff alleged that the Respondents engaged in misleading and deceptive conduct, unconscionable conduct and breached the Corporations Act by failing to act in the best interests of consumers. The group members were persons who, held NAB Credit Card Cover (NAB Cover) at any time since 26 September 2012; and/or NAB Personal Loan Cover (NAB PLC) at any time since 13 June 2013 and paid premiums in relation to that coverage and that insurance was worthless for the person because of a set of reasons, e.g., lack of Australian citizenship or age.
KOZIK v REDLAND CITY COUNCIL	BS No 11364 of 2018	QSC	N/A	Boddice J	July-March 2017	Oct-18	Open			Not yet finalised	Not yet finalised	792	Class action in relation to incorrectly levied special charges by the Council where only part of the money levied had been returned, with the rest spent on goods and services for the benefit of the community.

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KEITH KAYLER-THOMSON v COLONIAL FIRST STATE INVESTMENTS LIMITED & ANOR	VID1313/2018	FCA	VIC	Beach J	Not ascertained	9-Oct-18	Open			Not yet finalised	Not yet finalised	784	Class action in relation to the superfund alleging members were charged uncompetitive interest rates on their cash holdings.
PHILIP DWYER v VOLKSWAGEN GROUP AUSTRALIA PTY LTD TRADING AS VOLKSWAGEN AUSTRALIA	2018/322 648	NSWSC	N/A	Sackar J	1 November 2000 to 31 May 2018 inclusive	22-Oct-18	Open			Not yet finalised	Not yet finalised	771	Seven representative proceedings heard together, relating to vehicles containing the defective Takata airbag. The matter is listed for mediation in March 2020 and a hearing of 8 weeks duration starting 3 May 2021.
YUANBAO YU v ROYAL NATIONAL CAPITAL ALLIANCE LIMITED ACN 601 566 803 & ORS	NSD2168 /2018	FCA	NSW	Gleeson J	Not ascertained	15-Nov-18	Open			Not yet finalised	Not yet finalised	747	Class action relating to a property investment and visa scheme against a Sydney-based financial advisory firm, concerning the Hope Island development. See also <i>Pan v National Capital Alliance</i> . A settlement was reached in November 2020, pending court approval.
ASHITA TOMI PTY LTD AS TRUSTEE FOR ESSKAY SUPER FUND & ORS v RCR TOMLINSON LTD & ORS	2018/003 53304	NSWSC	N/A	Hammersc hlag J	11 August 2017 - 27 July 2018	16-Nov-18	Open			Not yet finalised	Not yet finalised	746	Solar Farms (RCR Tomlinson) Class Action, a shareholder class action on behalf of those who acquired an interest in the period from 11 August 2017 to 27 July 2018.
ROBERT MUTCH v ISG MANAGEMENT PTY LTD	VID1492/2018	FCA	VIC	Bromberg J	2011 - 01-Mar-2019	21-Nov-18	Open			Not yet finalised	Not yet finalised	741	Industrial relations matter in relation to alleged misclassification of class members as independent contractors (Tandem class action). The group members are those who, in the period 2011 to the date of the filing of the further amended statement of claim, received "Tickets of Work" from ISGM and provided their services to ISGM as telecommunications technicians.

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ALOIS JACK & ORS v CORESTAFF NT PTY LTD ACN 129 495 263	NSD2162 /2018	FCA	NSW	Bromwich J	2011-2012	22-Nov-18	Open			Not yet finalised	Not yet finalised	740	An industrial class action seeking compensation arising out of prior employment by CoreStaff NT. Issues included difficulty ascertaining the members of the group and a contest over a notice to produce. The class members are those who in 2011 or 2012 were offered employment and received on or after 23 November 2012 a letter with the subject referring to the ceasing of employment.
LESLIE TAYLOR v DISTRICT COUNCIL OF KIMBA	SAD296/ 2018	FCA	SA	White J	2017	23/11/18	3-Apr-20	N/A	N/A	497	N/A	N/A	Human rights class action, relating to allegations of racial discrimination. A related proceeding in which a judgment was given that was unfavourable to the plaintiff was upheld on appeal to the Full Court. The proceedings were dismissed by White J on 3/4/2020.
RICHMOND VALLEY COUNCIL v JARDINE LLOYD THOMPSON PTY LTD	2018/003 71447	NSWSC	N/A	Hammersc hlag J	1 January 2009 - 3 December 2018	3-Dec-18	Open			Not yet finalised	Not yet finalised	729	Class action on behalf of councils alleging misleading conduct in relation to insurance broking services in the period 1 January 2009 to 3 December 2018
LAWRENCE RIDGE v HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LIMITED AND TANIA KELEHEAR v STELLAR PERSONNEL BRISBANE PTY LIMITED & ORS	VID1661/ 2018; VID1662/ 2018	FCA	VIC	Murphy J for case management	from 21 December 2012 onwards	21-Dec-18	Open			Not yet finalised	Not yet finalised	711	Industrial relations class action for workers employed as a casual by Hays at any time since 21 December 2012, who worked at a Black Coal mining site in accordance with a long form roster.
MOTLAP v EAST COAST LAWYERS PTY LTD & ANOR	2019/225	QSC	N/A	Henry J	Not ascertained	2019	26-Jul-19	N/A	N/A	Not ascertained	N/A	N/A	Class action relating to a costs agreement from East Coast Lawyers. The representative part of this proceeding was discontinued on 26 July 2019.

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MATTHEW PETERSEN v WORKPAC PTY LTD	VID89/2019	FCA	VIC	Murphy J for case management	4 February 2013 onwards	4-Feb-19	Open			Not yet finalised	Not yet finalised	666	Industrial relations class action against labour hire company WorkPac for the alleged misclassification of workers and underpayment of employment entitlements on behalf of claimants working at various Black Coal mining sites in Queensland and New South Wales since 4 February 2013, who worked at a Black Coal mining site in accordance with a long form roster.
THE OWNERS - STRATA PLAN 87231 v 3A COMPOSITES GMBH & ANOR	NSD215/2019	FCA	NSW	Wigney J	2009-14 February 2019	14-Feb-19	Open			Not yet finalised	Not yet finalised	656	Class action relating to alleged TPA, CCA and CCL breaches in relation to flammable cladding on buildings. The "group members" were defined as persons who either: owned; had previously owned; or held an ownership or leasehold interest in, a building or part of a building in Australia which had been fitted with Alucobond cladding within the 10 years preceding the commencement of the proceeding. The loss or damage suffered by Owners and each group member was said to include the cost of removing or replacing the Alucobond cladding, or the costs of implementing measures to rectify the impacts arising from the alleged defects.
CARPENDERS PARK PTY LTD (AS TRUSTEE OF THE CARPENDERS PARK PTY LTD STAFF SUPERANNUATION FUNF) v SIMS METAL MANAGEMENT LTD	NSD220/2019	FCA	NSW	Rares J	21 August 2015 - 19 February 2016	15-Feb-19	Open			Not yet finalised	Not yet finalised	655	Shareholder class action, where class members are those who acquired an interest in shares during the relevant period 21 August 2015 to 19 February 2016. The ComCourts website lists the filing date at 15 February. However, Rares J has said that the action was filed on 20 February 2019.
IAN JOHN TATE & ANOR v WESTPAC BANKING CORPORATION	VID145/2019	FCA	VIC	Perram J	1 January 2011 - 17 February 2018.	21-Feb-19	25/09/2020	N/A	N/A	582	N/A	N/A	Class action on behalf of people who entered into particular Westpac branded loans between 1 January 2011 and 17 February 2018. This matter was discontinued by orders dated 22 September 2020, with reasons published on 25 September 2020. Westpac was successful in the regulatory action by ASIC related to the class action claims in the Federal Court and on appeal to the Full Court.

