

**IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMERCIAL COURT
GROUP PROCEEDINGS LIST**

S ECI 2023 01835

BETWEEN:

JUSTINE LIDGETT

First Plaintiff

CAMERON LIDGETT

Second Plaintiff

- and -

DOWNER EDI LIMITED (ACN 003 872 848)

Defendant

ORDER

JUDGE: The Honourable Justice Delany

DATE MADE: 23 May 2023

ORIGINATING PROCESS: Writ filed on 4 May 2023

HOW OBTAINED: On the Court's own motion pursuant to r 1.14(2)(a) of the *Supreme Court (General Civil Procedure) Rules 2015*.

ATTENDANCE: N/A

OTHER MATTERS:

- A. Any legal representatives who are aware of this Order and who have received or contemplate they may receive instructions to commence a further duplicative class action against the defendant are expected to make themselves known to the solicitors for the plaintiffs so they may participate in the conferral contemplated in paragraph 1 of this Order.
- B. No orders should be made for the service of a defence in the proceeding until such time as this Court and the Federal Court have resolved the issues arising by reason of the existence of duplicative class actions.



THE COURT ORDERS THAT:

1. The legal representatives for the plaintiffs in this proceeding, Maurice Blackburn Lawyers, are ordered, pursuant to s 9 of the *Civil Procedure Act 2010* (Vic) ('CPA') and r 34.01(1) of the *Supreme Court (General Civil Procedure) Rules 2015* (Vic), to confer with Piper Alderman, the solicitors for the applicant in Federal Court Proceeding NSD293/2023, with William Roberts Lawyers, the solicitors for the applicants in Federal Court Proceeding NSD427/2023, and with Quinn Emanuel Urquhart & Sullivan, who have been given leave to intervene in Federal Court Proceeding NSD293/2023, about the existence of any duplicative group proceedings (existing or proposed) with a view to fashioning orders to resolve any duplicative group proceedings in accordance with the overarching purpose set out in s 7 of the CPA.
2. The proceeding be listed for directions on a date to be fixed pending a determination by this Court and the Federal Court as to the convening of a joint case management hearing of the kind contemplated by the protocols for communication and cooperation between those Courts.
3. A copy of this Order is to be published on the website of the legal representative for the plaintiffs in this proceeding.

DATE AUTHENTICATED: 23 May 2023



The Hon. Justice Delany