

FORM 5A



Rule 5.02(1)

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
COMMERCIAL COURT**

Case: S ECI 2022 00735

Filed on: 09/03/2022 04:31 PM

**No.**

**B E T W E E N**

**Stella Stefana Bahtiyar**

Plaintiff

-and-

**Nuix Limited (ACN 117 140 235)**

First Defendant

**Macquarie Capital (Australia) Limited (ACN 123 199 548)**

Second Defendant

**Macquarie Group Limited (ACN 122 169 279)**

Third Defendant

**Jeffrey Laurence Bleich**

Fourth Defendant

**Susan Patricia Thomas**

Fifth Defendant

**Iain Robert Lobban**

Sixth Defendant

**Rodney Graham Vawdrey**

Seventh Defendant

**Daniel Phillips**

Eighth Defendant

**David Standen**

Ninth Defendant

**WRIT**

---

Date of Document:	9 March 2022	Solicitors Code:	104638
Filed on behalf of:	Plaintiff	DX:	
Prepared by:	Banton Group	Telephone:	+61 3 9229 3825
	Level 40, 140 William Street	Ref:	2676
	Melbourne VIC 3000	Email:	<a href="mailto:amanda.banton@bantongroup.com">amanda.banton@bantongroup.com</a>

---

## TO THE DEFENDANTS

**TAKE NOTICE** that this proceeding has been brought against you by the plaintiff for the claim set out in this writ.

**IF YOU INTEND TO DEFEND** the proceeding, or if you have a claim against the plaintiff which you wish to have taken into account at the trial, **YOU MUST GIVE NOTICE** of your intention by filing an appearance within the proper time for appearance stated below.

**YOU OR YOUR SOLICITOR** may file the appearance. An appearance is filed by—

- (a) filing a "Notice of Appearance" in the Prothonotary's office, 436 Lonsdale Street, Melbourne, or, where the writ has been filed in the office of a Deputy Prothonotary, in the office of that Deputy Prothonotary; and
- (b) on the day you file the Notice, serving a copy, sealed by the Court, at the plaintiff's address for service, which is set out at the end of this writ.

**IF YOU FAIL** to file an appearance within the proper time, the plaintiff may **OBTAIN JUDGMENT AGAINST YOU** on the claim without further notice.

**\*THE PROPER TIME TO FILE AN APPEARANCE** is as follows—

- (a) where you are served with the writ in Victoria, within 10 days after service;
- (b) where you are served with the writ out of Victoria and in another part of Australia, within 21 days after service;
- (c) where you are served with the writ in Papua New Guinea, within 28 days after service;
- (d) where you are served with the writ in New Zealand under Part 2 of the Trans-Tasman Proceedings Act 2010 of the Commonwealth, within 30 working days (within the meaning of that Act) after service or, if a shorter or longer period has been fixed by the Court under section 13(1)(b) of that Act, the period so fixed;
- (e) in any other case, within 42 days after service of the writ.

IF the plaintiff claims a debt only and you pay that debt, namely, \$ and \$ for legal costs to the plaintiff or the plaintiff's solicitor within the proper time for appearance, this proceeding will come to an end. Notwithstanding the payment you may have the costs taxed by the Court.

**FILED** *[insert date]*

Prothonotary

**THIS WRIT** is to be served within one year from the date it is filed or within such further period as the Court orders.

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE  
COMMERCIAL COURT**

**No.**

**B E T W E E N**

<b>Stella Stefana Bahtiyar</b>	Plaintiff
-and-	
<b>Nuix Limited (ACN 117 140 235)</b>	First Defendant
<b>Macquarie Capital (Australia) Limited (ACN 123 199 548)</b>	Second Defendant
<b>Macquarie Group Limited (ACN 122 169 279)</b>	Third Defendant
<b>Jeffrey Laurence Bleich</b>	Fourth Defendant
<b>Susan Patricia Thomas</b>	Fifth Defendant
<b>Iain Robert Lobban</b>	Sixth Defendant
<b>Rodney Graham Vawdrey</b>	Seventh Defendant
<b>Daniel Phillips</b>	Eighth Defendant
<b>David Standen</b>	Ninth Defendant

