

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

S ECI 2022 02887

BETWEEN

DAMIAN CHRISTOPHER NORRIS

Plaintiff

and

INSURANCE AUSTRALIA GROUP LIMITED (ACN 090 739 923)

Defendant

ORDER



- JUDGE:** The Honourable Justice Nichols
- DATE MADE:** 29 February 2024
- ORIGINATING PROCESS:** Writ filed 29 July 2022
- HOW OBTAINED:** By the plaintiff's summons dated 18 November 2022
- ATTENDANCE:** Not applicable
- OTHER MATTERS:**
- A This order follows the reasons for ruling delivered by the Honourable Justice Nichols in *Norris v Insurance Australia Group Limited* [2024] VSC 76 on the plaintiff's application by summons dated 18 November 2022 (**GCO Application**).
- B The plaintiff amended its application by written submissions dated 6 April 2023 seeking a revised GCO rate of 30% *inclusive* of GST rather than 30% *exclusive* of GST. The proposed amended summons was exhibited in the unredacted affidavit of Damian Scattin affirmed 24 February 2023.



THE COURT ORDERS THAT:

- 1 The plaintiff file and serve the proposed amended summons exhibited in the unredacted affidavit of Damian Scattini affirmed 24 February 2023 at pages 1 to 3 of Exhibit “DJS-1”.
- 2 The legal costs payable to the solicitors representing the plaintiff and group members Quinn Emanuel Urquhart and Sullivan LLP (**Quinn Emanuel**), be calculated as a percentage of the amount of any award or settlement that may be recovered in the proceeding, that percentage being 30% (inclusive of GST) subject to further order.
- 3 Liability for payment of the legal costs pursuant to order 2 be shared among the plaintiff and all group members.
- 4 By **4.00pm on 7 March 2024** the plaintiff provide to the Court for approval:
 - (a) A revised group proceeding summary statement;
 - (b) A revised funding information summary statement;
 - (c) A notice to group members that sets out an explanation of the orders made 27 February 2024 under s 33ZDA of the *Supreme Court Act 1986* (Vic) and if applicable, any impact on the existing funding and/or retainer agreements affecting group members.
- 5 By a date to be fixed, the plaintiff make available on their website the approved revised group proceeding and funding information summary statements described in order 4.
- 6 The defendant’s costs of and incidental to the plaintiff’s application by summons dated 18 November 2022 be reserved.

DATE AUTHENTICATED: 29 February 2024



The Honourable Justice Nichols