

ANNEXURE A

SUPREME COURT OF VICTORIA



NOTICE OF PROPOSED SETTLEMENT UBER CLASS ACTIONS

Andrianakis v Uber Technologies Inc & Ors (S ECI 2019 01926)

Salem v Uber Technologies Inc & Ors (S ECI 2020 01834)

THIS NOTICE IS SENT BY ORDER OF THE SUPREME COURT OF VICTORIA

PLEASE READ CAREFULLY

This notice contains important information about the proposed settlement of a class action against Uber brought on behalf of persons who were members of the taxi and hire car industries in:

- Victoria, between 1 April 2014 to 23 August 2017
- New South Wales, between 7 April 2014 to 18 December 2015
- Queensland, between 17 April 2014 to 5 September 2016
- Western Australia, between 10 October 2014 to 4 July 2016

This is an important legal document which contains information that may affect your legal rights.

A. WHAT IS A CLASS ACTION?

1. A class action is a legal case where one or more plaintiffs make a claim for themselves and on behalf of other people. The people make a claim together because their claims arise out of the same, similar, or related circumstances. The group of people are referred to as 'group members'.



B. WHY HAVE YOU RECEIVED THIS NOTICE?

2. The Supreme Court of Victoria has ordered that you receive this Notice because you may be a Group Member in the class action *Andrianakis v Uber Technologies Inc & Ors* (called the “**Andrianakis Proceeding**”) or *Salem v Uber Technologies Inc & Ors* (called the “**Salem Proceeding**”). These class actions are called the “**Uber Class Actions**” because they involve claims against certain companies in the Uber group (Uber).
3. You may be a Group Member if you were part of the Taxi and Hire Car industries:
 - in Victoria, between 1 April 2014 to 23 August 2017 (called the “**Victorian Claim Period**”);
 - in New South Wales, between 7 April 2014 to 18 December 2015 (called the “**New South Wales Claim Period**”);
 - in Queensland, between 17 April 2014 to 5 September 2016 (called the “**Queensland Claim Period**”); and/or
 - in Western Australia, between 10 October 2014 to 4 July 2016 (called the “**Western Australian Claim Period**”).
4. A detailed description of the persons who are Group Members in the Uber Class Actions is contained at **Schedule A** of this Notice, however in summary they are:
 - Taxi licence holders;
 - Taxi operators;
 - Taxi drivers;
 - Taxi network service providers;
 - Hire car licence holders;
 - Hire car operators; and
 - Hire car drivers.
5. If you do not fit any of the descriptions in Schedule A, you may disregard this Notice.
6. If you believe that you may be a Group Member because you meet the above description, you should read this Notice carefully as it might affect your rights. If there is anything in this Notice that you do not understand, you should seek legal advice.

C. INFORMATION ABOUT THE UBER CLASS ACTIONS

7. There are two class actions that are called the Uber Class Actions.



8. The first class action is the Andrianakis Proceeding. The Andrianakis Proceeding is a class action that has been brought by Nicos Andrianakis, who was a taxi driver, operator and licence owner in Melbourne during the Victorian Claim Period. Mr Andrianakis brings the action on his own behalf and on behalf of all other taxi and hire car/limousine/charter vehicle drivers, operators and licence owners as well as taxi network service providers in Victoria, New South Wales, Queensland and Western Australia.
9. The second class action is the Salem Proceeding. The Salem Proceeding is a class action brought on behalf of persons who as at 19 June 2023:
 - a. held a claim that vested in or was assigned, devolved or transferred to them from a person who would otherwise have been a group member in the Andrianakis Proceeding; or
 - b. were the beneficiary of a trust whose trustee had been deregistered and so that trustee could not bring a claim against Uber in the Andrianakis Proceeding.
10. Mr Andrianakis and Mrs Salem claim that Uber engaged in the tort of “conspiracy by unlawful means,” causing the Group Members to suffer a loss of value of taxi and hire car licences and loss of income.
11. Uber denies the claims made against it in the Uber Class Actions.
12. On 17 March 2024, the parties reached an agreement to settle the Uber Class Actions (**Proposed Settlement**). This Notice provides information about the Proposed Settlement and explains the rights that Group Members have regarding the Proposed Settlement.

D. INFORMATION ABOUT THE PROPOSED SETTLEMENT

What are the key terms of the Proposed Settlement?

13. The key terms of the Proposed Settlement are:
 - a. Uber will pay a sum of AUD\$271.8 million (**Settlement Sum**), inclusive of all legal and funding costs and interest, to settle the Uber Class Actions.
 - b. The plaintiffs will apply to the Court for approval of the amounts incurred for legal costs, funding costs and reimbursement payments (to compensate the plaintiffs for the time and responsibility of representing Group Members in the proceedings). More information about legal and funding costs can be found in Part E below.



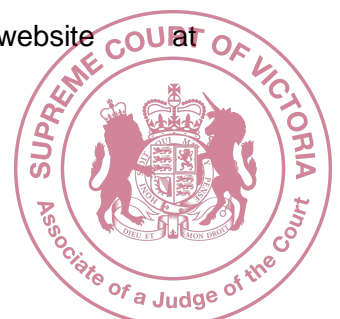
14. All Group Members will be bound by the terms of the Proposed Settlement, if approved by the Court, and will not be permitted to take any other legal action against Uber for the same, similar or related circumstances that are the subject of the Uber Class Actions.
15. The Proposed Settlement will only take effect if it is approved by the Court. If the Proposed Settlement is not approved by the Court, the Uber Class Actions will continue and there will be no distribution of payments to Group Members unless and until the plaintiffs are successful in the proceeding, or a further settlement is reached and approved by the Court.

