

**BEECHAM MOTORS PTY LTD V GENERAL MOTORS HOLDEN AUSTRALIA NSC PTY LTD
- S ECI 2020 04789**

GROUP PROCEEDING SUMMARY STATEMENT

1. What is a group proceeding?

Where seven or more people have claims that arise out of similar circumstances, a group proceeding can be brought by one lead plaintiff on their own behalf and as a representative of others. The group proceeding will resolve issues of fact and law that are common to each of the group members by determining the lead plaintiff's case.

2. Who is a group member of the General Motors Holden group proceeding?

The group members are listed in Schedule 1 to the Amended Statement of Claim filed on 1 April 2021.

3. What is the General Motors Holden group proceeding?

The General Motors Holden group proceeding has been brought on behalf of the group members listed in Schedule 1 to the Amended Statement of Claim filed on 1 April 2021, each of whom entered into an agreement with General Motors Holden Australia NSC Pty Ltd to, among other things, sell new Holden brand motor vehicles for the period 1 January 2018 to 31 December 2022 (**Dealer Agreements**). The Plaintiff and group members allege that General Motors Holden Australia NSC Pty Ltd breached the Dealer Agreements by refusing to accept any orders for new Holden brand motor vehicles after 3 March 2020 and by failing to supply an adequate amount of new vehicles from 4 March 2020.

4. The role and responsibility of the plaintiff in the proceeding.

The role of the lead plaintiff is to be the representative for the group. The lead plaintiff will provide instructions to HWL Ebsworth Lawyers regarding the conduct of the case and may give evidence during the proceeding. In hearing the lead plaintiff's case, the Court will be asked to make findings in relation to questions of fact and/or law that are common to all group members.

5. Who is the law firm acting for the plaintiff?

HWL Ebsworth Lawyers.

6. Is this group proceeding funded by a litigation funder?

No.

7. How are legal fees and disbursements charged by HWL Ebsworth Lawyers?

HWL Ebsworth Lawyers' legal costs are calculated using time-based billing and disbursements are charged at cost.

The plaintiff and group members have agreed to share the costs equally.

8. Has another group proceeding been issued, or is likely to be issued, by another law firm that relates to the same subject matter as this group proceeding?

Not to the knowledge of HWL Ebsworth Lawyers.

9. Who can group members contact for further information?

For further information about the General Motors Holden group proceeding, group members may contact HWL Ebsworth Lawyers at the details below:

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