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AUB19 v COMMONWEALTH OF AUSTRALIA [2019] FCA 1722	VID185/2019 and VID186/2019	FCA	VIC	Mortimer J	2019	22/2/2019	22/10/19	N/A	N/A	242	N/A	N/A	Finalised - Discontinued/Withdrawn after being remitted from the High Court. Two class actions were filed that argued that the Australian Government owed a duty of care to the remaining detainees in offshore detention, one in respect of detainees on Manus and one in respect of detainees on Nauru, at the time of filing around 1,300 people.
BARRY JONES & ORS v RCR TOMLINSON LTD & ORS	2019/00094443	NSWSC	N/A	Hammerschlag J	11 August 2017 - 12 November 2018	26-Mar-19	15 August 2019	N/A	N/A	142	N/A	N/A	Solar Farms (RCR Tomlinson) Class Action, a shareholder class action on behalf of those who held an interest in the period from 11 August 2017 to 12 November 2018. Consolidated with 2018/00353304 on 15 August 2019.
GREENSHADES PASTORAL CO. PTY LTD v HARDI AUSTRALIA PTY LTD	2019/00101980	NSWSC	N/A	Hammerschlag J	1 April 2013 - 1 December 2018	2-Apr-19	Open			Not yet finalised	Not yet finalised	609	Class action alleging breaches of the Australian Consumer Law in relation to farming equipment in the period 1 April 2013 and 1 December 2018.
GWEN DALLIS BARKER v SANTOS LIMITED	NSD520/2019	FCA	NSW	Bromwich J	From 20 August 2010 onwards	3-Apr-19	10-Jul-2020	N/A	10-Jul-20	464	464	N/A	Industrial class action on behalf of group members who, at any time after 20 August 2010, were nominated and accepted employment as, and performed duties as, "Casual Cultural Heritage Officers" during a field placement more than two hours from Brisbane (one way), and who have not been paid their full travel entitlements.
JONES ASIRIFI-OTCHERE v SWANN INSURANCE (AUST) PTY LTD	NSD544/2019	FCA	NSW	Gleeson J	1 January 2008 - 1 August 2017	8-Apr-19	Open			Not yet finalised	Not yet finalised	603	This class action relates to the 'sale, in alleged contravention of various laws, of "add on insurance products" said to be of little or no financial value, by the first respondent (Swann). The class action is on behalf of all persons who during the period 1 January 2008 to 1 August 2017 inclusive (relevant period) purchased add on insurance products at or around the time they purchased a motor vehicle or motor cycle; among other criteria. A settlement was agreed inter partes and announced on 6 October 2020. This is subject to court approval.

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RK DOUDNEY PTY LTD, AS TRUSTEE FOR THE RK DOUDNEY SUPERANNUATION FUND v IOOF HOLDINGS LTD	2019/114 608	NSWSC	N/A	Ball and Hammersc hlag JJ	27 May 2015 to 5 December 2018	12-Apr-19	May 2020	N/A	May 2020	385	385	N/A	Shareholder class action against IOOF alleging breaches of continuous disclosure obligations and misleading or deceptive conduct. The class acquired shares in the relevant period of 27 May 2015 to 5 December 2018. On 20 September 2019, Jagot J of the Federal Court dismissed separate proceedings brought by APRA in December 2018. The class action was discontinued with no compensation paid to the plaintiff, class, lawyers or funder. Please note, dates are approximate.
DAVID WILLIAM PALLAS & JULIE PALLAS AS TRUSTEES FOR THE PALLAS FAMILY SUPERANNUATION FUND v LEANDLEASE CORPORATION LIMITED	2019/001 22037	NSWSC	N/A	Hammersc hlag J	17 November 2017 - 8 November 2018	18-Apr-19	Open			Not yet finalised	Not yet finalised	593	Shareholder class action in which there was a multiplicity issue, another file was consolidated with this file on 21 November 2019. The class are those who acquired interests in the period 17 November 2017 to 8 November 2018.
MARTIN JOHN FLETCHER v LENDLEASE CORPORATION LIMITED	2019/002 44030	NSWSC	N/A	Hammersc hlag J	17 November 2017 - 8 November 2018.	18-Apr-19	21-Nov-19	N/A	N/A	217	N/A	N/A	Shareholder class action in which there was a multiplicity issue. The matter was consolidated with 2019/00122037 on 21 November 2019. The class are those who acquired interests in the period 17 November 2017 to 8 November 2018.
MICHAEL AND TRACEY FISHER AS TRUSTEES FOR THE TRAMIK SUPER FUND TRUST v VOCUS GROUP LIMITED	VID419/2 019	FCA	VIC	Moshinsky J	29 November 2016 - 2 May 2017	24-Apr-19	Open	N/A	4-May-20	Not yet finalised	376	587	Shareholder class action relating to people who acquired an interest in fully paid ordinary shares in Vocus Group Ltd between 29 November 2016 and 2 May 2017 and allegedly suffered loss or damage by reason of the pleaded conduct of Vocus.

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ANDRIANAKIS v UBER TECHNOLOGIES INCORPORATED & ORS	2019/1926	VSC	N/A	Macaulay J	2014-2017	3-May-19	Open			Not yet finalised	Not yet finalised	578	A class action on behalf of taxi-cab or hire car drivers, operators or licence holders within 2014 to 2017 (1 April 2014 to 23 August 2017 in Victoria; 7 April 2014 to 18 December 2015 in NSW; 17 April 2014 to 9 June 2017 in Queensland; and 10 October 2014 to 4 July 2016 in WA) alleging Uber engaged in conspiracy by unlawful means, causing class members the loss of the equity value of taxi licences and loss of income. The respondent unsuccessfully attempted to get the action thrown out in late 2019 with the Court of Appeal dismissing two appeals from that decision in July 2020. There are two related actions (the Stewart and Salem proceedings).
WISBEY & ASSOCIATES PTY LTD v UBS AG & ORS	VID567/2019	FCA	VIC	Beach J	January 2008 - 15 October 2013	27-May-19	Open			Not yet finalised	Not yet finalised	554	Class action against UBS, Royal Bank of Scotland, JPMorgan, Citibank and Barclays in relation to alleged illegal cartel conduct in the foreign exchange market in the period 1 January 2008 to 15 October 2013.
DALE ROBERT ALFORD & ANOR v AMP SUPERANNUATION LIMITED & ORS	VID572/2019	FCA	VIC	Murphy J for case management	From 1 July 2008 and from 30 March 2011.	30-May-19	Open			Not yet finalised	Not yet finalised	551	Consolidated class action relating to alleged overcharging of superannuation fees by AMP From 1 July 2008 for members of the AMP Superannuation Savings Trust, AMP Retirement Trust, or the Eligible Rollover Fund; and from 30 March 2011 for members of the Super Directions Fund, National Mutual Retirement Fund, Wealth Personal Superannuation and Pension Fund, or The Retirement Plan.
CJMCG PTY LTD ATF THE CJMCG SUPERANNUATION FUND v RCR TOMLINSON LTD	2019/00178541	NSWSC	N/A	Hammerschlag J	28 August 2018 - 12 November 2018	7-Jun-19	15-Aug-19	N/A	N/A	69	N/A	N/A	Solar Farms (RCR Tomlinson) Class Action, a shareholder class action on behalf of those who held an interest in the relevant period. Consolidated with 2018/00353304 on 15 August 2019.
THE OWNERS - STRATA PLAN NO 91086 v FAIRVIEW ARCHITECTURAL PTY LTD ACN 111 935 963	NSD940/2019	FCA	NSW	Wigney J	2014 - 2015	13/6/19	Open			Not yet finalised	Not yet finalised	537	Class action concerning combustible cladding in the 85-unit Solis Apartments complex in Western Sydney. Leave to proceed was granted on 27 November 2020.