Are all group members eligible to participate in the Proposed Settlement?

16. Not all group members are eligible to participate in the Proposed Settlement.
17. The Court previously made orders that only those Group Members who registered their claim with Maurice Blackburn by 2 October 2023 (**Registered Group Members**) are eligible to participate in the settlement. If you did not register your claim with Maurice Blackburn by 2 October 2023, upon approval of the Proposed Settlement, you will not receive any further correspondence about the Uber Class Actions beyond this Notice. Further information about the options available to Group Members can be found at Part G below.

How much will Group Members receive under the settlement?

18. At this stage it is not possible to provide an estimate of how much Registered Group Members will receive from the settlement. This is because:
 - a. It is not yet known how much the Court will approve to be deducted from the settlement sum for legal costs, funding costs, settlement administration costs and reimbursement payments to the plaintiffs and sample group members. More information about legal and funding costs can be found at Part E below.
 - b. The Court has not yet approved a settlement distribution scheme. The settlement distribution scheme that is approved by the Court will detail how payments to Group Members are to be calculated. More information about the plaintiffs' proposed settlement distribution scheme can be obtained by contacting Maurice Blackburn. The settlement distribution scheme will be made available on the Maurice Blackburn website at www.mauriceblackburn.com.au/uber from 4 June 2024.



E. DEDUCTIONS FROM THE SETTLEMENT SUM

19. Under the Proposed Settlement, the Court will be asked to approve certain deductions from the Settlement Sum. The balance of the Settlement Sum will then be distributed to Registered Group Members in accordance with the settlement distribution scheme.

Legal Costs

20. The Court will be asked to approve that reasonable legal costs and disbursements incurred by the plaintiffs in conducting the proceedings on behalf of the class be deducted from the Settlement Sum.
21. The plaintiffs will seek orders that the legal costs be shared on an equitable basis by all Registered Group Members. Maurice Blackburn estimates that these costs will total approximately \$36.5 million, which represents approximately 13.4% of the Settlement Sum. This amount includes a permitted 25% uplift on the conditional component of Maurice Blackburn's legal fees, which, if approved, would be approximately \$1.7 million.
22. However, the final amount the plaintiffs seek to have deducted from the Settlement Sum may vary from this estimate, because at the present time it is not possible to predict the exact amount of legal costs that will be incurred to the finalisation of the proceedings. It will ultimately be a matter for the Court to determine the amount of legal costs which it considers is fair and reasonable, and which may then be deducted from the Settlement Sum.
23. As part of the settlement approval process, the Court has appointed an independent costs referee to provide an opinion to the Court on the reasonableness of the amount of legal costs and disbursements that the plaintiffs propose be deducted from the Settlement Sum.

Funding Costs

24. The Court will be asked to approve that a total of \$81,540,000 be deducted from the Settlement Sum in respect of litigation funding charges (**Funding Costs**) in the form of a "settlement common fund order". This amount, which represents approximately 30% of the Settlement Sum is to compensate the litigation funder (**Harbour**) for providing funding and other financial support prior to the commencement of and during the proceedings.



25. The terms of Harbour's funding and other financial support are contained in the Funding Agreement. Prior to and during the proceedings, and in accordance with the Funding Agreement, Harbour:
- a. paid a significant proportion of Maurice Blackburn's legal costs;
 - b. paid all disbursements (such as barristers' and experts' fees);
 - c. paid all amounts ordered by the Court for security for costs (amounting to approximately \$4,862,287);
 - d. agreed to indemnify the plaintiffs for any adverse costs orders (in the event that there was not a successful outcome to the proceedings); and
 - e. as against the plaintiffs and group members who have entered into a funding agreement, is entitled to be paid 30% of any payment received by them in any settlement.

Reimbursement payments

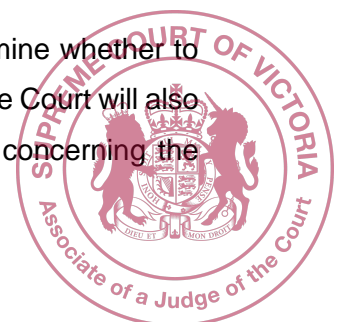
26. The Court will also be asked to approve an amount be deducted from the Settlement Sum for reimbursement payments to the plaintiffs and five sample group members. These reimbursement payments are to compensate the plaintiffs and sample group members for the time they have spent representing Group Members in the proceedings.

Settlement administration costs

27. The Court will be asked to appoint Maurice Blackburn as the Administrator of the settlement distribution scheme. If the Court appoints Maurice Blackburn as the Administrator, the Court will be asked to approve an amount be deducted from the Settlement Sum for the expected costs of administering the settlement distribution scheme.

F. WHAT IS THE PROCESS FOR SETTLEMENT APPROVAL?

28. As noted at paragraph 15 above, the Proposed Settlement will only take effect if it is approved by the Court. In deciding whether to approve the Proposed Settlement, the Court will consider whether the Proposed Settlement is fair and reasonable and in the interests of the Group Members as a whole.
29. The Court will have a hearing on 9 and 10 September 2024 to determine whether to approve the Proposed Settlement (**Settlement Approval Hearing**). The Court will also have a hearing on 25 July 2024 to deal with administrative matters concerning the



settlement approval process (**Directions Hearing**). Group Members are entitled to attend both the Settlement Approval Hearing and the Directions Hearing.