**GENERAL INDORSEMENT**

---

Date of Document:	9 March 2022	Solicitors Code:	104638
Filed on behalf of:	Plaintiff	DX:	
Prepared by:	Banton Group	Telephone:	+61 3 9229 3825
	Level 40, 140 William Street	Ref:	2676
	Melbourne VIC 3000	Email:	<a href="mailto:amanda.banton@bantongroup.com">amanda.banton@bantongroup.com</a>

---

**A. THE IMPORTANT FACTS GIVING RISE TO THE CLAIM**

1. This proceeding is commenced as a group proceeding pursuant to Part 4A of the *Supreme Court Act 1984* (Vic) by the Plaintiff on her own behalf and on behalf of all persons who or which:

- a. Acquired an interest in fully paid ordinary shares in the First Defendant (**Nuix**) (**Nuix Shares**) between 18 November 2020 and 31 May 2021 (**Relevant Period**);
- b. Have suffered loss or damage by reason of the matters as set out in this General Indorsement;
- c. Were not during any part of the Relevant Period, and are not as at the date of this General Indorsement, any of the following:
  - i. a related party (as defined by s 228 of the *Corporations Act 2001* (Cth) (**Corporations Act**)), or;
  - ii. a related body corporate (as defined by s 50 of the *Corporations Act*) or an associated entity (as defined by s 50AAA of the *Corporations Act*) of any of the Defendants;
  - iii. a director, officer or a close associate (as defined by s 9 of the *Corporations Act*) of any of the Defendants; or
  - iv. a Judge, Associate Judge, Registrar, of the Supreme Court of Victoria or the High Court of Australia.

**(Group Members)**

2. The Plaintiff acquired Nuix Shares during the Relevant Period.
3. There are more than seven Group Members.
4. Nuix is and was a public company incorporated in Australia and listed on the Australian Stock Exchange (**ASX**). At all material times, Nuix carried on business providing investigative analytics and intelligence software.
5. The Fourth to Ninth Defendants are or were directors of Nuix at the following times:

Defendant	Name	Appointment date	Cease date
Fourth	Jeffrey Laurence Bleich	11 January 2017	Still in office
Fifth	Susan Patricia Thomas	18 November 2020	Still in office
Sixth	Iain Robert Lobban	18 November 2020	Still in office
Seventh	Rodney Graham Vawdrey	20 September 2017	3 December 2020
Eighth	Daniel Phillips	9 June 2011	Still in office
Ninth	David Standen	9 June 2011	18 November 2020

6. At all material times, the Eighth Defendant (**Mr Phillips**) and the Ninth Defendant (**Mr Standen**) were also officers of the Second Defendant (**Macquarie Capital**) and the Third Defendant (**MGL**).
7. In the premises, the knowledge of Mr Phillips and Mr Standen is to be attributed to Macquarie Capital and MGL.