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KERRY MICHAEL QUIRK v SUNCORP PORTFOLIO SERVICES LIMITED IN ITS CAPACITY AS TRUSTEE FOR THE SUNCORP MASTER TRUST	2019/001 93556	NSWSC	N/A	Hammersc hlag J	1 July 2013 to 21 June 2019.	21-Jun-19	Open			Not yet finalised	Not yet finalised	529	Suncorp Super Class Action, on behalf of superannuation members affected by banned conflicted remuneration for financial advisors in the summons in the period 1 July 2013 to 21 June 2019. The court has criticised the opt out notices in the class action in July and August 2020.
RILEY GALL v DOMINO'S PIZZA ENTERPRISES LIMITED	VID685/2 019	FCA	VIC	Murphy J for case management	24 June 2013 - 23 January 2018	24-Jun-19	Open			Not yet finalised	Not yet finalised	526	Industrial class action on behalf of all persons who, at any time during the period of 24 June 2013 to 23 January 2018, were employed as delivery drivers or in-store workers by a Domino's franchise operator, were covered by the Fast Food Industry Award 2010 and were not paid the applicable rates or afforded the terms and conditions of employment prescribed by the Award. Broadly, the proceeding alleges that Domino's engaged in conduct in its dealings with its franchisees that misled and deceived the franchisees in respect of their obligations to their employees under the Award, as a result of which class members were not paid their award entitlements.
ANNE COOPER & ANOR v AMP SUPERANNUATION LIMITED & ANOR	VID701/2 019	FCA	VIC	Murphy J	Not ascertained	26/6/19	20/8/19	N/A	N/A	55	N/A	N/A	Class action which was consolidated with <i>Dale Robert Alford and Sebastian Smith v AMP Superannuation Limited and others</i> (VID572/2019) on 20 August 2019.
TURNER v BAYER AUSTRALIA LTD & ORS	S ECI 2916 2019	VSC	N/A	Not ascertained	1999 to 31 December 2018	8/7/19	Open			Not yet finalised	Not yet finalised	512	Product liability class action on behalf of people who have allegedly suffered harm as the result of the implant of Essure contraceptive device prior to 31 December 2018. The class action is brought against a number of companies alleged to have been involved in the design, development or manufacture of the devices, or to have sponsored the devices under the <i>Therapeutic Goods Act 1989</i> (Cth). The plaintiff alleges that the defendants breached a duty of care owed to the plaintiff and group members, and/or their obligations under Australian consumer protection laws.

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WETDAL PTY LTD AS TRUSTEE FOR THE BLUECO TWO SUPERANNUATION FUND & ANOR v ESTIA HEALTH LIMITED	VID758/2019	FCA	VIC	Middleton J for case management	12 August 2015 - 6 October 2016	15-Jul-19	Open			Not yet finalised	Not yet finalised	505	Class action relating to misleading and deceptive conduct and continuous disclosure breaches. Class members are those who acquired shares in Estia from 12 August 2015 to 6 October 2016, and those who acquired long exposure to Estia Shares by entering into equity swap confirmations in respect of Estia Shares.
BASIL JOSHUA DAWSON & ORS v COMMONWEALTH OF AUSTRALIA	SAD154/2019	FCA	SA	White J	Not ascertained	22-Jul-19	Open			Not yet finalised	Not yet finalised	498	Human rights class action relating to work-for-the-dole rules of the Federal Government and alleged breaches of the Racial Discrimination Act. The Australian Human Rights Commission has been granted leave to intervene in the proceedings. A mediation process had been commenced as per orders of White J on 13 October 2020.
KENNETH JOHN WILLIAMS v TOYOTA MOTOR CORPORATION AUSTRALIA LIMITED	NSD1210/2019	FCA	NSW	Lee J for case management	1 October 2015- 26 June 2020	26-Jul-19	Open			Not yet finalised	Not yet finalised	494	A consumer class action on behalf of anyone who, from 1 October 2015 until the Amended Statement of Claim was filed on 26 June 2020 in Australia, acquired one or more models of Toyota motor vehicle in the Hilux, Fortuner and Prado ranges fitted with a 1GD-FTV engine or 2GD-FTV engine.
TERRY WILLIAMSON v SYDNEY OLYMPIC PARK AUTHORITY TRADING AS SYDNEY OLYMPIC PARK	2019/00232749	NSWSC	N/A	Hammerschlag and Derrington JJ	24-Dec-18	26-Jul-19	Open			Not yet finalised	Not yet finalised	494	Opal Towers Class Action on behalf of those who owned lots as at 24 December 2018.
PLAINTIFF M83A/2019 & ANOR v SCOTT MORRISON & ORS	VID816/2019	FCA	VIC	Mortimer J for case management	From 3 August 2013	31-Jul-19	21/08/2020	21/08/2020	N/A	387	387	N/A	Nauru class action relating to alleged unlawful actions taken when applying for or requesting any extensions of the Regional Processing Centre visa (RPC visa) in Nauru. The proceeding was initially issued in the High Court on 24 June 2019, and subsequently remitted to and constituted as a class action in the Federal Court of Australia. The class action was brought by two representative applicants on behalf of persons who, inter alia, were taken to the Republic of Nauru from Australia after 3 August 2013. Mortimer J granted a strike out application on 21 August 2020 (hearings on 12-14 May 2020).

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BEN ANTHONY WILLIAM RENYARD v WORKPAC PTY LTD	VID897/2019	FCA	VIC	Murphy J case managing	From 2013	20-Aug-19	Open			Not yet finalised	Not yet finalised	469	Industrial class action alleging breaches of the FWA in relation to 'casual' coal miners, run by Slater and Gordon. The closed class action covers CFMEU members who were employed in coal mines by WorkPac for a continuous period of at least three months since 2013. There were interlocutory issues relating to the overlapping class action of <i>Peterson v Workpac</i> (VID89/2019)
MOIRA SHIRE COUNCIL & ANOR v JLT RISK SOLUTIONS PTY LTD (FORMERLY CALLED JARDINE LLOYD THOMSON PTY LTD)	S ECI 2019 02919	VSC	N/A	Riordan J	1 January 2009 - 28 June 2019	22/08/2019	Open			Not yet finalised	Not yet finalised	467	Class action on behalf of local government authorities which obtained insurance broking services from the respondent from 1 January 2009 to 28 June 2019 and also obtained property insurance from JLT (Municipal Asset Protection Plan) Discretionary Trust alleging breaches of the general law, contractual and fiduciary duties.
TRACY GHEE v BT FUNDS MANAGEMENT LIMITED (ACN 002 916 458) AND ANOR	VID962/2019	FCA	VIC	Lee J for case management	29 October 2007 - 4 September 2019	4-Sep-19	Open			Not yet finalised	Not yet finalised	454	Class action relating to superannuation funds by Westpac run by Slater and Gordon.
MATTHEW HALL v ARNOLD BLOCH LEIBLER	VID1010/2019	FCA	VIC	Middleton J case managing	30 March 2015 - 25 November 2015.	13-Sep-19	Open			Not yet finalised	Not yet finalised	445	Class action on behalf of shareholders in Slater & Gordon against Arnold Bloch Leibler (ABL), the law firm that acted as legal due diligence advisers to Slater & Gordon, claiming negligent advice. It is related to the 2018 action against Pitcher Partners, but with slightly different 'relevant periods'. The ABL Class Action has been commenced on behalf of all persons who acquired an interest in fully paid ordinary shares in SGH between 30 March 2015 and 25 November 2015.