30. If you wish to object to the Proposed Settlement, by **4.00pm on 2 July 2024**, you must complete a Notice of Objection and send it along with evidence (by way of affidavit) in support of the objection, and any written submissions (of no more than 2 pages in length), to the Court and Maurice Blackburn, by email:

- (a) the Supreme Court of Victoria, Principal Registry – uberclassactions@supcourt.vic.gov.au; and
- (b) Maurice Blackburn at uber@mauriceblackburn.com.au.

A copy of the Notice of Objection is attached as **Schedule B** to this document.

31. If you lodge a Notice of Objection, you may also address the Court (either by yourself or by your lawyer) at the Settlement Approval Hearing on 9 and 10 September 2024.

G. WHAT ACTIONS CAN I TAKE?

32. If you are a Registered Group Member and you wish to participate in the Proposed Settlement, you do not need to do anything in response to this Notice. If the Proposed Settlement is approved, the Administrator will contact you with further information about the settlement distribution process and any actions you may be required to take to receive a distribution under the settlement distribution scheme.
33. All Group Members are entitled to object to the Proposed Settlement. If you are a Registered Group Member, doing so will not affect your eligibility to participate in the Proposed Settlement in the event it is approved. Information about how to object to the Proposed Settlement is provided at paragraphs 30 above.
34. If you are an Unregistered Group Member and you wish to seek permission from the Court to participate in the Proposed Settlement, by **4pm on 2 July 2024**, you must identify the basis on which you think you should be granted permission and provide evidence (by way of affidavit) in support of your application for permission, and any written submissions (of no more than 2 pages in length), by email to Maurice Blackburn at uber@mauriceblackburn.com.au. The Court has ordered that Maurice Blackburn collect all applications for permission to participate in the Proposed Settlement and provide them to the Court.

H. WHERE CAN I GET FURTHER INFORMATION?

35. Further information regarding the Proposed Settlement can be obtained from Maurice Blackburn's website: www.mauriceblackburn.com.au/uber



- 36.** If you have any questions about the Proposed Settlement or your status as a Group Member, you may also contact Maurice Blackburn by:
- a.** Phone: 1800 291 047 or
 - b.** Email: uber@mauriceblackburn.com.au
- 37.** If there is anything of which you are unsure and you do not want to speak with Maurice Blackburn (or you want to understand their involvement better), you may get legal advice from another lawyer of your choice.



SCHEDULE A – GROUP MEMBERS

YOU ARE A GROUP MEMBER IN THE ANDRIANAKIS PROCEEDING IF:

1. During the Victorian Claim Period (1 April 2014 to 23 August 2017), you were:
 - A **taxi-cab licence holder**, being a person who or which held a taxi-cab licence as defined in s 86 of the *Transport (Compliance and Miscellaneous) Act 1983* (Vic) (**Victorian Transport Act**);
 - An **accredited taxi-cab operator**, being a person who or which held accreditation under Division 4 of Part VI of the Victorian Transport Act as a taxi-cab operator;
 - An **accredited taxi-cab driver**, being a person accredited under Division 6 of Part VI of the Victorian Transport Act to drive a taxi-cab as defined in s 86 of the Victorian Transport Act;
 - An **accredited taxi-cab network service operator**, being a person accredited under Division 4 of Part VI of the Victorian Transport Act to provide a “taxi-cab network service”, as defined in s 130A of the Victorian Transport Act;
 - A **hire car licence holder**, being a person who or which held a hire car licence as defined in s 86 of the Victorian Transport Act but which licence was not in respect of a vehicle that was a “Stretched Limousine Type Vehicle” as defined in:
 - (a) Schedule 1 to “Victorian hire cars – hire car age and type requirements”, published by the Victorian Taxi Services Commission and dated 9 December 2013 (the 2013 Hire Car Policy);
 - (b) Schedule 1 to “Victorian hire cars – hire car age and type requirements”, published by the Victorian Taxi Services Commission and dated 30 June 2014 (the 2014 Hire Car Policy),and irrespective of the date on which the 2014 Hire Car Policy ceased to apply;
 - A **hire car operator**, being a person who or which operated a hire car, as defined in s 86 of the Victorian Transport Act but which hire car was not a “Stretched Limousine Type Vehicle” as defined in:
 - (a) Schedule 1 to the 2013 Hire Car Policy;
 - (b) Schedule 1 to the 2014 Hire Car Policy,



and irrespective of the date on which the 2014 Hire Car Policy ceased to apply ; and/or