*Timeline of relevant events*

Initial Public Offering – Prospectus Statements

8. On 18 November 2020 (**Prospectus Date**), Nuix lodged a prospectus with the Australian Securities and Investments Commission in relation to the initial public offering of Nuix Shares (**Nuix IPO**), for the purposes of Part 6D of the Corporations Act (**Prospectus**).
9. Macquarie Capital was a joint lead manager and underwriter in respect of the Nuix IPO, and was involved in preparing the Prospectus.
10. MGL is (and was at all material times) the ultimate holding company of:
  - a. Macquarie Capital; and
  - b. Macquarie Corporate Holdings Pty Ltd, the holder of 76.2% of Nuix Shares as at the Prospectus Date, such that MGL controlled Nuix as at the Prospectus Date (within the meaning of section 50AA of the Corporations Act).
11. The offer price of each Nuix Share in the Nuix IPO was \$5.31.
12. In the Prospectus, Nuix made statements including the following (**Prospectus Statements**):
  - a. Nuix's pro forma revenue:
    - i. for the year ending 30 June 2020 was \$175.9 million; and
    - ii. for the year ending 30 June 2021 was \$193.5 million (**FY21 Revenue Forecast**);
  - b. Nuix's pro forma annualised contract value (**ACV**):
    - i. for the year ending 30 June 2020 was \$168.4 million; and
    - ii. for the year ending 30 June 2021 was \$199.6 million (**FY21 ACV Forecast**).
13. As at the Prospectus Date, each of Nuix, Macquarie Capital and MGL knew or ought reasonably to have known that:
  - a. There was a real risk, that the FY21 Revenue Forecast and/or the FY21 ACV Forecast would be materially lower than that forecasted;
  - b. For the year ending 30 June 2020, Nuix had reduced the number of engineers it employed by 30%, and had underspent its research and development budget by 16.5%;
  - c. Nuix's earnings result for the 2020 financial year was materially reliant on the cost reductions set out in (a), rather than growth in revenue;
  - d. Since the 2017 financial year, Nuix's actual revenue results had repeatedly missed internal forecasts;
  - e. The target markets for Nuix's products were exhibiting material signs of transitioning to products for which Nuix's existing technologies were not designed or could not be easily adapted or in respect of which Nuix was at a functional and/or competitive disadvantage; and
  - f. A material part of Nuix's customer base derived from the United States public sector, in respect of which there was material uncertainty as to whether they would renew their existing contracts and if so on what terms.

(the “**Omitted Information**”).

14. The Omitted Information was information within the meaning of s 710 of the Corporations Act that investors and their professional advisers would reasonably have required to make an informed assessment of Nuix’s assets and liabilities, financial position and performance, profits and losses, and prospects.
15. On 4 December 2020, Nuix:
  - a. published the Prospectus to the ASX;
  - b. published to the ASX its annual reports for the years ending 30 June 2018, 30 June 2019 and 30 June 2020 (**Annual Reports**); and
  - c. was listed on the ASX.
16. On 4 December 2020, Nuix’s share price closed at \$8.50.  
*26 February 2021 – Prospectus Statements Reaffirmed for the First Time*
17. On 25 February 2021, Nuix’s share price closed at \$8.97.
18. On 26 February 2021 Nuix released its half year results for the six months ending 31 December 2020 (**1H21**), in the course of which Nuix:
  - a. made statements (**26 February 2021 Statements**) including:
    - i. Nuix’s pro forma revenue for 1H21 was \$85.326 million;
    - ii. Nuix reaffirmed (inter alia):
      1. the FY21 Revenue Forecast; and
      2. the FY21 ACV Forecast.
  - b. did not include the Omitted Information.
19. On 26 February 2021, Nuix’s share price closed at \$6.06.  
*8 March 2021 – Prospectus Statements Reaffirmed for the Second Time*
20. On Monday 8 March 2021:
  - a. Nuix shares opened at \$5.22.
  - b. Nuix issued a market release in which it:
    - i. reaffirmed the 26 February 2021 Statements and therefore the Prospectus Statements;
    - ii. explained that the 26 February 2021 Statements were “*based on its internal procedure including an in-depth analysis by the management team and its sales channel of current orders and sales pipeline*”,
    - iii. explained that the FY21 Revenue Forecast was “*prepared on a consistent basis with applicable accounting standards, is based on estimated renewals, upsell renewals and new business*”; and
    - iv. did not include the Omitted Information.
  - c. Nuix’s share price closed at \$4.70.

25 March 2021 – Prospectus Statements Reaffirmed for the Third time

21. On 25 March 2021:
- a. Nuix's share price opened at \$5.05.
  - b. On 25 March 2021, Nuix issued a market release containing a presentation delivered at that day's Morgan Stanley IPO conference, in which it:
    - i. repeated the FY21 Revenue Forecast and the FY21 ACV Forecast; and
    - ii. did not include the Omitted Information.
  - c. Nuix's share price closed at \$5.01.