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MERVYN LAWRENCE BRADY v NULIS NOMINEES (AUSTRALIA) LIMITED (ACN 008 515 633) IN ITS CAPACITY AS TRUSTEE OF THE MLC SUPER FUND	NSD1736 /2019	FCA	NSW	Markovic J	From 1 July 2016	10-Oct-19	Open			Not yet finalised	Not yet finalised	418	Class action in relation to superfund fees charged to members of the MLC Super Fund by NULIS from 1 July 2016 onwards.
LESLEY COATMAN v COLONIAL FIRST STATE INVESTMENTS LIMITED & ANOR	VID1139/ 2019	FCA	VIC	Murphy J case managing	January 2014-2016	17-Oct-19	Open			Not yet finalised	Not yet finalised	411	Two overlapping class actions in relation to superannuation by Slater and Gordon and Maurice Blackburn in relation to alleged breaches of super trustee duties, including a failure to meet the January 2014 deadline to transfer superannuation accounts to the new government-mandated regime. The matter is related to VID1141/2019.
MARCEL EUGENE KRIEGER v COLONIAL FIRST STATE INVESTMENTS LIMITED	VID1141/ 2019	FCA	VIC	Murphy J	11-Jun-13	18-Oct-19	Open			Not yet finalised	Not yet finalised	410	Two overlapping class actions in relation to superannuation by Slater and Gordon and Maurice Blackburn in relation to alleged breaches of super trustee duties VID1139/2019.
PATRICK CUMAIYI & ORS v NORTHERN TERRITORY OF AUSTRALIA & ANOR	NTD36/2 019	FCA	NT	White J	November 2016 and May 2019	28-Oct-19	Open			Not yet finalised	Not yet finalised	400	Human rights class action relating to a Northern Territory Indigenous man serving a two-year jail sentence for recklessly endangering the safety of a police aircraft, alleging assault (on 9 November 2016) and subsequent medical treatment as well as broader institutional racist discrimination. It is claimed that between November 2016 and May 2019, the respondents failed to provide health services to the applicants in the same way such services would be provided to non-Indigenous persons, and failed to provide adequate health services in the form of the required number of general practitioners, nurses and properly trained interpreters for Wadeye, and that such acts amounted to discrimination based on race. White J granted a partial strike out application on 9 September 2020.

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JUSTIN HILL v SKILLED WORKFORCE SOLUTIONS (NSW) PTY LTD	VID1209/2019	FCA	VIC	Murphy J	2013-2019	31-Oct-19	Open			Not yet finalised	Not yet finalised	397	Industrial relations class action in relation to casual employment characterisations and work entitlements in the six years prior to filing.
KATHERINE PRYGODICZ & ORS v COMMONWEALTH OF AUSTRALIA (458) AND ANOR	VID1252/2019	FCA	VIC	Murphy J	From 1 July 2015	19-Nov-19	Open			Not yet finalised	Not yet finalised	378	Robodebt class action on behalf of those who at any time after 1 July 2010 received from the Commonwealth particular social security benefits and, at any time after 1 July 2015 the Commonwealth sent a Robodebt notification. The parties reached a settlement on 16 November 2020, pending approval by the court.
IAN LEWIS CONSULTING PTY LTD v COEUR DE LION INVESTMENTS PTY LIMITED & ORS	QUD734/2019	FCA	QLD	Greenwood J	From 20 March 2012	19-Nov-19	23-Nov-2020	N/A	23-Nov-2020	370	370	N/A	Class action in relation to timeshare involving Clive Palmer. The proceedings were discontinued on 23 November 2020 with no order as to costs, see the reasons in related matter QUD79/2020. The matter was resolved with an order that the respondent make an unconditional purchase offer to every member for the stapled interests. The judgment was published two days later on 25 November.
JOHN FENTON v MONSANTO AUSTRALIA PTY LTD	NSD1971/2019	FCA	NSW	Lee J for case management	July 1976 - April 2020	27-Nov-19	Open			Not yet finalised	Not yet finalised	370	Monsanto Roundup class action in relation to carcinogenic substance in the product and alleging Monsanto misled consumers regarding its safety. The lead applicant began using the product in 2000 and was diagnosed in 2008. On 1 May 2020 the Federal Court determined that the class action run by Maurice Blackburn would be heard before any other class action about Roundup. The class are all those who used or were exposed to Roundup Products between July 1976 and April 2020 and subsequently were diagnosed with non-Hodgkin lymphoma. Multiplicity issues involved, see VID243/2020 - KELVIN MCNICKLE v HUNTSMAN CHEMICAL COMPANY AUSTRALIA PTY LTD & ANOR.
ZHITAO PAN v ROYAL NATIONAL CAPITAL ALLIANCE LIMITED & ORS	NSD2021/2019	FCA	NSW	Lee J	12 August 2015 – 19 December 2016	28-Nov-19	Open			Not yet finalised	Not yet finalised	369	Class action relating to a property investment and visa scheme against a Sydney-based financial advisory firm alleging breach of trust and of the ASIC Act. Class members provided funds from 12 August 2015 – 19 December 2016. A loan

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													default in June 2016 allegedly led to the losses of class members. ¹³ A settlement was reached in November 2020, pending court approval.
CAMERON BAKER v WOOLWORTHS LIMITED	NSD2004 /2019	FCA	NSW	Perram J	From 29 November 2013	29-Nov-19	Open			Not yet finalised	Not yet finalised	368	Industrial class action concerning wage theft by the Woolworths Group. The action alleges that the amounts of underpayments since 2015, estimated by Woolworths between \$200 million and \$300 million, is lower than the actual amount of underpayments. The class includes salaried employee of Woolworths supermarkets or Big W at any time since 29 November 2013 who were underpaid.
DBE17 (BY HIS LITIGATION GUARDIAN MARIE THERESA ARTHUR) v COMMONWEALTH OF AUSTRALIA	VID1392/ 2019	FCA	VIC	Mortimer J case managing	27 August 2011- 25 February 2020	6-Dec-19	Open			Not yet finalised	Not yet finalised	361	Human rights class action on behalf of a plaintiff who was born in immigration detention in 2013. The relevant period for the class as a whole is 27 August 2011 to 25 February 2020. Mortimer J stated at [3]: 'This proceeding already has quite a long history. The applicant commenced a proceeding in this Court (VID 750 of 2017) on 7 August 2017. Essentially the same case was pleaded as is now pleaded. The Commonwealth objected to this Court's jurisdiction to hear and determine that proceeding. The Court upheld that objection and dismissed the proceeding: see <i>DBE17 v Commonwealth of Australia</i> [2018] FCA 1307; <i>DBE17 v Commonwealth of Australia</i> (No 2) [2018] FCA 1793. The applicant filed an appeal from those orders. That appeal was discontinued on 28 May 2019 and on 26 September 2019 the applicant filed a proceeding in the High Court. The applicant's case remained the same.' The Cth agreed that the matter should be remitted to the FCA, and the High Court did so on 6 December 2019. The trial is to occur in November 2021.

¹³ See Miklos Bolza, 'Sydney financial advisor hit with \$14.5m class action by Chinese investors' Lawyerly (online, 28 January 2020) <<https://www.lawyerly.com.au/sydney-financial-advisor-hit-with-14-5m-class-action-by-chinese-investors/>>.