- An **accredited hire car driver**, being a person accredited under Division 6 of Part VI of the Victorian Transport Act to drive a hire car as defined in s 86 of the Victorian Transport Act but which hire car was not a “Stretched Limousine Type Vehicle” as defined in:
 - (a) Schedule 1 to the 2013 Hire Car Policy;
 - (b) Schedule 1 to the 2014 Hire Car Policy,and irrespective of the date on which the 2014 Hire Car Policy ceased to apply.
2. During the New South Wales Claim Period (7 April 2014 to 18 December 2015), you were:
- a **taxi-cab licence holder**, being a person who or which held a licence for a taxi-cab as defined in s 3 of the *Passenger Transport Act 1990* (NSW) (**NSW Transport Act**);
 - an **accredited taxi cab operator**, being a person who or which was an accredited taxi-cab operator as defined in s 29A of the NSW Transport Act;
 - an **authorised taxi cab driver**, being a person who was an authorised taxi-cab driver as defined in s 29A of the NSW Transport Act;
 - an **authorised taxi-cab network provider**, being an authorised taxi-cab network provider as defined in s 29A of the NSW Transport Act;
 - a **private hire vehicle licence holder**, being a person who or which held a licence for a private hire vehicle as defined in s 3 of the NSW Transport Act, and which vehicle was a Category 1, Category 2 or Category 3 (convertible, coupe and sedan vehicles only) “unrestricted” Private Hire Vehicle”, as defined in part A of the Schedule to the “Notice of Specifications and Criteria for Private Hire Vehicles” published in the New South Wales Government Gazette No 37 (28 March 2008) (page 2556);
 - an **accredited private hire vehicle operator**, being a person who or which was an accredited private hire vehicle operator as defined at s 36A of NSW Transport Act, and who or which carried on a private hire vehicle service by means of one or more private hire vehicles that were Category 1, Category 2 or Category 3 (convertible, coupe and sedan vehicles only) “unrestricted” Private Hire Vehicles”, as defined in part A of the Schedule to the “Notice of Specifications and Criteria for Private Hire Vehicles” published in the New



South Wales Government Gazette No 37 (28 March 2008) (page 2556); and/or

- an **authorised private hire vehicle driver**, being a person who was an authorised private hire vehicle driver as defined at s 36A of the NSW Transport Act , and who was authorised to drive a private hire vehicle that was a Category 1, Category 2 or Category 3 (convertible, coupe and sedan vehicles only) “unrestricted’ Private Hire Vehicle”, as defined in part A of the Schedule to the “Notice of Specifications and Criteria for Private Hire Vehicles” published in the New South Wales Government Gazette No 37 (28 March 2008) (page 2556).
3. During the Queensland Claim Period (17 April 2014 to 5 September 2016), you were:
- a **taxi service licence holder**, being a person who:
 - (a) held a taxi service licence as defined in s 69 of the *Transport Operations (Passenger Transport) Act 1994* (Qld) (**Queensland Transport Act**); or
 - (b) owned a peak demand taxi permit as defined in s 80D of the Queensland Transport Act;
 - an **accredited taxi service operator**, being a person who was an accredited operator as defined in Schedule 3 to the Queensland Transport Act, accredited under Part 2 of the *Transport Operations (Passenger Transport) Regulation 2005* (Qld) (the **Queensland Transport Regulation**) to operate a “taxi service”, as defined in Schedule 3 to the Queensland Transport Act;
 - an **authorised taxi driver**, being a person who was an authorised driver as defined in Schedule 3 to the Queensland Transport Act, authorised under Part 3 of the Queensland Transport Regulation to drive a taxi as defined in Schedule 3 to the Queensland Transport Act;
 - a **taxi service administrator**, being a person who administered a taxi service within the meaning of Part 3 of Chapter 6 of the Queensland Transport Act;
 - a **limousine service licence holder**, being a person who or which held a limousine service licence as defined in s 82 of the Queensland Transport Act but which licence:
 - (a) was not a “special purpose limousine service licence” as defined in Schedule 3 to the Queensland Transport Act; and
 - (b) did not require the limousine service to be provided by a “luxury motor



vehicle” of the kind referred to in r 105(b) of the Queensland Transport Regulation or which fell within Category D, E, F or G of Schedule 4 to the Queensland Transport Regulation;

- an **accredited limousine service operator**, being a person who or which was an accredited operator as defined in Schedule 3 to the Queensland Transport Act accredited under Part 2 of Division 3 of the Queensland Transport Regulation to operate a “limousine service”, as defined in Schedule 3 to the Queensland Transport Act, but which service was not provided by:
 - (a) a “special purpose limousine”, as defined in Schedule 3 to the Queensland Transport Act; or
 - (b) a “luxury motor vehicle” of the kind referred to in r 105(b) of the Queensland Transport Regulation or which fell within Category D, E, F or G of Schedule 4 to the Queensland Transport Regulation; and/or
- an **authorised limousine driver**, being a person who was an authorised driver as defined in Schedule 3 to the Queensland Transport Act authorised under Part 3 of the Queensland Transport Regulation to operate a “luxury motor vehicle” while providing a “limousine service”, as those terms are defined in Schedule 3 to the Queensland Transport Act, which luxury motor vehicle:
 - (a) was not a luxury motor vehicle of the kind referred to in r 105(b) of the Queensland Transport Regulation; and
 - (b) did not fall within Category D, E, F or G of Schedule 4 to the Queensland Transport Regulation.

4. During the Western Australian Claim Period (10 October 2014 to 4 July 2016), you were:

- a **taxi plate holder**, being a person who or which owned or leased one or more taxi plates as defined in s 3 of the *Taxi Act 1994* (WA) (the **Taxi Act (WA)**);
- a **district taxi-car licence holder**, being a person who or which held a taxi-car licence under Part IIIB of the *Transport Co-ordination Act 1966* (WA) (the **Transport Co-ordination Act (WA)**);
- a **taxi operator**, being a person who or which:
 - (a) was an operator of a taxi within the meaning of s 3 of the *Taxi Act (WA)* because you:



- 1) drove the vehicle as a taxi; or
- 2) were a taxi plate holder; or
- 3) caused another person to drive a vehicle as a taxi by providing to the person the vehicle, under a lease or otherwise and taxi plates for use on or in the vehicle, under a plate owner's lease or otherwise,

and where the vehicle being operated as a taxi used taxi plates; or

(b) operated a taxi-car within the meaning of s 47Z and Part IIIB of the Transport Co-ordination Act (WA) because you:

- 1) drove a taxi-car; or
- 2) permitted, caused or employed another person to drive that taxi-car;

and where the owner of the taxi-car was a district taxi-car licence holder.

