

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION
MAJOR TORTS LIST

S CI 2012 04538

BETWEEN:

KATHERINE ROWE

Plaintiff

-and-

AUSNET ELECTRICITY SERVICES PTY LTD
(ACN 064 651 118) & ORS
(according to the attached Schedule)



Defendants

AND BETWEEN:

AUSNET ELECTRICITY SERVICES PTY LTD
(ACN 064 651 118)

Plaintiff by Counterclaim

-and-

ACN 060 674 580 PTY LTD & ORS
(according to the attached Schedule)

Defendants by Counterclaim

ORDER

JUDGE: The Honourable Justice John Dixon
DATE MADE: 9 June 2023
ORIGINATING PROCESS: Writ filed 7 August 2012
HOW OBTAINED: By written application to the court by Mr A J Watson, Scheme Administrator of the Settlement Distribution Scheme
ATTENDANCE: On the papers.
OTHER MATTERS: Nil.

THE COURT ORDERS THAT:

1. The court adopts the Special Referee's report on costs dated 27 April 2023.
2. The Scheme Administrator shall pay the contingency funds of \$750,000 into the Distribution Sum.
3. The Scheme Administrator shall pay:
 - (a) a sum not exceeding \$24,000 to the Australian Tax Office for the tax liability for

financial years 2021 and 2022;

- (b) the sum of \$1,373,005.20 to Maurice Blackburn for settlement administration costs and disbursements incurred for the period 1 December 2017 until 28 February 2023; and
- (c) a sum not exceeding \$31,050 to Maurice Blackburn for settlement administration costs and disbursements to finalise the Scheme.

- 4. The Scheme Administrator shall pay any Residual Sum remaining of the Distribution Sum after the deductions authorised by the preceding paragraph of this order to Foundation Murrindindi, also known as Marysville and Triangle Community Foundation (ABN 23160630526) of 3/27 Murchison Street, Marysville, Victoria as a donation towards its charitable objects, and the receipt of the Chairperson or Treasurer of the Foundation shall constitute a release of the final obligation of the Scheme Administrator in respect of the Distribution Sum.
- 5. The proceedings are dismissed with no order as to costs in accordance with paragraph 11 of the court orders dated 27 May 2015.

DATE AUTHENTICATED: 9 June 2023


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The Honourable Justice John Dixon


SCHEDULE OF PARTIES

S CI 2012 04538

BETWEEN:

KATHERINE ROWE

Plaintiff

-and-

AUSNET ELECTRICITY SERVICES PTY LTD
(ACN 064 651 118)

First Defendant

ACN 060 674 580 PTY LTD (ACN 060 674 580)

Second Defendant

SECRETARY TO THE DEPARTMENT OF
ENVIRONMENT, LAND, WATER AND
PLANNING (FORMERLY SECRETARY TO THE
DEPARTMENT OF ENVIRONMENT AND
PRIMARY INDUSTRIES)

Third Defendant

COUNTY FIRE AUTHORITY

Fourth Defendant

STATE OF VICTORIA

Fifth Defendant

AND

AUSNET ELECTRICITY SERVICES PTY LTD
(ACN 064 651 118)

Plaintiff by Counterclaim

-and-

ACN 060 674 580 PTY LTD

First Defendant by Counterclaim

SECRETARY TO THE DEPARTMENT OF
ENVIRONMENT, LAND, WATER AND
PLANNING (FORMERLY SECRETARY TO THE
DEPARTMENT OF ENVIRONMENT AND
PRIMARY INDUSTRIES)

Second Defendant by Counterclaim

COUNTY FIRE AUTHORITY

Third Defendant by Counterclaim

STATE OF VICTORIA

Fourth Defendant by Counterclaim

KATHERINE ROWE

Fifth Defendant by Counterclaim

