

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMERCIAL COURT
GROUP PROCEEDINGS LIST

S ECI 2021 04360

BETWEEN

WILLIAM LAY

Plaintiff

and

NUIX LIMITED (ACN 117 140 235)

Defendant

ORDER

JUDGE: The Honourable Justice Nichols

DATE MADE: 2 September 2022

ORIGINATING PROCESS: Writ filed 19 November 2021

HOW OBTAINED: By the plaintiff's summons dated 12 May 2022 (**Lay Carriage Motion Summons**) and by summons dated 17 May 2022 filed by the plaintiff in the proceeding SECI 2021 04391

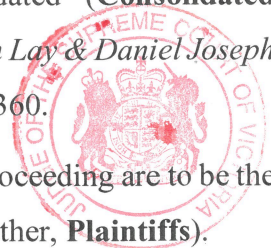
ATTENDANCE: Not applicable

OTHER MATTERS: The Court has made substantially similar orders in proceeding S ECI 2021 04391 (**Batchelor Proceeding**).

THE COURT ORDERS THAT:

Consolidation

- 1 This proceeding and the Batchelor Proceeding be consolidated (**Consolidated Proceeding**) and the Consolidated Proceeding be known as *William Lay & Daniel Joseph Batchelor v Nuix Limited & Ors* to be identified as S ECI 2021 04360.
- 2 The plaintiff in this proceeding and the plaintiff in the Batchelor Proceeding are to be the joint representative plaintiffs in the Consolidated Proceeding (together, **Plaintiffs**).



- 3 Shine Lawyers be named as solicitors on the record for the Plaintiffs in the Consolidated Proceeding.
- 4 Other than costs in respect of the Lay Carriage Motion Summons, the application by summons filed by the Plaintiff in the Batchelor Proceeding on 17 May 2022, Macquarie Group Limited's costs of the Batchelor Proceeding and the defendants' costs thrown away by reason of the filing of the Plaintiffs' consolidated statement of claim, the costs to date in this proceeding and the Batchelor Proceeding be reserved costs in the Consolidated Proceeding.
- 5 By **4:00pm on 13 September 2022**, the Plaintiffs file a group proceeding summary statement and funding information summary statement in respect of the Consolidated Proceeding.

Pleadings

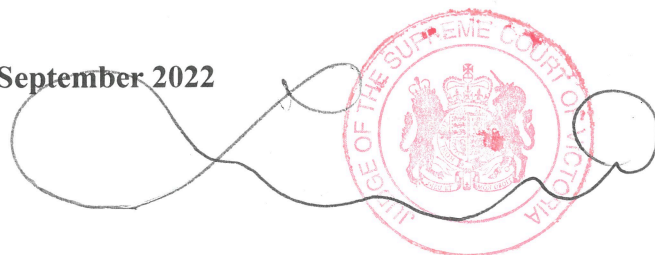
- 6 Macquarie Group Limited (ACN 122 169 279) cease to be a party to the Consolidated Proceeding.
- 7 Daniel Phillips be joined as Third Defendant in the Consolidated Proceeding.
- 8 By **4:00pm on 6 September 2022**, the Plaintiffs file and serve their consolidated statement of claim.
- 9 By **4:00pm on 28 October 2022**, the Defendants in the Consolidated Proceeding file and serve any defence/s to the consolidated statement of claim.
- 10 By **4:00pm on 28 November 2022**, the Plaintiffs file and serve any reply.
- 11 By **4:00pm on 23 December 2022**, the Defendants in the Consolidated Proceeding file any claim against any third party.

Case management

- 12 The Consolidated Proceeding be listed for a case management conference on a date to be fixed not before 1 February 2023.

DATE AUTHENTICATED:

2 September 2022

A handwritten signature in black ink is written over a red circular seal. The seal features the coat of arms of the State of Victoria in the center, surrounded by the text "SUPREME COURT OF VICTORIA" in a circular border.

The Honourable Justice Nichols