

MONASH IVF CLASS ACTION

Danielle Bopping v Monash IVF Pty Ltd & Ors

(Supreme Court of Victoria Case No. _____)

FUNDING INFORMATION SUMMARY STATEMENT

1. The identity of the Litigation Funder?

Margalit Injury Lawyers is funding the Class Action. There is currently no third-party litigation funder involved in the case.

2. How Litigation Funding Charges are calculated?

In the event of a successful outcome to the Class Action, Margalit Injury Lawyers will charge for its professional fees, GST, 'Uplift Fee' and disbursements.

Professional fees are calculated using time-based billing.

In addition to professional fees, Margalit Injury Lawyers' legal costs also include an Uplift success fee. This fee is equal to 25% of Margalit Injury Lawyers' Professional Fees, which will only be payable by group members upon a successful outcome. The Uplift success fee is not calculated as a percentage of the compensation.

In the event of a successful outcome to the Class Action, Margalit Injury Lawyers will also charge for the disbursements incurred in running this Class Action at cost.

If, either by way of a settlement or successful Court trial, compensation is payable to group members, it is likely that the Defendant(s) will be required to pay some, but not all, of Margalit Injury Lawyers' legal costs. Margalit Injury Lawyers will seek an order at the time of the approval application from the Court to allow for some of the compensation to be used to pay for a share of the legal costs, to the extent those legal costs are not able to be recovered from the Defendant(s).

The group members cannot be pursued for costs by the Defendant(s) as the Supreme Court Act prohibits orders for costs against group members unless and until a group member takes their own individual action.

3. The basis on which Litigation Funding Charges will be charged?

Margalit Injury Lawyers is running this Class Action on a no win no fee basis, meaning that the legal costs and the disbursements incurred by Margalit Injury Lawyers are 'conditional'. The plaintiffs and group members will not be asked to pay anything upfront. These legal costs and disbursements are only recoverable by Margalit Injury Lawyers if there is a successful outcome to the Class Action. Unless there is a successful outcome to this Class Action (such as a settlement that is approved by the Court or a judgment by the Court awarding damages to group members), Margalit Injury Lawyers will not charge for the legal costs and the disbursements it has incurred in running this Class Action.

In the event of a successful outcome, any amounts due to Margalit Injury Lawyers must be first

approved by the Court before they can be deducted from the money to be paid to group members.

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

For further information about the Class Action, group members may contact Margalit Injury Lawyers, at zero out of pocket cost, via:

Email classaction@margalitlawyers.com.au

Website Margalitlawyers.com.au

Phone (03) 9133 0288

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