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FERDINANDO MAISANO v MONSANTO	S ECI 2019 05613	VISC	N/A	J Dixon J	1976-2019	10/12/2019	9 April 2020	N/A	N/A	121	N/A	N/A	Roundup action commenced in the Supreme Court by Carbone Lawyers, on behalf of those who were exposed to the herbicide Roundup in the relevant period and got Non-Hodgkins Lymphoma. On 9 April 2020 J Dixon J transferred the proceeding to the Federal Court.
EDMUND HOW FEN YONG v WESTPAC BANKING CORPORATION	VID1373/2019	FCA	VIC	Allsop CJ and Middleton J case managing	2011 - 2018	16-Dec-19	Open			Not yet finalised	Not yet finalised	351	Class action in relation to Westpac Loans.
MIZUKI SAI v GEA LAWYERS PTY LTD & ANOR	NSD2171/2019	FCA	NSW	Lee J	Prior to August 2019	23-Dec-19	05-Aug-2020	N/A	14-May-20	226	143	N/A	Unconscionable conduct class action in relation to the collapse of Ralan and advice given in relation to investments. There was a settlement made in this matter and related matters.
RAYMOND BOULOS v M.R.V.L. INVESTMENTS PTY LTD	NSD2168/2019	FCA	NSW	Thawley J	2013- 24 December 2019	24-Dec-19	Open			Not yet finalised	Not yet finalised	343	Industrial relations class action seeking compensation for alleged underpayment of employment entitlements under the Hospitality Industry (General) Award 2010. Class members include those employed during the six years prior to 24 December 2019.
GARRY CHARLES FRANCIS AND JODI LEE FRANCIS v OCULUS ACCOUNTING PTY LTD	QUD11/2020	FCA	QLD	Derrington J	2009 - 2016	15-Jan-20	Open			Not yet finalised	Not yet finalised	321	Consumer class action in relation to advice about investments in Guvera which subsequently collapsed.
SIMON MALLIA v COLONIAL FIRST STATE INVESTMENTS LTD & ANOR	VID28/2020	FCA	VIC	Beach J	January 2014-January 2020	22-Jan-20	Open			Not yet finalised	Not yet finalised	314	Shine lawyers action in relation to Colonial superannuation fund, with conditions that class members must have had a particular life insurance period between January 2014 and January 2020 in addition to being a member of a set of super funds. There is a multiplicity issue in these proceedings.

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SHIMSHON v MLC NOMINEES PTY LIMITED & ANOR	2020/306	VSC	N/A	Not ascertained	3 December 2016 - 25 March 2017	22/1/20	Open			Not yet finalised	Not yet finalised	315	Class action on behalf of superannuation members who held accrued default amounts in MasterKey Super products that were transferred into MySuper products on 3 December 2016 or 25 March 2017. The plaintiff alleges that the trustees of the super funds breached their duties as trustees by failing to transition the amounts to the lower-cost MySuper product in a way that was timely and in the best interests of those members. Issues have arisen related to whether the action involved trust property and so was not correctly begun as a class action.
LINDSEY SCHOFIELD & ANOR v TFS MANUFACTURING & ORS	NSD181/2020	FCA	NSW	Lee J for case management	From August 2000.	21-Feb-20	Open			Not yet finalised	Not yet finalised	284	TFS pelvic mesh matter, originally commenced in the NSWSC on 25 October 2018. The claim covers all individuals who had any of the TFS or IVS devices implanted from August 2000 onwards and who subsequently suffered injuries as a result of these devices. An application for security for costs was dismissed on 8 October 2020.
JOHN DOUGLAS MCFARLANE v IOOF HOLDINGS LIMITED	NSD206/2020	FCA	NSW	Gleeson J	1 March 2014 - 7 July 2015	28-Feb-20	Open			Not yet finalised	Not yet finalised	278	Shine Lawyers action on behalf of shareholders of IOOF related to alleged non-disclosures and misleading and deceptive conduct in the period from 1 March 2014 to 7 July 2015 (inclusive).
ROGER KEMP v WESTPAC BANKING CORPORATION	VID134/2020	FCA	VIC	O'Bryan J case managing	1 January 2010 - 30 June 2019	28-Feb-20	Open			Not yet finalised	Not yet finalised	278	Class action relating to credit insurance policy of Westpac, for people who at any time between 1 January 2010 and 30 June 2019 were issued at least one credit insurance policy with respect to a credit card issued, or a flexi loan or personal loan and suffered loss.
TRACEY REILLY & ANOR v AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED & ORS	VID133/2020	FCA	VIC	O'Bryan J case managing	1 January 2010 - 30 June 2019	28-Feb-20	Open			Not yet finalised	Not yet finalised	278	Class action on behalf of people who at any time between 1 January 2010 and 30 June 2019 were issued at least one credit insurance policy with respect to a credit card issued or a personal loan advanced by the first respondent and allege loss or damage, and/or unjust enrichment by the respondents.

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JIANYU HUANG v DILIGENCE LAWYERS & MIGRATION AGENTS PROPRIETARY LIMITED & ANOR	NSD245/2020	FCA	NSW	Lee J	Prior to August 2019	6-Mar-20	05-Aug-2020	N/A	14/5/20	152	69	N/A	Unconscionable conduct class action in relation to the collapse of Ralan and advice given in relation to investments. There was a settlement made in this matter and related matters of orders dated 14 May 2020, given effect on 4 August 2020, e.g., <i>Mizuki Sai v GEA</i> and <i>Xia Zhao v DLZ</i> .
XIA ZHAO v DLZ LAWYERS PTY LTD & ANOR	NSD244/2020	FCA	NSW	Lee J	Prior to August 2019	6-Mar-20	05-Aug-2020	N/A	14/5/20	152	69	N/A	Unconscionable conduct class action in relation to the collapse of Ralan and advice given in relation to investments. There was a settlement made in this matter and related matters, e.g., <i>Mizuki Sai v GEA</i> and <i>Jianyu Huang v Diligence Lawyers</i> .
EWOK PTY LTD AS TRUSTEE FOR THE E & E MAGEE SUPERANNUATION FUND v WELLARD LIMITED	VID175/2020	FCA	VIC	Middleton J case managing	8 December 2015 - 31 August 2016	9-Mar-20	Open			Not yet finalised	Not yet finalised	268	Class action in relation to Investors who acquired shares during the period between 8 December 2015 and 31 August 2016 and/or entered into equity swap confirmations in respect of the Shares during the Relevant Period.
DAVID JOHN PARKINSON AND GLENDA ANNE PARKINSON AS TRUSTEES FOR THE PARKINSON SUPERANNUATION FUND v WESTPAC BANKING CORPORATION	VID177/2020	FCA	VIC	Middleton J	2011 - 2018	12-Mar-20	18-May-2020	N/A	N/A	67	N/A	N/A	Class action related to the AUSTRAC allegations against Westpac. There was a multiplicity dispute which led to this class action by JWS being discontinued on 12 May 2020. The Phi Finny McDonald action VID 1373 of 2019 is still on foot.

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CJMCG PTY LTD AS TRUSTEE FOR THE CJMCG SUPERANNUATION FUND v BORAL LIMITED	NSD340/2020	FCA	NSW	Lee J	15 September 2017 - 5 December 2019	19-Mar-20	Open			Not yet finalised	Not yet finalised	258	Shareholder dispute relating to continuous disclosure / misleading and deceptive conduct. Class members are investors (both in Australia and overseas) who acquired an interest in Boral shares during the period 15 September 2017 to 5 December 2019. There was a multiplicity dispute between NSD 340 of 2020 (Quinn Emanuel Proceeding) and NSD 602 of 2020 (Maurice Blackburn Proceeding) with the proceedings now being heard together. Phi Finney McDonald was also investigating a possible class action as at 29 June 2020. Lee J put the proceedings on hold until the High Court decision in <i>Wigmans</i> is handed down. ¹⁴
SOMERS & ORS v BOX HILL INSTITUTE	2020/1535	VSC	N/A	<i>Not ascertained</i>	6 December 2015 - 26 March 2020	26-Mar-20	Open			Not yet finalised	Not yet finalised	251	Class action on behalf of students enrolled to study a Diploma of Aviation at Box Hill Institute between 6 December 2015 and 26 March 2020.
STALLARD v TREASURY WINE ESTATES LTD	2020/1590	VSC	N/A	Not ascertained	14 February 2019 - 28 January 2020	Apr-20	Open			Not yet finalised	Not yet finalised	244	Shareholder class action relating to alleged misleading and deceptive conduct and breach of continuous disclosure obligations. Class members purchased shares in Treasury Wine Estates (TWE) between 14 February 2019 and 28 January 2020. There was a multiplicity dispute in the proceedings, the other action was named <i>Napier</i> . consolidation was ordered on 15 October 2020 with the plaintiffs being jointly represented by the two law firms involved. The consolidated proceeding has the file No. 2020/1590.