21 April 2021 – First Downgrade

22. Between the Prospectus Date and 21 April 2021, Nuix did not correct or qualify the Prospectus Statements.
23. On 21 April 2021, Nuix's share price opened at \$4.48.
24. On 21 April 2021, Nuix published an announcement to the ASX, which:
- a. revised the FY21 Revenue Forecast down from \$193.5 million to \$180 million-\$185 million;
  - b. revised the FY21 ACV Forecast down from \$199.6 million to \$168 million-\$177 million; and
  - c. stated (inter alia) that:
    - i. *“revenue from renewals and new business remain in line with expectations”*; and
    - ii. *“fundamental revenue drivers for Nuix are strong and underpinned by growing order book and pipeline”*.

**(21 April 2021 Statements)**

25. On 21 April 2021, Nuix's share price closed at \$4.29.

31 May 2021 – Second Downgrade

26. Between 21 April 2021 and 31 May 2021, Nuix did not correct or qualify the 21 April 2021 Statements.
27. On 31 May 2021, Nuix's share price opened at \$3.05.
28. On 31 May 2021, Nuix published a further announcement to the ASX, which:
- a. further revised its FY21 Revenue Forecast down to a range of \$173 million to \$182 million;
  - b. further revised the FY21 ACV Forecast down to a range of \$165 million to \$172 million;
  - c. explained that the revision was *“following recent developments in its existing customer contract revenue pipeline”*, and that *“[s]everal key factors have affected the revised forecasts including the expected timing of closure of some upsell opportunities and new potential customers”*; and

- d. quoted a statement from Nuix's CEO, Rob Vawdry, that "[t]here's a near-term level of uncertainty regarding the precise timing, shape and scope of some large and anticipated customer contracts coming to fruition in the next few weeks. We expect to capture most of the revenue which remains under current negotiation with these customers either by financial year-end or early in our new financial year. We remain confident in the long-term outlook for the company."

**(31 May 2021 Statements)**

29. After the 31 May 2021 Statements were made, Nuix's share price declined substantially, and closed at \$2.77 on that day.

**B. THE PRIMARY LEGAL GROUNDS FOR THE RELIEF SOUGHT**

*As against Nuix*

30. As at the Prospectus Date, Nuix contravened s 728(1) and/or (2) of the Corporations Act:

- a. by making the FY21 Revenue Forecast and the FY21 ACV Forecast; and/or
- b. in omitting the Omitted Information.

31. By making, reaffirming and repeating the FY21 Revenue Forecast and the FY21 ACV Forecast on each of the Prospectus Date, 4 December 2020, 26 February 2021, 8 March 2021, 25 March 2021 and 21 April 2021, and in continuing to omit the Omitted Information throughout the Relevant Period, Nuix engaged in conduct:

- a. that had the effect or were likely to have the effect of misleading persons investing in or dealing with Nuix Shares, in contravention of:
  - i. s 1041H of the Corporations Act;
  - ii. s 12DA of the *Australian Securities and Investments Commission Act 2001* (Cth) (**ASIC Act**); and/or
  - iii. s 18 of Schedule 2 to the *Competition and Consumer Act 2010* (**ACL**);
- b. that induced the Plaintiff to acquire and/or refrain from disposing of Nuix Shares, in circumstances where Nuix knew, ought to have known or did not care whether the Statements were false or misleading, in contravention of:
  - i. s 1041E of the Corporations Act;
  - ii. s 12DB of the ASIC Act; and/or
  - iii. s 29 of the ACL.

