



## HOTEL QUARANTINE CLASS ACTION SUMMARY STATEMENT

Case: S ECI 2020 03679

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### 1. What is the Hotel Quarantine Class Action about, and who is the claim against?

The Hotel Quarantine Class Action is a case seeking compensation for personal injuries, loss and damage alleged to have been caused by failures in the management of quarantining of travelers returning to Victoria during the 'Coronavirus' pandemic in 2020.

The case is being pursued against two Defendants - Unified Security Group (Australia) Pty Ltd and MSS Security Pty Ltd - that were engaged to provide security services for the management of returned travelers at the Rydges Hotel and the Stamford Plaza Hotel within the Victorian Hotel Quarantine Program ("the Program").

The Plaintiff alleges that failures in the management of the Program by the Defendants led to the spread of the novel coronavirus known as SARS-CoV-2 (COVID-19) and caused at least 99.8% of COVID-19 cases in Victoria from May 2020 ("the Hotel Quarantine Outbreak")

The Plaintiff alleges that as a result of the Hotel Quarantine Outbreak, he and the group members in the class action have suffered personal injuries and associated loss and/or damage.

### 2. Who is a group member in the Hotel Quarantine Class Action?

The Hotel Quarantine Class Action covers a number of classes of people:

- a) people who suffered psychiatric injury as a result of the death of a person who died from COVID-19 as a result of the Hotel Quarantine Outbreak;
- b) people who suffered personal injury (either physical injury or psychiatric injury), loss and damage as a result of contracting COVID-19 as a result of the Hotel Quarantine Outbreak;
- c) the legal personal representatives of the estates of any deceased persons who died from COVID-19 as a result of the Hotel Quarantine Outbreak;
- d) people who were dependants of persons who died from COVID-19 as a result of the Hotel Quarantine Outbreak; and

The precise definition of the group covered by the class action is contained in a Court document called a Statement of Claim, which has been filed with the Supreme Court of Victoria by the plaintiff and is available on the Court's website. If you satisfy this definition, then you are a group member in the class action unless you choose to opt out of the case.

### 3. What is the role and responsibility of the lead plaintiff in the Hotel Quarantine Class Action?

The lead plaintiff in the Hotel Quarantine Class Action is Dragan Markovic. His role in the class action is to pursue his claim for damages and represent the interests of other group members insofar as their claims have issues in common with Mr Markovic's claim.

The lead plaintiff will provide instructions to his lawyers, Arnold Thomas & Becker Lawyers, about how the proceeding will be conducted, and will give evidence during the trial of the proceeding that may be used to help determine some of the common issues that affect group members' claims.

**4. Who is the law firm acting for the lead plaintiff?**

The law firm acting for the lead plaintiff is Arnold Thomas & Becker Lawyers.

**5. Are there currently any other class actions that involve the Victorian Hotel Quarantine Program?**

As at September 2020, Arnold Thomas & Becker is not aware of any other class actions that involve claims for personal injuries and associated loss and/or damage as a result of the Hotel Quarantine Program.

**6. Is this class action funded by a litigation funder?**

No

**7. How will legal costs be charged by Arnold Thomas & Becker?**

Arnold Thomas & Becker is acting in the Hotel Quarantine Class Action on a 'No Win, No Fee' basis. This means that Arnold Thomas & Becker will only recover its legal costs if the class action is successful, either by way of payment made by the Defendant/s following a settlement or successful Court trial.

Arnold Thomas & Becker's fees are charged based on an hourly rate for the legal work it performs and the expenses it funds, such as expert reports and Court fees, are recoverable at cost.

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.

If the class action is successful, because Arnold Thomas & Becker is acting on a conditional-fee basis, it is entitled to charge an uplift fee of 25% of its ordinary fees. This is calculated as a percentage of the time-based fees charged for the work its staff performed on the case. It is not a percentage of any of the compensation or damages which is recovered in the case. Arnold Thomas & Becker will seek the Court's approval of its fees, including this uplift fee, in the course of any application seeking the Court's approval of a settlement or distribution of compensation from the class action. If compensation is payable to group members, the Plaintiff will seek an order from the Court to allow for some of this compensation to be used to pay for a share of the legal costs incurred in running the class action, to the extent these costs are not able to be recovered from the Defendants.

**8. Who can group members contact for further information?**

For further information, group members can contact Arnold Thomas & Becker via:

**Website:** [www.arnoldthomasbecker.com.au](http://www.arnoldthomasbecker.com.au)  
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