- a **taxi driver**, being a person who held a driver's licence endorsed with an extension T under r 12 of the *Road Traffic (Authorisation to Drive) Regulations 2008* (WA) or the *Road Traffic (Authorisation to Drive) Regulations 2014* (WA) and who drove one or more taxis as defined in s 3 of the Taxi Act (WA) and/or one or more taxi-cars as defined in s 47Z of the Transport Co-ordination Act (WA);
- a **taxi dispatch service provider**, being a person who or which provided a taxi dispatch service as defined in s 3 of the Taxi Act (WA) and was registered under Division 2 of Part 3 of the Taxi Act (WA);
- an **omnibus licence holder**, being a person granted a licence under Division 2 of Part III of the Transport Co-ordination Act (WA) in respect of an omnibus, as defined in s 4 of the Transport Co-ordination Act (WA), which omnibus was a "Small Charter Vehicle" as defined in the "Small Charter Vehicle Licence Policy" published by the Western Australian Department of Transport (the **WA SCV Policy**) but which omnibus did not fall within Group B or C of Schedule 1 to the WA SCV Policy;
- an **omnibus operator**, being a person who or which operated an omnibus within the meaning of s 4 of the Transport Coordination Act (WA), in respect of which omnibus a licence had been granted under Division 2 of Part III of the Transport Co-ordination Act (WA), which omnibus was a "Small Charter Vehicle" as defined in the WA SCV Policy but which omnibus did not fall within Group B or C of Schedule 1 to the WA SCV Policy; and/or



- an **omnibus driver**, being a person who held a driver's licence endorsed with an extension F under r 12 of the *Road Traffic (Authorisation to Drive) Regulations 2008* (WA) or the *Road Traffic (Authorisation to Drive) Regulations 2014* (WA) and who drove an omnibus in respect of which a licence had been granted under Division 2 of Part III of the Transport Co-ordination Act (WA) and which omnibus was a "Small Charter Vehicle" as defined in the WA SCV Policy but which omnibus did not fall within Group B or C of Schedule 1 to the WA SCV Policy.

YOU ARE A GROUP MEMBER IN THE SALEM PROCEEDING IF, AS AT 19 JUNE 2023:

1. A person who – but for their death - would otherwise have been a group member in the Andrianakis Proceeding, died, and their estate, including the claim for the tort alleged in the Fourth Further Amended Statement of Claim filed in the Salem Proceeding, devolved by the laws of succession to you as their respective legal personal representative(s);
2. A person who – but for being made bankrupt – would otherwise have been a group member in the Andrianakis Proceeding, was made bankrupt and the claim for the tort alleged in the Fourth Further Amended Statement of Claim filed in the Salem Proceeding vested in you as their respective trustee(s) in bankruptcy;
3. A person or company, who would have otherwise have been a group member in the Andrianakis Proceeding, assigned or transferred their claim for the tort alleged in the Fourth Further Amended Statement of Claim filed in the Salem Proceeding to you as a person or company with a pre-existing genuine commercial interest in the claim;
4. A person or company, who would have otherwise have been a group member in the Andrianakis Proceeding in their capacity as a trustee of a trust, was replaced by you as another trustee in whom was vested the claim for the tort alleged in the Fourth Further Amended Statement of Claim filed in the Salem Proceeding; and/or
5. A company, formerly operating as the trustee of a trust, who would have otherwise have been a group member in the Andrianakis Proceeding in that capacity, was deregistered pursuant to Part 5A.1 of the *Corporations Act 2001* (Cth), thereby having ceased to exist and for that reason is incapable of pursuing the claim for the tort alleged in the Fourth Further Amended Statement of Claim filed in the Salem Proceeding in circumstances in which you, as a beneficiary of that trust, ought to be permitted to enforce the claim.



ANNEXURE B

SCHEDULE B – NOTICE OF OBJECTION

NOTICE OF OBJECTION TO PROPOSED SETTLEMENT

SUPREME COURT OF VICTORIA

UBER CLASS ACTION

Andrianakis v Uber Technologies Inc & Ors (S ECI 2019 01926)

Salem v Uber Technologies Inc & Ors (S ECI 2020 01834)

YOU SHOULD COMPLETE THIS NOTICE IF YOU DON'T WANT THE COURT TO APPROVE THE PROPOSED SETTLEMENT OF THE UBER CLASS ACTION. THE COURT WILL CONSIDER ALL NOTICES OF OBJECTION RETURNED BY 2 JULY 2024.

YOU CAN OBJECT TO THE PROPOSED SETTLEMENT EVEN IF YOU ALSO WISH TO PARTICIPATE IN SETTLEMENT.

YOU ARE UNABLE TO OBJECT TO THE PROPOSED SETTLEMENT IF HAVE OPTED OUT OF THE UBER CLASS ACTION.

To:

- the Supreme Court of Victoria (uberclassactions@supcourt.vic.gov.au); and
- Maurice Blackburn (uber@mauriceblackburn.com.au).