32. By reason of the contraventions in paragraphs 30 and/or 31:

- a. The true value of the Nuix Shares was inflated throughout the Relevant Period, in that:
  - i. The market price for the Nuix Shares during the Relevant Period was substantially higher than their true value;
  - ii. The declines in the price of the Nuix Shares pleaded in Section A above were caused by the market's reaction to each of the 26 February 2021 Statements, the 21 April 2021 Statements and the 31 May 2021 Statements, and would, to the extent they removed inflation from the price of the Nuix Shares, would have occurred earlier and/or would have been of a lesser magnitude, if Nuix had not engaged in the contraventions in paragraphs 30 and/or 31;



- b. The Plaintiff and some Group Members acquired NuiX Shares:
  - i. At an inflated price, in the premises set out in (a); and/or
  - ii. At a price that was higher than the price they would have been willing to pay but for the contraventions in paragraphs 30 and/or 31;

33. During the Relevant Period, NuiX was aware, within the meaning of rule 19.12 of the ASX Listing Rules:

- a. that the Omitted Information had been omitted;
- b. that there was a real risk that the FY21 Revenue Forecast and/or the FY21 ACV Forecast had been overstated or lacked reasonable basis;
- c. that these were matters which were not generally available within the meaning of s 676 of the Corporations Act; and
- d. in relation to the effect on NuiX Shares:
  - i. as from the Prospectus Date to 22 March 2021, which NuiX knew, or was reckless or negligent with respect to whether such matters would (if they were generally available) have a material effect on the price or value of NuiX Shares within the meaning of s 677 of the Corporations Act;
  - ii. as from 23 March 2021, which a reasonable person would expect (if such matters were generally available) to have a material effect on the price or value of NuiX Shares within the meaning of s 677 of the Corporations Act.

In failing to notify the ASX during the Relevant Period of such matters, NuiX contravened s 674(2) of the Corporations Act.

*As against Macquarie Capital*

34. In the circumstances of paragraph 30, Macquarie Capital is liable to provide compensation:
- a. As an underwriter of the Prospectus, within the meaning of item 4 of s 729(1) of the Corporations Act;
  - b. Further and in the alternative, as it was involved in the preparation of the Prospectus directly and/or through the Eighth and/or Ninth Defendants, within the meaning of item 6 of s 729(1) of the Corporations Act.

*As against MGL*

35. In the circumstances of paragraph 30, MGL is liable to provide compensation as it was involved in the preparation of the Prospectus directly and/or through the Eighth and/or Ninth Defendants, and was therefore involved in the contraventions within the meaning of item 6 of s 729(1) of the Corporations Act.

*As against the Fourth to Eighth Defendants*

36. In the circumstances of paragraph 30, each of the Fourth to Eighth Defendants is liable to provide compensation:
- a. As directors of NuiX as at the Prospectus Date, within the meaning of item 2 of s 729(1) of the Corporations Act;
  - b. Further and in the alternative, as they were involved in the preparation of the Prospectus and were therefore involved in the contraventions within the meaning of item 6 of s 729(1) of the Corporations Act.

*As against the Ninth Defendant*

37. In the circumstances of paragraph 30, the Ninth Defendant is liable to provide compensation as he was involved in the preparation of the Prospectus and was therefore involved in the contraventions within the meaning of item 6 of s 729(1) of the Corporations Act.

**C. THE ALLEGED HARM SUFFERED BY THE PLAINTIFF**

38. By reason of the matters set out in this General Indorsement, the Plaintiff and the Group Members suffered loss or damage in acquiring an interest in the Nuix Shares during the Relevant Period at an inflated price.

