

NOTICE OF PROPOSED DISCONTINUANCE
IMPORTANT LEGAL NOTICE

Moira Shire Council & Anor

v

*JLT Risk Solutions Pty Ltd (ABN 69 009 098 864) (formerly called
Jardine Lloyd Thomson Pty Ltd)*

Supreme Court of Victoria, Proceeding No. S ECI 2019 02919

**THE JLT RISK SOLUTIONS GROUP PROCEEDING (CLASS
ACTION)**

This notice contains important information about the representative proceeding commenced by Moira Shire Council and Hobsons Bay City Council (collectively, the **Plaintiffs**) against JLT Risk Solutions Pty Ltd (formerly called Jardine Lloyd Thomson Pty Ltd) (**JLT Victoria Class Action**). You should read this notice carefully. If there is anything that you do not understand, you should seek legal advice.

On 28 June 2019, the JLT Victoria Class Action was commenced in the Supreme Court of Victoria (the **Court**) against JLT Risk Solutions Pty Ltd (formerly called Jardine Lloyd Thomson Pty Ltd) (**JLT**).

On 13 September 2023, the Plaintiffs and JLT entered into an agreement to resolve the JLT Victoria Class Action, subject to the Court's approval (the **Settlement**). The relevant terms of the Settlement are:

- (1) that the JLT Victoria Class Action be discontinued with no order as to costs (which means that the Councils, other than the Plaintiffs who have provided a release to JLT, may individually proceed with their claims if they wish);
- (2) Quinn Emanuel Urquhart & Sullivan LLP undertakes that it will not directly or indirectly act for any local council situated in any State or Territory in Australia in bringing or making a claim against JLT (or any JLT related entity) concerning the same or similar issues to those the subject of this proceeding and will not induce, encourage or procure any such local council to bring or make such a claim; and
- (3) Harbour Litigation Funding (or any related entity) undertakes that it will not directly or indirectly fund any local council situated in any State or Territory in Australia in

bringing or making a claim against JLT (or any JLT related entity) concerning the same or similar issues to those the subject of this proceeding and will not induce, encourage or procure any such local council to bring or make such a claim.

The Group Members to the JLT Victoria Class Action have previously been advised of the Settlement and its relevant terms prior to entry into the agreement between the Plaintiffs and JLT.

On 18 September 2023, the Court made orders that this Notice was to be sent to all group members of the JLT Victoria Class Action to confirm that the parties have agreed to settle the JLT Victoria Class Action and seek approval of the Court to discontinue the proceeding.

This means that the JLT Victoria Class Action will no longer be on foot, and the Plaintiffs and Group Members will **not** receive any compensation from JLT.

The proposed discontinuance does **not** affect the legal rights of Group Members to institute new proceedings against JLT either individually or as part of another class action. However, there are time limits to bring claims for compensation in Australia, so it is important that any Group Member who wishes to make an individual claim seeks legal advice as soon as possible. Further, generally, the effect of the proposed discontinuance appears to be that time will begin to run again, for limitation purposes, on any individual claim(s) that any Group Member may wish to make such that individual claim(s) may be statute barred if proceedings are not commenced before the JLT Victoria Class Action is discontinued. However, the parties are seeking an order that pursuant to ss 33ZF and 33V of the *Supreme Court Act* (Vic), or alternatively by consent of the parties to the proceeding, that any limitation period that applies to the group member to which the proceeding relates shall continue to run from 30 days after the date of the discontinuance. The law is unsettled as to whether the Court has the power to 'extend' the limitation period in this way.

If wish to object to the Settlement of the JLT Class Action, you must fill out the **Objection Form** at Annexure 1 to this notice and provide it to the Commercial Court Registry of the Supreme Court of Victoria by **4:00pm** on **16 October 2023**. You can provide the Objection Form either by email to commercialcourt@supcourt.vic.gov.au, or alternatively by mail to: Commercial Court Registry, Supreme Court of Victoria, 210 William Street Melbourne Victoria 3000.

If you have any questions about the settlement or this notice, you can contact Quinn Emanuel at any time, or seek your own independent legal advice.

The contact details for Quinn Emanuel are:

Att: Michelle Fox
JLT Victoria Class Action
Quinn Emanuel

Level 15,111 Elizabeth Street
Sydney, NSW 2000
Telephone: (02) 9146 3500
Email: councilsclassaction@quinnemanuel.com

The address for the Court is:

Postal Address: Supreme Court of Victoria
Commercial Court Registry
210 William Street
Melbourne Victoria 3000

Street Address: Supreme Court of Victoria
Commercial Court Registry
Ground floor, 450 Little Bourke Street
Melbourne Victoria 3000

ANNEXURE 1

OBJECTION FORM

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

S ECI 2019 02919

BETWEEN:

MOIRA SHIRE COUNCIL

First Plaintiff

HOBSONS BAY CITY COUNCIL

Second Plaintiff

- and -

JLT RISK SOLUTIONS PTY LTD (ABN 69 009 098 864)
formerly called JARDINE LLOYD THOMPSON PTY LTD
(ABN 69 009 098 864)

Defendant

To: Manager, Commercial Court Registry and Deputy Registrar
Supreme Court of Victoria
Commercial Court Registry
210 William Street
Melbourne VIC 3000
commercialcourt@supcourt.vic.gov.au

The person identified as a group member below wishes to **object** to the proposed settlement of this class action.

Name of group member
Is the group member an individual or a company, partnership or some other structure (write which)
Signed
Name of person signing this notice
Role of person within company, partnership or other structure (if applicable)
Telephone:
Email:

Postal address:	<p>.....</p> <p>.....</p>
Date:	
<p>Reasons for objection (attach any evidence you rely on and separate pages for reasons if more space is required):</p> <p>.....</p> <p>.</p> <p>.....</p> <p>.</p> <p>.....</p> <p>.</p> <p>.....</p> <p>.</p> <p>.....</p> <p>..</p> <p>.....</p>	
<p>Do you wish to seek the Court's permission to make oral submissions at the hearing of the plaintiffs' application for approval of the proposed settlement on 15 November 2023?</p> <p>If so, please identify the lawyer who will appear on your behalf, or that you will represent yourself. There is no automatic right to make submissions.</p> <p>This form should clearly set out the basis for your objection. If you indicate that you are seeking permission to make submissions the Court will inform you before the hearing date, whether or not you will be permitted to make submissions.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>.....</p> <p>..</p> <p>.....</p> <p>.....</p>