The person identified below is a group member in one of the above proceedings and gives notice that they object to the proposed settlement of the Uber Class Action:

A. DETAILS OF OBJECTOR

Name of Group Member	
Contact name (if different from name of Group Member), and authority to complete this form on Group Member's behalf (e.g. director / secretary of Group Member, lawyer for Group Member)	
Postal address	
Email address	
Telephone number(s)	



B. GROUND(S) OF OBJECTION

The ground(s) for my objection to the proposed settlement are as follows (set out in the space below any submissions you wish to make – you may attach additional pages if necessary):

C. EVIDENCE OR SUBMISSIONS

- ☐ I attach evidence (by way of affidavit) in support of my objection
- ☐ I attach submissions in support of my objection (limited to 2 pages)
- ☐ I do not attach any evidence or submissions in support of my objection, but wish for my objection to be considered based on my submission set out above

(please tick the above options that apply to you)

D. ATTENDANCE AT HEARING ON 9-10 SEPTEMBER 2024:

- ☐ I do intend to appear at the settlement approval hearing
- ☐ I do not intend to appear at the settlement approval hearing, but wish for my submission to be considered in my absence

(please tick one of the above two options)



If you do intend to appear at the settlement approval hearing, please complete the following:

- ☐ I will appear on my own behalf
- ☐ I will be represented by a lawyer:

.....

E. SIGNING OF NOTICE:

.....

Please sign here

Date:



ANNEXURE C

SUPREME COURT OF VICTORIA



ABRIDGED NOTICE OF PROPOSED SETTLEMENT UBER CLASS ACTIONS

Andrianakis v Uber Technologies Inc & Ors (S ECI 2019 01926)

Salem v Uber Technologies Inc & Ors (S ECI 2020 01834)

WHAT IS THIS?

The Supreme Court of Victoria has ordered that this abridged notice be published to let current and former participants in the taxi and hire car industries (who may be Group Members in class actions against certain Uber companies) know about a proposed settlement of the class actions.

IMPORTANT: There is a Notice of Proposed Settlement which you should read. You can access the Notice of Proposed Settlement on Maurice Blackburn's website at www.mauriceblackburn.com.au/uber. This is an abridged version of that Notice.

WHAT ARE THE CLASS ACTIONS ABOUT?

The class actions allege that certain companies in the Uber group (**Uber**) engaged in the tort of "conspiracy by unlawful means," causing the Group Members to suffer a loss of value of taxi and hire car licences and loss of income.

AM I PART OF THE CLASS ACTION?

You may be a Group Member if you were a taxi and/or hire car licence holder, taxi and/or hire car operator, taxi and/or hire car driver or a taxi network service provider:

- in Victoria, between 1 April 2014 to 23 August 2017;
- in New South Wales, between 7 April 2014 to 18 December 2015;
- in Queensland, between 17 April 2014 to 5 September 2016; and/or
- in Western Australia, between 10 October 2014 to 4 July 2016.

A detailed description of the people who are group members can be found in the Notice of Proposed Settlement which is available online at www.mauriceblackburn.com.au/uber.

THE PROPOSED SETTLEMENT

The parties to the class actions have agreed to a proposed settlement of the class actions, where Uber will pay (without admission of liability), a total of \$271,800,000 (inclusive of all legal and funding



costs and interest) to settle the claims of the plaintiffs and Group Members. The proposed settlement is subject to the approval of the Supreme Court of Victoria. The Court will have a hearing on 9 to 10 September 2024 to determine whether to approve the proposed settlement. The Court will also have a hearing on 25 July 2024 to deal with administrative matters concerning the settlement approval process.

The plaintiffs will apply to the Court for approval of the amounts incurred for legal costs, funding costs and reimbursement payments for plaintiffs and sample group members. If approved, these amounts will be deducted from the settlement sum. The balance of the settlement sum will then be distributed to eligible Group Members in accordance with the approved settlement distribution scheme.

If the settlement is approved by the Court, Group Members will not be permitted to take any other legal action against Uber for the same, similar or related circumstances that are the subject of the class actions.

Further information about the legal costs, funding costs and reimbursement payments to be deducted from the settlement sum can be found in the Settlement Notice which is available online at www.mauriceblackburn.com.au/uber.

WHAT ARE MY OPTIONS?

1. DO NOTHING – If you are a Registered Group Member and you wish to participate in the Proposed Settlement, you do not need to do anything. Group Members that registered with Maurice Blackburn by 2 October 2023 will be entitled to participate in the proposed settlement if it is approved by the Court.

2. OBJECT – If you wish to object to the proposed settlement: Group Members may object to the proposed settlement by **4pm (AEDT) on 2 July 2024**. Information about how to object is contained in the Notice of Proposed Settlement available on Maurice Blackburn's website at www.mauriceblackburn.com.au/uber.

3. SEEK LEAVE TO PARTICIPATE – If you DID NOT register as a Group Member: If you are a Group Member and you did not register with Maurice Blackburn by 2 October 2023 you are an Unregistered Group Member. Unregistered Group Members are bound by the settlement but are not entitled to receive any compensation without permission from the Court. If you are an Unregistered Group Member and you wish to seek permission to participate in the settlement, you must do so by **4pm (AEDT) on 2 July 2024**. Information about the process for seeking permission to participate in the proposed settlement is contained at Section G of the Notice of Proposed Settlement.

