



JB Hi-Fi Class Action
Jeremey Clarke v JB Hi-Fi Group Pty Ltd
Supreme Court of Victoria

Case: S ECI 2023 05830

Filed on: 25/01/2024 03:18 PM

AMENDED FUNDING INFORMATION SUMMARY STATEMENT

Date of Document:	8 December 2023 <u>25 January 2024</u>	Solicitors Code: 564
Filed on behalf of:	The Plaintiff	Telephone: 1800 411 708 (Group Member Hotline)
Prepared by:	Maurice Blackburn Lawyers Level 21, 380 La Trobe St Melbourne VIC 3000	Ref: MLN/3053128 Email: jbhificlassaction@mauriceblackburn.com.au

1. How is the JB Hi-Fi Class Action funded?

The lead plaintiff and group members will not be asked to pay anything upfront.

Costs will only be payable in the event of a successful settlement or judgement and then only as approved by the Court.

The lead plaintiff intends to apply to the Court for a Group Costs Order in the JB Hi-Fi Class Action. If a Group Costs Order is made, then subject to the Court's further orders, that order will govern the costs to be charged by Maurice Blackburn.

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

Maurice Blackburn is acting on a 'no win no fee' basis until the Court makes its decision on the lead plaintiff's application for a Group Costs Order.

If a Group Costs Order is not made Maurice Blackburn may elect to continue the proceeding on a no win no fee basis, procure litigation funding, or terminate its retainer.

[Maurice Blackburn has entered into a Costs Sharing Agreement with CF FLA Australia Investments 4 Pty Ltd.](#)

[It is important to note that the Costs Sharing Agreement will not affect the amount of recovery that is returned to group members pursuant to any Group Costs Order](#)

2. How are legal fees and disbursements charged?

The lead plaintiff's legal fees and disbursements are 'conditional', meaning that they are only recoverable by Maurice Blackburn if there is a successful outcome in the class action. Amounts recoverable by Maurice Blackburn for legal fees and disbursements must be approved by the Court as reasonable, before being deducted from the money to be paid to group members. Those deductions will never exceed a group member's compensation amount.

If there is a successful outcome, the lead plaintiff's legal fees and disbursements for running the case will be charged in one of two ways:

- (a) If the Court makes a Group Costs Order (see 1 above), then Maurice Blackburn will be paid a percentage of the amount of any damages award or settlement. The percentage is set by the Court.
- (b) Otherwise, if the Court does not make a Group Costs Order, the lead plaintiff's legal costs will be calculated using time-based billing for professional fees, with disbursements (for example, fees for experts and barristers) charged at cost, with interest and an uplift fee if approved by the Court.

If there is a successful outcome, the liability for the lead plaintiff's legal fees and disbursements will be shared among the lead plaintiff and all group members.

If there is not a successful outcome the lead plaintiff and group members will not be asked to pay Maurice Blackburn's costs or disbursements. Also, group members cannot be pursued for costs by JB Hi-Fi as the *Supreme Court Act 1986* (Vic) prohibits orders for costs against group members unless and until a group member takes their own individual action.

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

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

Email: jbhificlassaction@mauriceblackburn.com.au

Phone: 1800 411 708

Post: Maurice Blackburn Lawyers
JB Hi-Fi Class Action
Level 21, 380 La Trobe Street
Melbourne VIC 3000