



HYUNDAI CLASS ACTION

Anne-Maree Johnston v Hyundai Motor Company Australia Pty Limited

Case: S ECI 2022 05424

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Supreme Court of Victoria

GROUP PROCEEDING SUMMARY STATEMENT

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1. What is a class action?

Where seven or more people have claims that arise out of similar circumstances (such as in this case), a class action can be brought by one lead plaintiff on their own behalf and as a representative of others. The class action will resolve the common issues of fact or law for the class through the vehicle of the lead plaintiff's case. This is an efficient way for the Court to determine the common issues that apply to claims involving large numbers of people.

2. Who is the Hyundai Class Action against, and what is the claim for?

The claim is against Hyundai Motor Company Australia Pty Limited. The claim alleges that Hyundai manufactured and sold numerous defective vehicles in Australia between 2009 and 2024, and in doing so failed to comply with the guarantee of acceptable quality within the meaning of s 54 of the Australian Consumer Law (being Schedule 2 of the *Competition and Consumer Act 2010* (Cth)) and made misleading representations as to the quality of the defective vehicles.

3. Who is a group member in the Hyundai Class Action?

Group members in the Hyundai Class Action are persons who acquired in Australia by way of purchase, exchange, taking on lease or hire-purchase one or more of the following vehicles:

- i. A Hyundai Tucson model year 2015, 2016, 2017, 2018, 2019, 2020 or 2021 with a Vehicle Identification Number (VIN) recorded in the recall notice for these vehicles published on 4 February 2021, at any time prior to 4 February 2021;
- ii. A Hyundai Genesis G80 or G70 model year 2018 with a VIN recorded in the recall notice for these vehicles published on 30 May 2021, at any time prior to 30 May 2021;

- iii. A Hyundai Genesis model year 2014, 2015, 2016 or 2017 with a VIN recorded in the recall notice for these vehicles published on 30 May 2021, at any time prior to 30 May 2021;
- iv. A Hyundai Santa Fe (DM) model year 2015, 2016, 2017 or 2018 with a VIN recorded in the recall notice for these vehicles published on 26 September 2022, at any time prior to 26 September 2022;
- v. A Hyundai ix35 model year 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 26 September 2022, at any time prior to 26 September 2022;
- vi. A Hyundai ix35 (EL) model year 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 7 December 2022, at any time prior to 7 December 2022;
- vii. A Hyundai Veloster (FS) model year 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 1 August 2024 which was first supplied to a consumer after 1 January 2011;
- viii. A Hyundai ix35 (LM) model year 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 1 August 2024 which was first supplied to a consumer after 1 January 2011;
- ix. A Hyundai Accent (RB) model year 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 1 August 2024 which was first supplied to a consumer after 1 January 2011;
- x. A Hyundai i40 (VF) model year 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 1 August 2024 which was first supplied to a consumer after 1 January 2011;
- xi. A Hyundai Santa Fe (DM) model year 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 1 August 2024 which was first supplied to a consumer after 1 January 2011;
- xii. A Hyundai iMax model year 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 1 August 2024 which was first supplied to a consumer after 1 January 2011;
- xiii. A Hyundai iLoad (TQ) model year 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 or 2015 with a VIN recorded in the recall notice for these vehicles published on 1 August 2024 which was first supplied to a consumer after 1 January 2011;
- xiv. A Hyundai ix35 model year 2012 or 2013 with a VIN recorded in the recall notice for these vehicles published on 28 February 2025, at any time prior to 28 February 2025.

A complete definition of group members is available in paragraph 1 of the Amended Writ filed 22 December 2025.

4. What is the role and responsibility of the lead plaintiff?

The role of the lead plaintiff is to be the representative for the class. They will give instructions to Maurice Blackburn regarding the conduct of the case and may give evidence during the proceeding. In hearing the lead plaintiff's case, the Court will be asked to make findings in relation to questions of fact and/or law that are common to all group members. In this case the lead plaintiff is Ms Anne-Maree Johnston.

5. Who is the law firm acting for the lead plaintiff?

Maurice Blackburn.

6. How is the Hyundai Class Action funded?

On 8 August 2025, the Honourable Justice Osborne made a group cost order (**GCO**) in the Hyundai Class Action.

A GCO is an order of the Court in which the legal costs payable to the law practice representing the plaintiffs and the group members are calculated as a percentage of the amount of any award or settlement. The percentage is determined by the Court.

The Court ordered that the maximum GCO percentage be 24.75%. This means that the legal costs payable by group members to Maurice Blackburn cannot exceed 24.75% of any damages award or settlement amount recovered in the proceeding.

The GCO percentage can be adjusted by the Court at any time over the course of the proceeding, including and up until the conclusion of the trial or any settlement. In no circumstances will group members in the Hyundai Class Action be liable to pay any 'out of pocket' costs, whether or not the case is successful.

Maurice Blackburn has entered into a costs sharing agreement with CF FLA Australia Investments 4 Pty Ltd to fund the class action.

Under the costs sharing agreement, Maurice Blackburn and CF FLA Australia Investments 4 Pty Ltd will share the funding obligations. All costs associated with the class action will therefore be borne by Maurice Blackburn and CF FLA Australia Investments 4 Pty Ltd, unless there is a successful outcome to the class action (such as a settlement approved by the Court, or judgment awarding damages to group members).

7. How are legal fees and disbursements charged?

If the case is successful legal costs would be deducted from the settlement sum or a damages award, and in this sense would be shared among the plaintiff and group members. As stated above, the Court has made a GCO which has been determined by the Court to be 24.75% of the amount of any damages award or settlement. Group members will never have to pay anything upfront or out of their own pockets.

If the class action is unsuccessful, the plaintiff and group members will not have to pay any costs to Maurice Blackburn or to the defendant. Because of the GCO, Maurice Blackburn is liable for any

costs payable to the defendant. Maurice Blackburn is also liable to give any security for costs to the defendant, if required.

8. Are there currently any other class actions against Hyundai?

Separate and broadly overlapping class actions were commenced by another law firm, however, on 18 July 2025 Justice Osborne ruled that the Maurice Blackburn-led Hyundai Class Action was to continue as an open class proceeding and that the competing proceedings were to be permanently stayed. The appeal period to this decision has expired and no appeal was filed.

9. Who can group members contact for further information about the case?

The best source of information about the Hyundai Class Action is the Maurice Blackburn [website](#).

Group members may contact Maurice Blackburn, at no out-of-pocket cost, via:

Email	ABSdefect@mauriceblackburn.com.au
Phone	1800 879 148
Post	Hyundai ABS Defect Class Action PO Box 13247, George Street Brisbane QLD 4003