IMPORTANT: You can access the Notice of Proposed Settlement with more detail about the above on Maurice Blackburn's website at www.mauriceblackburn.com.au/uber. You should read the Notice of Proposed Settlement before deciding what to do. This notice is not a substitute for the Notice of Proposed Settlement, and you should read the Notice of Proposed Settlement on Maurice Blackburn's website carefully as it may affect your legal rights.

WHO SHOULD I CONTACT FOR MORE INFORMATION?

You may contact Maurice Blackburn on 1800 291 047 or by email to uber@mauriceblackburn.com.au.



ANNEXURE D

ANNEXURE D

SUPREME COURT OF VICTORIA



**IMPORTANT INFORMATION
FOR CERTAIN GROUP MEMBERS FROM WESTERN AUSTRALIA
UBER CLASS ACTIONS**

Andrianakis v Uber Technologies Inc & Ors (S ECI 2019 01926)

Salem v Uber Technologies Inc & Ors (S ECI 2020 01834)

THIS NOTICE IS SENT BY ORDER OF THE SUPREME COURT OF VICTORIA

PLEASE READ CAREFULLY

This notice contains important information for certain Group Members in the Uber Class Actions. It should be read in conjunction with the Notice of Proposed Settlement for the Uber Class Actions.

A. WHY HAVE YOU RECEIVED THIS NOTICE?

1. The Supreme Court of Victoria has ordered that you receive this Notice because you are:

- a. a Group Member in the class action *Andrianakis v Uber Technologies Inc & Ors* (called the “**Andrianakis Proceeding**”) or *Salem v Uber Technologies Inc & Ors* (called the “**Salem Proceeding**”). These class actions are called the “**Uber Class Actions**” because they involve claims against certain companies in the Uber group (**Uber**); and
- b. a plaintiff in a proceeding commenced in the Supreme Court of Western Australian (*Rosengrave v Uber Technologies Incorporated and Others*; CIV 2013 of 2020) (called the “**Rosengrave Proceeding**”). The Rosengrave Proceeding is explained below.



2. You should read this Notice carefully as it contains important information relevant to your claim and it might affect your rights. If there is anything in this Notice that you do not understand, you should seek legal advice.
3. A separate document titled “Notice of Proposed Settlement” has also been approved by the Court. You should read the Notice of Proposed Settlement together with this document.

B. INFORMATION ABOUT THE UBER CLASS ACTIONS

4. There are two class actions that are called the Uber Class Actions.
5. The first class action is the Andrianakis Proceeding. The Andrianakis Proceeding is a class action that has been brought on behalf of all taxi and hire car/limousine/charter vehicle drivers, operators, licence owners and taxi network service providers in Victoria, New South Wales, Queensland and Western Australia.
6. The second class action is the Salem Proceeding. The Salem Proceeding is a class action brought on behalf of persons who as at 19 June 2023:
 - a. held a claim that vested in or was assigned, devolved or transferred to them from a person who would otherwise have been a group member in the Andrianakis Proceeding; or
 - b. were the beneficiary of a trust whose trustee had been deregistered and so that trustee could not bring a claim against Uber in the Andrianakis Proceeding.
7. Mr Andrianakis and Mrs Salem allege that Uber engaged in the tort of “conspiracy by unlawful means,” causing Group Members to suffer a loss of the value of taxi and hire car licences and loss of income.
8. Uber denies the claims made against it in the Uber Class Actions.
9. In October 2020, the Rosengrave Proceeding was commenced in the Supreme Court of Western Australia on behalf of approximately 800 plaintiffs and as a “representative proceeding” under Western Australian law, which is similar to a “class action” in Victoria.
10. The Rosengrave Proceeding was only commenced to ensure that the limitation periods that applied to Western Australian group members in the Uber Class Actions were “paused” while the Uber Class Actions proceeded in Victoria. In other words, the Rosengrave Proceeding was only commenced to protect Western Australian group members’ claims in the Uber Class Actions. The Rosengrave Proceeding did not make any claims in addition to those raised in the Uber Class Actions.
11. On 17 March 2024, the parties in the Uber Class Actions reached an agreement to settle the Uber Class Actions (**Proposed Settlement**). Before the Proposed Settlement can take effect,

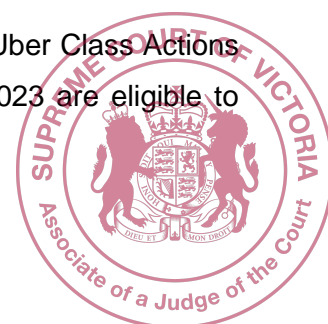


it must first be approved by the Supreme Court of Victoria. The Notice of Proposed Settlement contains information about the terms of the Proposed Settlement and next steps for Group Members.

12. As part of Proposed Settlement, the parties also agreed to settle the Rosengrave Proceeding. Settlement of the Rosengrave Proceeding involves some additional steps, as explained in Part C below.