39. Further particulars of loss will be provided in due course following expert evidence.

**D. COMMON QUESTIONS**

40. The questions of law or fact common to the claims of the Group Members are:
- a. Whether, as at the Prospectus Date, each of Nuix, Macquarie Capital and MGL knew or ought reasonably to have known of the Omitted Information.
  - b. Whether the Omitted Information was information within the meaning of s 710 of the Corporations Act that investors and their professional advisers would reasonably have required to make an informed assessment of Nuix's assets and liabilities, financial position and performance, profits and losses, and prospects.
  - c. Whether Nuix contravened s 728 of the Corporations Act by making the FY21 Revenue Forecast and the FY21 ACV Forecast and/or in omitting the Omitted Information.
  - d. Whether Nuix contravened s 1041H of the Corporations Act, s 12DA of the ASIC Act and/or s 18 of the ACL in making and/or failing to correct or qualify the FY21 Revenue Forecast and the FY21 ACV Forecast and/or in omitting the Omitted Information.
  - e. Whether Nuix contravened s 1041E of the Corporations Act, s 12DB of the ASIC Act and/or s 29 of the ACL by making, reaffirming and repeating the FY21 Revenue Forecast and the FY21 ACV Forecast on each of the Prospectus Date, 4 December 2020, 26 February 2021, 8 March 2021, 25 March 2021 and 21 April 2021, and in continuing to omit the Omitted Information throughout the Relevant Period, thereby engaging in conduct that was likely to induce the Group Members to acquire and/or refrain from disposing of Nuix Shares, in circumstances where Nuix knew, ought to have known or did not care whether the FY21 Revenue Forecast and the FY21 ACV Forecast and/or the omission of the Omitted Information was false or misleading, in contravention of s 1041E of the Corporations Act, s 12DB of the ASIC Act and/or s 29 of the ACL.
  - f. Whether and if so on what basis the contraventions in a-c above were a cause of the Group Members' loss.
  - g. When Nuix became aware, within the meaning of rule 19.12 of the ASX Listing Rules:
    - i. that the Omitted Information had been omitted;
    - ii. that the FY21 Revenue Forecast and/or the FY21 ACV Forecast were materially overstated or lacked reasonable basis;
    - iii. that these were matters:
      1. which were not generally available within the meaning of s 676 of the Corporations Act;

2. which a reasonable person would expect (if such matters were generally available) to have a material effect on the price or value of Nuix Shares within the meaning of s 677 of the Corporations Act.
- h. Whether Nuix contravened s 674 of the Corporations Act by continuing during the Relevant Period to omit the Omitted Information and by continuing to make, reaffirm, repeat, and not correct or qualify the FY21 Revenue Forecast and the FY21 ACV Forecast.
  - i. Whether the Group Members would have acquired any or all of their Nuix Shares during the Relevant Period if Nuix had not engaged in the contraventions in paragraphs 30 and/or 31.
  - j. What would the true value of the Nuix Shares have been during the period 4 December 2020 and 21 April 2021 if Nuix had not engaged in the contraventions in paragraphs 30 and/or 31.
  - k. Whether the knowledge of the Eighth and/or Ninth Defendants is to be attributed to Macquarie Capital and/or MGL.
  - l. Whether Macquarie Capital was involved in the preparation of the Prospectus within the meaning of item 6 of s 729(1) of the Corporations Act.
  - m. Whether MGL was involved in the preparation of the Prospectus within the meaning of item 6 of s 729(1) of the Corporations Act.
  - n. Whether each of the Fourth to Ninth Defendants were involved in the preparation of the Prospectus within the meaning of item 6 of s 729(1) of the Corporations Act.
  - o. Whether compensation is recoverable by the Group Members, and if so, on what basis.

