

ANNEXURE 1

SUPREME COURT OF VICTORIA



NOTICE TO GROUP MEMBERS:

G8 EDUCATION LIMITED SHAREHOLDER CLASS ACTION  
(GROUP PROCEEDING)

ALLEN v G8 EDUCATION LTD  
(S ECI 2020 4339)

**GROUP MEMBERS WHO WISH TO RECEIVE MONETARY  
COMPENSATION FROM ANY SETTLEMENT REACHED AT THE  
UPCOMING MEDIATION MUST REGISTER  
BEFORE 4pm AEST on Friday 7 October 2022  
at [www.slatergordon.com.au/g8](http://www.slatergordon.com.au/g8)**

THIS NOTICE IS SENT BY ORDER OF THE SUPREME COURT OF  
VICTORIA.

IT IS IMPORTANT THAT YOU READ THIS NOTICE CAREFULLY  
BECAUSE IT MAY AFFECT YOUR LEGAL RIGHTS.

## WHY HAVE YOU RECEIVED THIS NOTICE?

1. The Supreme Court of Victoria has ordered that you receive this Notice because according to information contained in the share register of G8 Education Ltd (**G8**) you may be a Group Member in this class action.
2. In most cases, you are a **Group Member** if you
  - purchased shares in G8 between 23 May 2017 and 23 February 2018 (inclusive); and
  - you have suffered a loss by reason of the conduct alleged against G8 in the class action; and
  - you did not opt out of the class action by the deadline on 20 August 2021.
3. If you believe you may be a Group Member because you meet the above description, you should read this Notice carefully as it will affect your rights. If there is anything in this Notice that you do not understand, you should seek legal advice.
4. This is the second Court-ordered Notice in this class action. The first Notice was distributed in June 2021. It provided information about this class action, gave Group Members the option to register if they wished, and set a deadline for 'opting out' of the class action.

## PURPOSE OF THIS NOTICE

5. The purpose of this Notice is to advise you that a mediation will occur by 23 November 2022, and that you are required to register if you want to be eligible to share in any compensation arising from any settlement reached at the mediation. If you have already registered you don't need to do anything.
6. This Notice also provides information about how the class action is now being funded.

## **UPCOMING MEDIATION - YOU MUST REGISTER IF YOU WANT TO CLAIM COMPENSATION**

7. The Court has ordered the parties to attend a mediation by 23 November 2022.
8. **If you would like to be eligible to share in any monetary compensation arising from any settlement reached between the parties at the upcoming mediation, you must register as a Group Member before 4pm AEST on Friday 7 October 2022.**
9. Group Members may register by providing the following **Registration Information** to the lawyers for the lead plaintiffs, Slater and Gordon Lawyers, at [www.slatergordon.com.au/g8](http://www.slatergordon.com.au/g8)
  - (a) your name;

- (b) your contact details; and
  - (c) detailed information about any G8 shares you held before 23 May 2017, and any G8 shares that you purchased and sold between 23 May 2017 and 23 February 2018 (inclusive).
10. If you register as a Group Member, you will become a **Registered Group Member**. If a settlement is reached between the parties at the upcoming mediation, Registered Group Members will be eligible to share in any monetary compensation paid by G8 in this class action.
  11. If the class action does not settle at the upcoming mediation, Registered Group Members will be eligible to share in monetary compensation from any future settlement in this class action and will be bound by any final judgment, if the class action is not resolved prior to trial.
  12. If you have already registered as a Group Member, or if you have already provided your Registration Information to Slater and Gordon Lawyers, you are already a Registered Group Member and eligible to share in any monetary compensation paid by G8 in this class action. **You do not need to take any further step at this time.**
  13. Becoming a Registered Group Member will help the parties work out if a settlement is possible because information about how many people are participating in the claim is part of that process.
  14. Becoming a Registered Group Member does not mean you enter into a contract for Slater and Gordon Lawyers to represent you.
  15. Registered Group Members are not, and will not be, liable for any legal costs out of their own pocket by registering in this class action.
  16. There are only two possible outcomes for Registered Group Members:
    - you are eligible to receive compensation from a successful outcome (that is, if any monetary compensation is paid by G8 in this class action), with a single fee deducted from the total amount of any compensation paid by G8 for the costs and risks incurred by Slater and Gordon for running the class action; or
    - the class action, along with your claim as a Group Member, is unsuccessful (that is, G8 is not required to pay any monetary compensation). If this happens, you also will not be required to pay anything.
  17. If the parties agree to settle the class action, the amount of compensation G8 will pay, and the percentage payable to Slater and Gordon Lawyers, must first be approved by the Court. Before this happens, you will receive a further Notice that provides information about the proposed settlement for your consideration at that time.