¹⁴ Lee J commented in *CJMCG Pty Ltd as Trustee for the CJMCG Superannuation Fund v Boral Limited* [2020] FCA 914 at [10]: These multiplicity disputes present challenges for the Court. They have delayed, sometimes substantially, the progress of matters both in this Court and in other courts. The time has long passed, if it ever existed, where firms of solicitors can sit back and stay sicut when a not unrealistic prospect exists that a substantially duplicative open class proceeding will be commenced. In the present circumstances, both experienced class action firms stayed mute when the matter was first before the Court. Such a course should not happen again – it amounts to conduct inimical to the resolution of the disputes between claimants and a respondent as quickly, inexpensively and efficiently as possible. Indeed, these events have necessitated the vacation of the substantive orders made on 23 April 2020, with the consequence that the underlying dispute remains in stasis while plaintiff lawyers and funders consider their respective positions.

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KELVIN MCNICKLE v HUNTSMAN CHEMICAL COMPANY AUSTRALIA PTY LTD & ANOR	VID243/2020	FCA	VIC	Lee J case managing	July 1976 - 8 April 2020	8-Apr-20	Open			Not yet finalised	Not yet finalised	237	Roundup action run by Maurice Blackburn. The class members are those who developed cancer between July 1976 and the date of commencement of the proceeding (the Relevant Period), Multiplicity issues involved, see NSD1971/2019 - JOHN FENTON v MONSANTO AUSTRALIA PTY LTD
STEWART v UBER TECHNOLOGIES INCORPORATED [2020] NSWCA 208	2020/00174803	VSC	N/A	Garling J	2014-2017	9-Apr-20	3-Sep-20	N/A	N/A	147	N/A	N/A	Class action on behalf of taxicab or hire car drivers against Uber commenced by the law firm representing Mr Andrianakis in Victoria to ensure that the limitation period would be suspended. The proceedings were transferred to the Supreme Court of Victoria on 3 September 2020.
REANNAN LAURA HASWELL & ANOR v COMMONWEALTH OF AUSTRALIA	NSD431/2020	FCA	NSW	Lee J	2016	15-Apr-20	Open			Not yet finalised	Not yet finalised	230	PFAS class action (Haswell class action) brought by the applicants on behalf of group members who owned land in or around seven locations allegedly contaminated as a result of the Commonwealth's use of toxic foam at a Royal Australian Air Force (RAAF) bases located near their land. Three earlier related class actions have been the subject of relevantly identical allegations made in relation to land owned adjacent to three other RAAF bases. The Earlier Class Actions were the subject of a settlement approved on 5 June 2020: <i>Smith v Commonwealth of Australia (No 2)</i> [2020] FCA 837. The class members are landowners in an area in Richmond at 12 December 2016, in relation to Bullsbrook 23 June 2016, Darwin at 24 November 2016, Edinburgh at 1 October 2016, Townsville at 29 November 2016, Wagga at 1 October 2016, and Bandiana/Wodonga at 1 October 2016.

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JOSEPH SHOREY v ONE KEY RESOURCES PTY LTD & ANOR	NSD448/2020	FCA	NSW	Murphy J for case management	6 November 2015 - 8 November 2017	17-Apr-20	Open			Not yet finalised	Not yet finalised	228	Industrial class action by Adero Law against labour hire company, One Key, and other entities within the corporate group, on behalf of group members who were engaged as casual employees under the RECS (Qld) Pty Ltd Enterprise Agreement 2015. This enterprise agreement was declared void and set aside by order of Flick J on 8 November 2017, rendering the previous casual employment under the enterprise agreement unlawful.
JAMAL SALEM v UBER TECHNOLOGIES INCORPORATED & ORS	Not ascertained	VSC	N/A	Macaulay J	2014-2017	22-Apr-20	Open			Not yet finalised	Not yet finalised	223	A class action against Uber heard alongside 2019/1926. The action was filed by Maurice Blackburn following an unsuccessful attempt to amend the group definition in the Victorian proceedings.
NAPIER v TREASURY WINE ESTATES LTD	2020/1983	VSC	N/A	Not ascertained	30 June 2018 - 28 January 2020	1-May-20	15/10/2020	N/A	N/A	167	N/A	N/A	Shareholder class action relating to alleged misleading and deceptive conduct and breach of continuous disclosure obligations. Class members purchased shares in Treasury Wine Estates (TWE) between 30 June 2018 and 28 January 2020. There was a multiplicity dispute in the proceedings. The matter was consolidated in a judgment dated 15 October 2020.
AARON FURNELL & ORS v SHAHIN ENTERPRISES PTY LTD	SAD76/2020	FCA	SA	White J	13 May 2014 - 13 May 2020	13-May-20	Open			Not yet finalised	Not yet finalised	202	Industrial class action by Adero Law regarding 'On the Run' service stations and underpaid wages for employees from 13 May 2014. There was a relevant Federal Court decision <i>Shahin Enterprises Pty Ltd v Mathew</i> [2020] FCAFC 57 on 31 March 2020.
MARIA PABALAN v COLES GROUP LTD	NSD542/2020	FCA	NSW	Perram J	Feb-14	15-May-20	Open			Not yet finalised	Not yet finalised	200	Industrial class action by Adero Law regarding Coles salaried managers, from February 2014, who allege they were not paid for overtime hours worked.
ALI YASMIN & ORS v THE COMMONWEALTH OF AUSTRALIA & ANOR*	VID328/2020	FCA	VIC	Moshinsky J	2010-2012	18-May-20	Open			Not yet finalised	Not yet finalised	197	Human rights class action related to determinations of age made on the basis of medical x-ray of the wrist, which was subsequently discredited. The lead plaintiff was imprisoned in 2010 on the basis of this determination for people smuggling. The proceeding was consolidated with VID664/2020 (judicial review file of the same name)

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													By order dated 30 November 2020. An application to discontinue the proceeding against the second respondent (VINCENT HOCK SENG LOW) was to be determined on the papers as at December 2020.
ANDREW PARKIN v BORAL LIMITED	NSD602/2020	FCA	NSW	Lee J	30 August 2017 - 10 February 2020.	28-May-20	Open			Not yet finalised	Not yet finalised	187	Shareholder dispute relating to continuous disclosure / misleading and deceptive conduct. Class members are investors (both in Australia and overseas) who acquired an interest in Boral shares during the period 30 August 2017 to 10 February 2020. There was a multiplicity dispute between NSD 340 of 2020 (Quinn Emanuel Proceeding) and NSD 602 of 2020 (Maurice Blackburn Proceeding) with the proceedings now being heard together. Phi Finney McDonald was also investigating a possible class action as at 29 June 2020. Lee J adjourned the proceedings until the High Court decision in Wigmans is handed down.
KRISTY FORDHAM v COMMONWEALTH BANK OF AUSTRALIA	VID387/2020	FCA	VIC	O'Bryan J case managing	From 1 January 2010	9-Jun-20	Open			Not yet finalised	Not yet finalised	175	Class action against CBA and Colonial Mutual Life Assurance Society Limited on behalf of persons who held CCI for their CBA credit card or personal loan from 1 January 2010.
COLIN GRAHAM INGRAM & ANOR v ARDENT LEISURE LIMITED & ORS	QUD182/2020	FCA	QLD	Derrington J	17 June 2014 - 25 October 2016	17-Jun-20	Open			Not yet finalised	Not yet finalised	167	Shareholder class action for investors who held securities from 17 June 2014 and 25 October 2016, alleging Ardent misled investors about the safety measures and corporate governance standards in place at Dreamworld in the years preceding the accident causing Ardent's shares to trade at an artificially inflated price. The claim relates to the Dreamworld accident on 25 October 2016.
IDDLERS & ANOR v FONTERRA AUSTRALIA PTY LTD	S ECI 2020 02588	VSC	N/A	Not ascertained	1 July 2015 - 30 June 2016	17/6/20	Open			Not yet finalised	Not yet finalised	167	Class action brought on behalf of dairy farmers who, during the 2015-2016 season, supplied milk to Fonterra alleging breach of contract in relation to a step down on prices in May 2016, misleading and unconscionable conduct.