**AND THE PLAINTIFF CLAIMS** on her own behalf and on behalf of the group members:

41. Declarations that:

- a. by making the FY21 Revenue Forecast and the FY21 ACV Forecast and/or in omitting the Omitted Information, Nuix has contravened s 728 of the *Corporations Act 2001* (Cth) (**Corporations Act**);
- b. by making, reaffirming and repeating the FY21 Revenue Forecast and the FY21 ACV Forecast on each of the Prospectus Date, 4 December 2020, 26 February 2021, 8 March 2021, 25 March 2021 and 21 April 2021, and in continuing to omit the Omitted Information throughout the Relevant Period, Nuix engaged in conduct:
  - i. that had the effect or was likely to have the effect of misleading persons investing in or dealing with Nuix Shares, in contravention of s 1041H of the Corporations Act, s 12DA of the ASIC Act; and s 18 of Schedule 2 to the ACL; and/or
  - ii. that induced the Plaintiff to acquire and/or refrain from disposing of Nuix Shares, in circumstances where the Defendant knew, ought to have known or did not care whether the FY21 Revenue Forecast and the FY21 ACV Forecast and/or the omission of the Omitted Information was false or misleading, in contravention of s 1041E of the Corporations Act, s 12DB of the ASIC Act and s 29 of the ACL.
- c. by continuing during the Relevant Period to omit the Omitted Information and by continuing to make, reaffirm and repeat the FY21 Revenue Forecast and the FY21 ACV Forecast, Nuix contravened s 674 of the Corporations Act.

42. An order that Nuix pay compensation to the Plaintiff and Group Members for the damage suffered by them which resulted from Nuix's contraventions of:
  - a. s 728 of the Corporations Act, pursuant to s 729 of the Corporations Act;
  - b. s 1041H of the Corporations Act, s 12DA of the ASIC Act; and s 18 of the ACL, pursuant to s 1041I of the Corporations Act and/or s 12GF of the ASIC Act and/or s 18 of the ACL;
  - c. s 1041E of the Corporations Act, s 12DB of the ASIC Act and s 29 of the ACL, pursuant to s 1041I of the Corporations Act and/or s 12GF of the ASIC Act and/or s 18 of the ACL; and/or
  - d. s 674 of the Corporations Act, pursuant to s 1317HA of the Corporations Act.
43. An order that each of the following Defendants pay compensation to the Plaintiff and Group Members:
  - a. Macquarie Capital, pursuant to item 4 and/or item 6 of s 729(1) of the Corporations Act;
  - b. MGL, pursuant to item 6 of s 729(1) of the Corporations Act;
  - c. The Fourth to Eighth Defendants, pursuant to item 2 and/or item 6 of s 729(1) of the Corporations Act; and/or
  - d. The Ninth Defendant, pursuant to item 6 of s 729(1) of the Corporations Act.
44. Interest.
45. Costs.
46. Interest on costs.
47. Such further order as the Court determines is appropriate

9 March 2022

Banton Group  
**Solicitors for the Plaintiff**

1. Place of trial— Melbourne
2. Mode of trial—Judge of the Court
3. This writ was filed—for the plaintiff by Banton Group, solicitor, of Level 40, 140 William Street Melbourne VIC 3000
4. The address of the plaintiff is— Level 40, 140 William Street Melbourne VIC 3000
5. The address for service of the plaintiff is—Banton Group, Level 40, 140 William Street Melbourne VIC 3000
6. The email address for service of the plaintiff is [amanda.banton@bantongroup.com](mailto:amanda.banton@bantongroup.com).
7. The address of the First Defendant is Nuix Limited (ACN 117 140 235), Level 27, 1 Market Street, Sydney NSW 2000.
8. The address of the Second Defendant is Macquarie Capital (Australia) Limited (ACN 123 199 548), Macquarie Bank Limited Level 6 50 Martin Place Sydney NSW 2000
9. The address of the Third Defendant is Macquarie Group Limited (ACN 122 169 279), Macquarie Bank Limited Level 6 50 Martin Place Sydney NSW 2000
10. The address of the Fourth Defendant is 109 Monte Ave Piedmont, CA 94611 United States
11. The address of the Fifth Defendant is Unit 2 6 Hamersley Street Cottesloe WA 6011
12. The address of the Sixth Defendant is 1a Eddystone Road Wadebridge Cornwall PL27 7AL United Kingdom
13. The address of the Seventh Defendant is Unit 702 21 Barangaroo Avenue Barangaroo NSW 2000
14. The address of the Eighth Defendant is 202 The Esplanade Umina Beach NSW 2257.
15. The address of the Ninth Defendant is 72 Parthenia Street Dolans Bay NSW 2229