## *CONSEQUENCES OF NOT REGISTERING*

18. If you have not previously registered in this class action or have not previously provided your Registration Information to Slater and Gordon Lawyers, and if you choose to do nothing in response to this Notice, you will become an Unregistered Group Member.
19. **Unregistered Group Members** remain as Group Members in the class action but **are not eligible to receive monetary compensation in this class action** if the parties reach a settlement at the upcoming mediation.
20. **If you do not register before 4pm AEST on Friday 7 October 2022 and the class action settles at the upcoming mediation you may lose your right to seek monetary compensation from G8 in relation to the same (or similar) claims alleged in this class action.**
21. Unregistered Group Members may be given another opportunity to register in the future, but not in relation to any settlement that is achieved at the upcoming mediation.
22. If the class action does not result in a settlement before trial, Unregistered Group Members will be bound by any final judgment.
23. **If you are a Group Member who is not registered you should consider very carefully whether you wish to register.** You should not delay in making this decision.

## *INFORMATION ABOUT HOW THE CLASS ACTION IS BEING FUNDED*

24. The Court has ordered that the legal costs of the lead plaintiffs and the Group Members in this class action are to be calculated as a percentage of any monetary compensation paid by G8 in this class action.
25. This means that **Group Members will share between them, at minimum, 72.5% of the proceeds of any monetary compensation paid by G8 in this class action and the maximum amount that Slater and Gordon can be paid is 27.5%.**
26. For example, if in settlement of this class action G8 agrees to pay a total amount of \$100,000, the Group Members will share between them at least \$72,500 and Slater and Gordon will be paid a maximum of \$27,500 for their work.
27. No Group Member will ever have to pay any money out of their own pocket for any costs in this class action.
28. The court's order also protects the lead plaintiffs from risks in the class action. Slater and Gordon Lawyers now bear the risk of any costs payable to G8 if the class action is unsuccessful. Slater and Gordon Lawyers must also give any security to G8 for its costs of defending the class action that the Court may order. In return for Slater and Gordon taking on those risks, and in payment for the legal work Slater and Gordon are performing and other costs they are incurring,

they may receive, at a maximum, 27.5% from any monetary compensation paid by G8 in this class action.

29. The Court must approve the amount of any monetary compensation to be paid by G8, as well as any amount paid to Slater and Gordon Lawyers. If the parties reach a settlement, Group Members will receive a further Notice that provides information about the proposed settlement for your consideration at that time.
30. Importantly, the court may vary the percentage at which costs are calculated in the future. That might occur when the court is approving any settlement proposed by the parties. At that time the Court may only increase the 72.5% for the Group Members to share out of any monetary compensation paid by G8, and decrease the 27.5% for Slater and Gordon.
31. This is because Slater and Gordon Lawyers, as well as the lead plaintiffs, Mr and Mrs Allen, have each given an undertaking (a promise) to the Court that they will not make any application in the future for a lower percentage for Group Members (or for a higher percentage for Slater and Gordon).
32. **You are not, and will not be, liable for any legal costs out of your own pocket by Registering as a Group Member in this class action.**

#### **IF YOU WOULD LIKE MORE INFORMATION**

33. Copies of the relevant documents, including the most recent versions of the pleadings in this class action, may be obtained by:
  - accessing the [Supreme Court's website](#);
  - accessing the [G8 Class Action website](#); or
  - contacting the G8 Class Action Hotline on 1800 071 827.
34. If there is anything you are unsure about, you can find more information or contact Slater and Gordon Lawyers by visiting the [G8 Class Action Website](#) or by calling the G8 Class Action Hotline on 1800 071 827.
35. If there is anything of which you are unsure and you do not want to speak with Slater and Gordon Lawyers, you may seek legal advice from a solicitor of your choice.