

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

S ECI 2023 01899

BETWEEN:

RAEKEN PTY LTD ATF DOWRICK Plaintiff
SUPERANNUATION FUND (ACN 110 057 684)

- and -

JAMES HARDIE INDUSTRIES PLC (ARBN 097829895) Defendant

JUDGE: The Honourable Justice M Osborne

DATE MADE: 11 April 2024

ORIGINATING PROCESS: Writ filed on 8 May 2023

HOW OBTAINED: At the return of the plaintiff's summons filed 29 November 2023

ATTENDANCE: W Edwards KC and S Hogan of counsel for the plaintiff

M Rush KC and S Brenker of counsel for the defendant

OTHER MATTERS: Nil

THE JUDGMENT OF COURT IS THAT:

1. The legal costs payable to the solicitors for the plaintiff and group members, Echo Law, be calculated as a percentage of the amount of any award or settlement that may be recovered in the proceeding.
2. Subject to further order, the percentage referred to in paragraph 1 above be 27.5%.
3. Liability for payment of the legal costs pursuant to paragraphs 1 and 2 be shared among the plaintiff and all group members.

4. The defendant's costs of the application be reserved.

DATE AUTHENTICATED: 11 April 2024


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THE HONOURABLE JUSTICE M OSBORNE