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TRACY-ANN FULLER v ALLIANZ AUSTRALIA INSURANCE LTD	S ECI 2020 02853	VSC	N/A	Not ascertained	1 June 2006 -7 July 2020	7 July 2020	Open			Not yet finalised	Not yet finalised	148	Class action on behalf of those who purchased add-on insurance at the same time as they purchased a motorcycle in the period 1 June 2006 to 7 July 2020, alleging misleading or deceptive or unconscionable conduct. An amended statement of claim was filed on 14 September 2019.
ALANNAH FOX & ANOR v WESTPAC BANKING CORPORATION & ANOR	S ECI 2020 02946	VSC	N/A	Not ascertained	1 March 2013 - 31 October 2018	15/07/2020	Open			Not yet finalised	Not yet finalised	139	Class action on behalf of people who entered into car loans issued under Westpac or St George Finance's credit licence which included a "flex commission" paid to the dealer, in the period 1 March 2013 to 31 October 2018.
KATHLEEN O'DONNELL v COMMONWEALTH OF AUSTRALIA & ORS	VID482/2020	FCA	VIC	Murphy J case managing	Not ascertained	22-Jul-20	Open			Not yet finalised	Not yet finalised	132	Class action by a government bond holder who alleges that Australia's economy and reputation in international financial markets will be significantly affected by the adequacy of the Australian government's response to climate change, and that as a result investors who trade in Australian government bonds face material risks from climate change that should be disclosed. The lawsuit further alleges that that government breached its duty of disclosure and misled and deceived investors in failing to disclose such risks. The class action is on behalf of holders of Exchange-traded Australian Government Bonds who have the same interest in the proceeding, with no specified date range.
SUSAN KARPIK v CARNIVAL PLC & ANOR	NSD806/2020	FCA	NSW	Stewart J	From 8/3/2020	23-Jul-20	Open			Not yet finalised	Not yet finalised	131	Ruby Princess cruise ship class action brought by Shine Lawyers. The ship departed on 8 March 2020 and returned to Sydney on 19 March. Subsequently, a number of passengers were diagnosed with COVID-19. It is alleged that passengers were not informed of cases of people with coronavirus-like symptoms logged on the previous voyage, nor of the potential risks they faced of coronavirus on the cruise. Further, it is alleged that the respondent did not take adequate steps to protect passengers. An order of Lee J on 26 October set out a provisional timetable for the

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													proceedings including a four week hearing in March 2022.
NIGEL PETER STACK & ANOR v AMP FINANCIAL PLANNING PTY LIMITED & OR	VID489/2020	FCA	VIC	Beach J	From 1 September 2014	23-Jul-20	Open			Not yet finalised	Not yet finalised	131	Shine Lawyers class action in relation to AMP insurance products from 1 September 2014.
PAUL BRADSHAW & ANOR v BSA LIMITED	VID488/2020	FCA	VIC	Bromberg J (provisional docket)	From 2003 to the present	23-Jul-20	Open			Not yet finalised	Not yet finalised	131	Industrial class action brought by Shine alleging sham contracting, where employees were mischaracterised as independent contractors and denied their entitlements. Class members are those who worked for BSA at any time from 2003 to the present.
CHRISTOPHER PETER THOMAS v ROMEO LOCKLEYS ASSET PARTNERSHIP BEING THE PARTNERSHIP OPERATED BY LOCKLEYS FOODLAND PTY LTD & ROMEO LOCKLEYS HOLDINGS PTY LTD & ORS	SAD105/2020	FCA	SA	Charlesworth J	2014-2020	24-Jul-20	Open			Not yet finalised	Not yet finalised	131	Industrial class action brought by Adero Law relating to alleged wage theft at Romeo's Retail Group with allegations from 2014 to 2020.
EQUITY FINANCIAL PLANNERS PTY LTD v AMP FINANCIAL PLANNING PTY LTD	VID498/2020	FCA	VIC	Moshinsky J	Not ascertained	28-Jul-2020	Open			Not yet finalised	Not yet finalised	126	Class action against AMP concerning changes to the financial planning buyer of last resort policy.

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ACN 117 641 004 PTY LTD (IN LIQUIDATION) & ANOR v S&P GLOBAL, INC	NSD881/2020	FCA	NSW	Rares J	Not ascertained	07-Aug-2020	Open			Not yet finalised	Not yet finalised	116	Class action by Vale Cash Management Fund against S&P concerning the independence of ratings made by S&P.
SEBASTIAN AGNELLO v HERITAGE CARE PTY LTD	S ECI 2020 03282	VSC	N/A	Not ascertained	Around July 2020	14/08/2020	Open			Not yet finalised	Not yet finalised	109	Class action concerning Epping Gardens aged care facility on behalf of relatives who have suffered alleged psychiatric or psychological harm as a result of the death of residents which was said to be caused by the breach of duty of the operators of the facility.
ANDREW PAUL STUART HAMILTON v FACEBOOK INC & ANOR	NSD899/2020	FCA	NSW	Rares J	Not ascertained	14/08/2020	Open			Not yet finalised	Not yet finalised	109	Class action concerning cryptocurrency ad bans by Facebook and Google. Rares J was critical of the pleadings at the first case management hearing.
ADEVA HOME SOLUTIONS PTY LTD v QUEENSLAND MOTORWAYS MANAGEMENT PTY LTD	8932/20	QSC	N/A	Not ascertained	2014-2020	18/08/2020	Open			Not yet finalised	Not yet finalised	105	QLD toll class action against Linkt and Transurban.
EFSTATHIA (EFFIE) FOTIADIS v ST BASIL'S HOMES FOR THE AGED IN VICTORIA	S ECI 2020 03339	VSC	N/A	Not ascertained	Around July 2020	20/08/2020	Open			Not yet finalised	Not yet finalised	103	Class action concerning St Basil's aged care facility on behalf of relatives who have suffered alleged psychiatric or psychological harm as a result of the death of residents which was said to be caused by the breach of duty of the operators of the facility.

