

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

S ECI 2020 04566

BETWEEN

GREG LIEBERMAN

Plaintiff

and

CROWN RESORTS LIMITED (ACN 125 709 953)

Defendant

ORDER

JUDGE: The Honourable Justice Nichols

DATE MADE: 19 September 2025

ORIGINATING PROCESS: Writ filed 11 December 2020

HOW OBTAINED: On return of the Plaintiff's summons filed 29 May 2025

ATTENDANCE: Ms R V Howe with Mr T A Rawlinson, counsel for the plaintiff

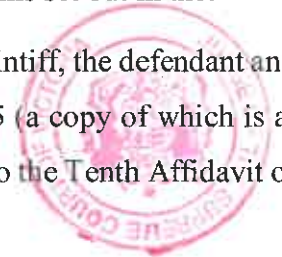
Mr K Loxley with Mr H Whitwell, counsel for the defendant

Mr A Hochroft, counsel for Maurice Blackburn as Intervenor

OTHER MATTERS: None.

THE COURT ORDERS THAT:

1. Pursuant to ss 33V and 33ZF of the *Supreme Court Act 1986* (Vic) (**SC Act**):
 - (a) the settlement of this proceeding be approved on the terms set out in the:
 - (i) Deed of Settlement and Release between the plaintiff, the defendant and **Maurice Blackburn** Pty Ltd dated 9 May 2025 (a copy of which is at pages 47-78 of Confidential Exhibit 'SMF-10' to the Tenth Affidavit of



Steven Mark Foale affirmed on 29 May 2025 (**Tenth Foale Affidavit**)) (**Settlement Deed**); and

(ii) Settlement Distribution Scheme (including the Loss Assessment Formula) (a copy of which is at pages 11-45 of Exhibit 'SMF-9' to the Tenth Foale Affidavit and pages 330-336 of Confidential Exhibit 'RG-9' to the Ninth (Confidential) Affidavit of Rebecca Gilsenan affirmed on 1 September 2025 (**Ninth Gilsenan Affidavit**)) (SDS);

(iii) The terms of the SDS are subject to the revision outlined in Order 2 below.

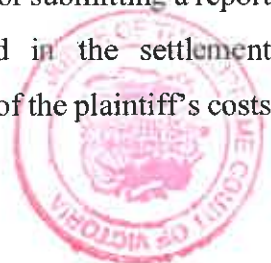
(b) the SDS is to be given effect; and

(c) the moneys paid by the defendant under the Settlement Deed and the SDS are to be distributed in accordance with the SDS.

2. By 4.00pm, 26 September 2025, Maurice Blackburn is to submit to the Court and publish on its website a revised version of the SDS, reflecting the amendments to be made in accordance with paragraphs 34 and 32(j) of the reasons for judgment delivered on 19 September 2025.
3. Pursuant to s 33ZF of the SC Act, the Court authorises the plaintiff, *nunc pro tunc*, to enter into and give effect to the Settlement Deed and the transactions contemplated by it for and on behalf of all **Group Members** (being those persons who meet the description of 'Group Members' in para [1] of the Second Further Amended Statement of Claim dated 21 July 2022, other than those persons who have opted out of the proceeding pursuant to s 33J of the SC Act).
4. Pursuant to s 33ZB(a) of the SC Act, the persons affected and bound by the settlement are the parties to the Settlement Deed and the Group Members.
5. Maurice Blackburn be appointed Scheme Administrator for the purposes of the SDS, and shall act in accordance with the SDS and be given the powers and immunities contemplated by the SDS *nunc pro tunc* from 2 June 2025, subject to any direction of the Court.



6. Maurice Blackburn, as Scheme Administrator, is to report to the Court in accordance with clauses 16.2, 16.3, 16.3A and 16.6 of the SDS.
7. Maurice Blackburn have liberty to apply in relation to any matter arising under the SDS.
8. The following persons shall be treated as 'Registered Group Members' and therefore entitled to participate in the distribution of the settlement sum under the SDS:
 - (a) MISF Pty Ltd ATF Merry Iguana Superannuation Fund;
 - (b) Brian Anthony Sharp;
 - (c) New Mexico State Investment Council;
 - (d) Brian Patrick Murphy & Judith Ann Murphy;
 - (e) Zemeng Wang;
 - (f) Beymor Pty Ltd ATF Beyers Superannuation Fund;
 - (g) Vision Super Pty Ltd;
 - (h) ONJ Pty Ltd ATF L G Daniele Super Fund;
 - (i) Patricia Sau Phin Song;
 - (j) Samuel Tan;
 - (k) Don & Hanchi Nguyen; and
 - (l) Julie Willoughby-Smith.
9. The amount of the 'Plaintiff's Costs and Disbursements' be approved in the amount of 27.5% (inclusive of any GST) of each instalment of the settlement sum paid by the defendant under the Settlement Deed, in accordance with the orders made by the Honourable Justice Stynes on 22 December 2022.
10. The amount of the 'Plaintiff's Reimbursement Payment' be approved in the sum of \$20,000.
11. The Settlement Administrator is entitled to Administration Costs up to the amount of \$696,736.70 (inclusive of GST) subject to the Settlement Administrator submitting a report to the Court certifying the amount of costs actually incurred in the settlement administration. The sum of \$4,208 is approved in respect of the costs of the plaintiff's costs assessment report.



DATE AUTHENTICATED: 19 September 2025

A handwritten signature in blue ink is written over a red circular seal. The seal features the coat of arms of Victoria in the center, surrounded by the text "SUPREME COURT OF VICTORIA".

The Honourable Justice Nichols