

Notice of Settlement of Class Action

Old England Hotel – Salmonella outbreak

In 2004 a class action was commenced in the Federal Court of Australia as a result of an outbreak of salmonella poisoning linked to the Old England Hotel (the "Respondent") in Heidelberg.

The class action is brought on behalf of all persons who fell ill and suffered injury or loss as a result of consuming contaminated food at the Respondent's premises in the period 23 December 2003 to 7 January 2004. Those persons are called "Group Members" in the class action.

If you consumed food at the Respondent's premises in the period 23 December 2003 to 7 January 2004, and suffered salmonella poisoning symptoms including but not limited to diarrhoea, fever, nausea, vomiting, headaches and muscle aches, then you are a Group Member in the class action.

If you are a Group Member you should read this notice carefully as it may affect your rights.

Settlement of Class Action

The Applicant in the class action has reached an agreement with the Respondent to settle the class action. On Friday 7 April 2006 the Federal Court examined and approved the settlement. The terms of the settlement are contained in a Settlement Agreement, a copy of which can be obtained from the Applicant's lawyers, Maurice Blackburn Cashman, either by telephoning them on (03) 9605 2700 (ref: Anna Neesham) or visiting their website at: http://www.mbc.aus.net/areas/class_actions/oldenglandhotel.asp

In broad terms, the Settlement Agreement sets up a process for assessing damages claims for Group Members. Group Members will be required to submit evidence that they suffered symptoms of salmonella poisoning and details of any loss and damage. Lawyers for the Respondent will meet with the lawyers for each Group Member to assess each claim and agree an amount of damages. Any disputes will be referred to an independent barrister for assessment.

The Respondent will then pay the damages as agreed or assessed.

There will be no further cost in this process to Group Members who instruct the lawyers for the Applicant, Maurice Blackburn Cashman. Group Members who instruct other lawyers are subject to their own costs agreements. Special procedures will apply to claims for children and persons under a legal disability.

What group members must do

The Federal Court has ordered that the only Group Members who can participate in the settlement are those who complete a "Settlement Participation Form" in the form below, and who send it to the PO Box shown on the Form by Wednesday 3 May 2006.

If you are a Group Member and you **do** want to participate in the Settlement then you **must** complete and return your Settlement Participation Form by Wednesday 3 May 2006. If you do not do this you may lose your rights to participate in the Settlement.

If you are a Group Member but you **do not** want to participate in the Settlement then you should **not** complete or return your Settlement Participation Form. After the deadline passes you will cease to be a Group Member or covered by the class action at all. You will then be free to commence your own proceedings against the Respondent, if that is your wish. If you think this is a course you might adopt then you should obtain legal advice as soon as possible so that you can make an informed decision well before the deadline for returning the Settlement Participation Form.

If you are not sure whether you are a Group Member, or are not sure whether to complete and return the Settlement Participation Form, you may contact the applicant's lawyers, Maurice Blackburn Cashman on (03) 9605 2700, or seek your own legal advice. **You should act quickly.**

Settlement Participation Form Old England Hotel – Salmonella Outbreak

To: Maurice Blackburn Cashman Pty Ltd
PO Box 523J Melbourne VIC 3001

I, _____ [name], a group member in the above representative proceeding, give notice that I do wish to participate in the settlement of this matter approved by the Court on Friday 7 April 2006.

Dated: _____

Signed: _____
(Signature of group member or his or her lawyer)

Address of group member or his or her lawyer

Telephone Number of group member or his or her solicitor

E-mail address of group member or his or her lawyer