



INSURANCE AUSTRALIA GROUP LIMITED SHAREHOLDER CLASS ACTION

Norris v Insurance Australia Group Limited (ACN 090 739 923)

Supreme Court of Victoria

Case: S ECI 2022 02887

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CLASS ACTION SUMMARY STATEMENT

What is a class action?

A class action is a legal proceeding commenced by a 'lead' or 'representative' plaintiff against one or more defendants. The lead plaintiff brings the claim on their own behalf and on behalf of other claimants who have claims against the defendant arising from similar or related circumstances (**group members**).

In a class action, the lead plaintiff's claim is used to resolve legal and factual issues that are common to group members' claims. This allows those common issues to be considered and resolved once in a way that will apply to the claims of all group members affected by that issue, rather than having to be determined individually for each group member.

What is this class action about?

This class action relates to allegations that Insurance Australia Group Limited (**IAG**) made misleading and deceptive representations and failed to comply with its continuous disclosure obligations as an ASX listed company, breaching relevant provisions of the *Corporations Act 2001* (Cth), the *ASIC Act 2001* (Cth) and the Australian Consumer Law.

The class action alleges that because of this conduct the plaintiff and group members paid more for shares in IAG than would have been the case had IAG complied with its obligations. Alternatively, the class action alleges that some group members would not have purchased shares in IAG had the alleged wrongdoing not occurred.

Am I a group member?

You are automatically considered a group member of the IAG Class Action if you purchased (or acquired an interest in, or entered into a contract to acquire an interest in IAG shares during the period 11 March 2020 and until 20 November 2020 (inclusive) (**Relevant Period**). You are included in this group if you received a dividend entitlement in the form of IAG shares during the Relevant Period, or elected to receive a dividend entitlement in the form of IAG shares during the Relevant Period.

A complete definition of group members is available in paragraph [1] of the Writ and Statement of Claim. Persons includes corporations and trustees of superannuation funds.

If you do not wish to participate in the class action, there will later be an opportunity for you to opt out.

Who is the plaintiff and what responsibilities does he have?

The role of the lead plaintiff is to be the representative for the class. He will give instructions to Quinn Emanuel 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. In this case the lead plaintiff is Damian Norris. Mr Norris has obligations to act honestly, avoid undue delay and expense, and to use his best endeavours to take steps to resolve the class action in the best interests of group members.

Who is acting for the plaintiff?

Quinn Emanuel Urquhart & Sullivan represents the plaintiff and other group members in this class action against IAG.

What costs are involved?

The IAG class action is presently being run by Quinn Emanuel on a 'no-win, no-fee' basis. There is no circumstance where group members will ever be out of pocket by participating in this class action.

If the class action is successful - meaning that there is a settlement or the plaintiff prevails at trial and damages are awarded by the court - then any costs payable to Quinn Emanuel will be deducted from, and will not exceed, any compensation that group members are entitled to receive.

The plaintiff in this case intends to request that the Court make a group costs order. This would mean that, in the event of a successful outcome, the plaintiff's legal fees and disbursements will be calculated as a percentage of the amount of any judgment award or settlement sum. The percentage awarded is ultimately determined by the Court. If a group costs order is made, that group costs order is inclusive of all the legal fees and disbursements incurred by the plaintiff in running the class action.

In the event that there is not a successful outcome in this class action, group members cannot be pursued for costs by the defendant as the *Supreme Court Act 1986* (Vic) prohibits orders for costs against group members.

If a group costs order is not made by the Court, Quinn Emanuel may seek to secure litigation funding to fund the legal costs (both fees and disbursements) and to secure against the risk of an adverse cost order being made in the IAG Shareholder Class Action (including the provision of any security for the defendant's costs). There is no third-party litigation funder currently involved in the IAG Shareholder Class Action.

Other class actions against IAG

In September 2021, Slater and Gordon commenced representative proceedings in the New South Wales Registry of the Federal Court of Australia against a subsidiary of IAG, Insurance Australia Limited (ACN 000 016 722) on behalf of business interruption policyholders whose claims have been declined in relation to pandemic-related closures (*CMC Hospitality Pty Ltd (ACN 617 865 120) v Insurance Australia Limited (ACN 000 016 722)*). The plaintiff is not presently aware of any other class action proceedings filed in any Australian court against IAG in respect of the claims made in this class action.

Who can I contact to get further information?

Group members may contact Quinn Emanuel via:

Email: iagclassaction@quinnemanuel.com

Phone: +61 2 9146 3701

Post: IAG Shareholder Class Action
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SYDNEY NSW 2000

Website: www.iagclassaction.com

Shareholders can register to participate their interest in the class action via the website (www.iagclassaction.com). Registering your interest is risk and cost free.