



**NAB MYSUPER CLASS ACTION**  
***Shimshon v MLC Nominees Pty Limited & NULIS Nominees (Australia) Ltd***  
(Supreme Court of Victoria Case S ECI 2020 00306)

Case: S ECI 2020 00306

Filed on: 27/02/2020 10:20 AM

**FUNDING INFORMATION SUMMARY STATEMENT**

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**1. How is the NAB MySuper Class Action funded?**

There is no third party litigation funder involved in the case. All costs associated with the class action will be borne by Maurice Blackburn, unless there is a successful outcome to the NAB MySuper Class Action (such as a settlement that is approved by the Court or a judgment by the Court awarding damages to group members). Maurice Blackburn's retainer agreement sets out the terms on which it is acting: see

<https://www.mauriceblackburn.com.au/class-actions/current-class-actions/nab-mysuper-class-action/>

**2. How are legal fees and disbursements charged?**

The 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 recovery.

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

- (a) calculated using time based billing for professional fees, with disbursements (for example, fees for experts and barristers) charged at cost; OR
- (b) (in the event that the Supreme Court of Victoria has power to make a group costs order in relation to these proceedings, and a group costs order is made by the Court) calculated as a percentage of the amount of any award or settlement, with the liability being shared among the plaintiff and all group members. The percentage is determined by the Court. If a group costs order is made, that group costs order is inclusive of all the plaintiff's legal fees and disbursements of conducting the class action.

**3. Who can group members contact for further information about the funding or costs of the class action?**

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

<b>Email</b>	<a href="mailto:NABMySuper@mauriceblackburn.com.au">NAB MySuper@mauriceblackburn.com.au</a>	<b>Post</b>	NAB MySuper Class Action Maurice Blackburn PO Box 523 Melbourne VIC 3001
<b>Phone</b>	1800 519 760		