



## HOTEL QUARANTINE CLASS ACTION

**5 BOROUGHS NY PTY LTD (ACN 632 508 304) v STATE OF VICTORIA & ORS**

Supreme Court of Victoria Case

Case: S ECI 2020 03402

Filed on: 21/08/2020 06:21 PM

### FUNDING INFORMATION SUMMARY STATEMENT

#### 1. How is the Hotel Quarantine Class Action funded?

Quinn Emanuel is acting on the basis that its fees will not be payable until and unless there is a successful resolution of the class action, by Court approved settlement or judgment. Quinn Emanuel has a portfolio finance arrangement in place with Regency V Funding Pty Ltd (**Financier**) for disbursements, such as barristers' fees, expert witness fees, and court fees for this class action and other proceedings. This arrangement also provides an indemnity for potential adverse costs. Quinn Emanuel will be responsible for payment of any amounts to the Financier under the portfolio arrangement, out of any amounts that Quinn Emanuel may be paid pursuant to a group costs order if the class action is successful. Group members are not required to pay any money up-front in order to be involved in the case or to receive any compensation that they are entitled to from it.

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

The plaintiff's legal fees and disbursements are 'conditional', meaning that they are only recoverable by Quinn Emanuel if there is a successful outcome. The plaintiff in this case intends to request the Court to make a group costs order. This would mean that in the event of a successful outcome, the plaintiff's legal fees and disbursements will be calculated as a percentage of the amount of any judgment award or settlement sum, to be shared among the plaintiff and all group members. The percentage is ultimately 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 running the class action, including any amounts to be paid by Quinn Emanuel to the Financier.

In the event that there is not a successful outcome in this class action, group members cannot be pursued for costs by the defendants as the *Supreme Court Act* prohibits orders for costs against group members.

For further information, group members may contact Quinn Emanuel by email, [HQclassaction@quinnemanuel.com](mailto:HQclassaction@quinnemanuel.com); or by phone, (02) 9146 3500. Group members will not be charged for any such enquiries.