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COMPUMOD INVESTMENTS PTY LIMITED AS TRUSTEE FOR THE COMPUMOD PTY LIMITED STAFF SUPERANNUATION FUND v A.C.N. 603 323 182 LIMITED (FORMERLY AXSESSTODAY LIMITED) (SUBJECT TO A DEED OF COMPANY ARRANGEMENT) & ANOR	NSD917/2020	FCA	NSW	Not ascertained	June 2018	20-Aug-2020	Open			Not yet finalised	Not yet finalised	103	Class action alleging breaches concerning a bond offering in which PwC was also involved in around June 2018.
ADAM WATSON IN HIS OWN RIGHT AND AS REPRESENTATIVE OF THE GROUP MEMBERS v MAXIMUS HOLDINGS (NSW) PTY LTD ABN 40 110 829 868	NSD919/2020	FCA	NSW	Wigney J	Not ascertained	21 August 2020	23-Nov-2020	N/A	N/A	94	N/A	N/A	Class action alleging misleading or deceptive conduct by a personal injury law firm related to the level of legal fees charged. Wigney J approved the applicant's motion to discontinue the proceedings on 23 November 2020.
MARTINI FAMILY INVESTMENTS PTY LTD ACN 606 000 944 ATF MARTINI FAMILY INVESTMENTS SUPER FUND v BORAL LIMITED ACN 008 421 761	NSD935/2020	FCA	NSW	Lee J	21/11/2016 – 10/02/2020	21 August 2020	Open			Not yet finalised	Not yet finalised	102	Bowral shareholder class action brought by Phi Finney McDonald alleging misleading or deceptive conduct in the relevant period.

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J & J RICHARDS SUPER PTY LTD AS TRUSTEE FOR THE J & J RICHARDS SUPERANNUATION FUND v LINCHPIN CAPITAL GROUP LTD (IN LIQUIDATION) ACN 163 992 961 & ORS	NSD939/2020	FCA	NSW	Derrington J	Not ascertained	21-Aug-2020	Open			Not yet finalised	Not yet finalised	102	Class action against Linchpin Capital and subsidiary Endeavour Securities relating to two managed investment schemes.
EDWARD THOMAS & ANOR v COMMONWEALTH FINANCIAL PLANNING LIMITED & ORS	VID559/2020	FCA	VIC			21-Aug-2020	Open			Not yet finalised	Not yet finalised	102	Class action against CBA related to alleged excessive premiums for insurance.
MICIULIS SUPERANNUATION PTY LTD ATF THE MICIULIS SUPERANNUATION FUND v CIMIC GROUP LIMITED	VID564/2020	FCA	VIC	Middleton J	7 February 2018 - 22 January 2020	21/08/2020	Open			Not yet finalised	Not yet finalised	102	Class action by Phi Finney McDonald on behalf of shareholders who acquired an interest between 7 February 2018 and 22 January 2020.

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R AND N HUNTER PTY LTD ATF THE HUNTER FAMILY SUPERANNUATION FUND v COUNT FINANCIAL LIMITED	VID565/2020	FCA	VIC		21/08/2014-21/08/2020	21/08/2020	Open			Not yet finalised	Not yet finalised	102	Class action concerning grandfathered commissions in the relevant period to Count Financial.
STEELE LEE CRAWFORD v AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD & ORS	S ECI 2020 03365	VSC	N/A	Not ascertained	1 January 2011 to 31 March 2016	21/08/2020	Open			Not yet finalised	Not yet finalised	102	Class action on behalf of those who obtained car loans issued under ANZ's credit license which included a "flex commission" paid to an ANZ accredited car dealer., from 1 January 2011 to 31 March 2016.
5 BOROUGHS NY PTY LTD v STATE OF VICTORIA (COVID-19 BUSINESS LOSSES CLASS ACTION)	S ECI 2020 03402	VSC	N/A	Not ascertained	July and August 2020	21/08/2020	Open			Not yet finalised	Not yet finalised	102	Class action proceeding on behalf of business owners (as at 1 July 2020) who allegedly suffered economic loss as a result of the Stage 3 or 4 restrictions imposed in Melbourne and regional Victoria in response to COVID-19 pandemic in July and August 2020.
ROBERTS v STATE OF VICTORIA	S ECI 2020 03598	VSC	N/A	Not ascertained	July and August 2020	14/09/2020	Open			Not yet finalised	Not yet finalised	79	Class action related to the Stage 3 and 4 lockdown restrictions in July and August 2020 and psychological/psychiatric injury allegedly caused as a result.
DRAGAN MARKOVIC v UNIFIED SECURITY GROUP (AUSTRALIA) PTY LTD & ORS	S ECI 2020 03679	VSC	N/A	Not ascertained	From May 2020	23/09/2020	Open			Not yet finalised	Not yet finalised	69	Class action by a relative of a person who died of COVID-19 against the companies involved in hotel quarantine security which contributed to the subsequent outbreak.
CRAIG SCHONEWEISS v THE FOURTH FORCE PTY LTD (ACN 084 438 773) & ANOR	SAD156/2020	FCA	SA	Charlesworth J	Not ascertained	26-Oct-2020	Open			Not yet finalised	Not yet finalised	36	Industrial class action concerning alleged underpayments against Drakes supermarkets.
JORDAN WILKINSON v ALLIANZ	S ECI 2020 04230	VSC	N/A	Not ascertained	1 June 2006 – 11 November 2020	11/11/2020	Open			Not yet finalised	Not yet finalised	20	Maurice Blackburn class action related to Allianz add-on insurance sold with the purchase of motor vehicles.

NAME OF PROCEEDINGS ¹	File No.	Court	Registry	Judge	Dates relevant to the cause of action	Date filed	Date finalised	Date of judgment	Date of settlement approval by the Court	Date filed to date finalised (days)	Date filed to date of settlement/ judgment (days)	For open files, date filed to 01/12/2020 (days)	Notes
AUSTRALIA INSURANCE LIMITED													
MARTIN SHINA v 'ROMEO NSW PARTNERSHIP', BEING THE PARTNERSHIP OPERATED BY ROMEO NSW INVESTMENTS PTY LTD & THE TRUSTEE FOR ROMEO NSW HOLDING TRUST (ABN 11 807 080 683)	SAD169/2020	FCA	SA	Charlesworth J	Not ascertained	18-Nov-2020	Open			Not yet finalised	Not yet finalised	13	Industrial class action by Adero Law concerning alleged underpayments.
PAUL ALLEN v G8 EDUCATION LIMITED	S ECI 2020 04339	VSC	N/A	Not ascertained	23 May 2017 - 23 February 2018	20/11/2020	Open			Not yet finalised	Not yet finalised	11	Shareholder class action on behalf of those who acquired shares from 23 May 2017 to 23 February 2018.

There were a number of actions about which could not be identified or about which insufficient data was obtained. Those class actions include:

- *Vlamis v Roche Products Pty Ltd* (Proceedings which commenced under Part IVA on behalf of those who had used Roaccutane (for the treatment of acne) and who claimed to have suffered psychiatric or psychological harm. According to Morabito and Ekstein, it 'was discontinued by the class representatives twelve months after it was filed, following the realisation by their solicitors that they lacked the resources to run a proceeding of this magnitude'.)¹⁵
- *Mardini v Arthurs Seat Scenic Chairlift Pty Ltd* (No 5648 of 2003 – an action on behalf of people who suffered injuries and mental distress following the collapse of the Arthurs Seat Scenic Chairlift in January 2003. By late August 2005, the class members who had not opted out had settled their claims individually.)
- Sofia Pizza Class Action relating to personal injury for people who suffered salmonella poisoning after eating at a restaurant over the Christmas and New Year period in 2003. The settlement was approved by the Court in February 2005.
- *Power Systems v Victorian Building Authority* (SCI 2017 02057 - Class action in the Victorian Supreme Court relating to personal injury allegedly caused from failure of the VBA to follow compliance measures.)
- Benlate class action (six proceedings) against Du Pont Australia in the NSW Supreme Court by Maurice Blackburn which were discontinued on March 2001 following a confidential settlement.
- AVCO class action proceedings in Victoria and NSW which were confidentially settled in 2003.

¹⁵ Vince Morabito and Jarrah Ekstein, 'Class Actions Filed for the Benefit of Vulnerable Persons—An Australian Study' (2016) 35 C.J.Q. 61