C. INFORMATION ABOUT THE ROSENGRAVE PROCEEDING

13. In January 2021, the Supreme Court of Western Australia made orders staying (or “pausing”) the Rosengrave Proceeding, pending the outcome of the Uber Class Actions in the Supreme Court of Victoria. No steps have been taken in the Rosengrave Proceeding since that time.
14. If the Supreme Court of Victoria approves the Proposed Settlement of the Uber Class Actions, following the applicable appeal period, the lead plaintiff in the Rosengrave Proceeding (Mr Rosengrave) will apply to the Supreme Court of Western Australia to dismiss the claims in the Rosengrave Proceeding. That is for the following reasons:
 - a. plaintiffs and represented persons in the Rosengrave Proceeding who are Group Members in the Uber Class Actions will be bound by the settlement in the Uber Class Actions, which means that it would be an “abuse of process” for them to continue to pursue their claims in the Rosengrave Proceeding (or to take any legal action against Uber for the same, similar or related circumstances that are the subject of the Uber Class Actions);
 - b. practically, that means that all plaintiffs and represented persons in the Rosengrave Proceeding who are group members in the Uber Class Actions are unable to pursue their claims against Uber in the Rosengrave Proceeding (or any other proceeding), if the Proposed Settlement is approved by the Supreme Court of Victoria; and
 - c. the Rosengrave Proceeding was only commenced to protect Western Australian group members’ claims in the Uber Class Actions. It was never intended that Group Members’ claims against Uber would be pursued in the Rosengrave Proceeding. If the Proposed Settlement is approved, the Uber Class Actions will come to an end, in which case it is appropriate that the Rosengrave Proceeding also comes to an end.
15. As a formality, Mr Rosengrave will also apply to the Supreme Court of Western Australia to approve the settlement of the representative aspect of the Rosengrave Proceeding.
16. Plaintiffs in the Rosengrave Proceeding who are group members in the Uber Class Actions and who registered their claim with Maurice Blackburn by 2 October 2023 are eligible to



participate in the Proposed Settlement, if it is approved the Court. The dismissal of the Rosengrave Proceeding will not affect the eligibility to participate in the Proposed Settlement.

D. WHAT ACTIONS CAN I TAKE?

17. The Proposed Settlement will only take effect if it is approved by the Supreme Court of Victoria. In deciding whether to approve the Proposed Settlement, the Supreme Court of Victoria will consider whether the Proposed Settlement is fair and reasonable and in the interests of the Group Members as a whole.
18. As detailed in the Notice of Proposed Settlement, the Supreme Court of Victoria will have a hearing on **9 to 10 September 2024** to determine whether to approve the Proposed Settlement (**Settlement Approval Hearing**). The Court will also have a hearing on 25 July 2024 to deal with administrative matters concerning the settlement approval process (**Directions Hearing**). Group Members are entitled to attend both the Settlement Approval Hearing and the Directions Hearing.
19. If you wish to participate in the Proposed Settlement, you do not need to do anything in response to this notice. If the Proposed Settlement is approved, the Administrator will contact you further with information about the settlement distribution process and any actions you may be required to take to receive a distribution under the settlement distribution scheme.
20. If you wish to object to any aspect of the Proposed Settlement – including the proposed application to dismiss the Rosengrave Proceeding – you must complete a Notice of Objection and send it along with evidence (by way of affidavit) in support of the objection, and any written submissions (of no more than 2 pages in length), to the Court and Maurice Blackburn, by email:

- (a) the Supreme Court of Victoria, Principal Registry – uberclassactions@supcourt.vic.gov.au; and
- (b) Maurice Blackburn at uber@mauriceblackburn.com.au.

A copy of the Notice of Objection is contained at Schedule B to the Notice of Proposed Settlement.

21. If you wish to object to the Proposed Settlement, it is important that you comply strictly by submitting a Notice of Objection by **4pm on 2 July 2024**. Subject to the Supreme Court of Western Australia requiring otherwise, there will not be a further opportunity to object to the Proposed Settlement and the proposed application to dismiss your claim in the Rosengrave Proceeding.



- 22.** If you complete a Notice of Objection, you may also address the Supreme Court of Victoria at the Settlement Approval Hearing, either by yourself or by retaining an independent lawyer other than Maurice Blackburn to represent you.

E. WHERE CAN I GET FURTHER INFORMATION?

- 23.** Further information regarding the Proposed Settlement can be obtained from Maurice Blackburn's website: www.mauriceblackburn.com.au/uber
- 24.** If you have any questions about this document or the Notice of Proposed Settlement, you may also contact Maurice Blackburn by:
- a.** Phone: 1800 291 047 or
 - b.** Email: uber@mauriceblackburn.com.au
- 25.** If there is anything of which you are unsure and you do not want to speak with Maurice Blackburn (or you want to understand their involvement better), you may get legal advice from another lawyer of your choice.



ANNEXURE E

PORTAL TEXT

SUPREME COURT OF VICTORIA

UBER CLASS ACTION

Andrianakis v Uber Technologies Inc & Ors (S ECI 2019 01926)

Salem v Uber Technologies Inc & Ors (S ECI 2020 01834)

This portal is made available pursuant to orders of the Supreme Court of Victoria.

This portal allows Group Members in the Uber Class Actions who have not previously registered with Maurice Blackburn to give their contact details so that they can receive important notices from the Supreme Court of Victoria about the proposed settlement of the Uber Class Actions.

IMPORTANT: PROVIDING YOUR CONTACT DETAILS USING THIS PORTAL DOES NOT MEAN YOU ARE REGISTERED TO PARTICIPATE IN THE PROPOSED SETTLEMENT OF THE UBER CLASS ACTIONS.

You may be a Group Member if you were part of the Taxi and/or Hire Car industries:

- in Victoria, between 1 April 2014 to 23 August 2017
- in New South Wales, between 7 April 2014 to 18 December 2015
- in Queensland, between 17 April 2014 to 5 September 2016
- in Western Australia, between 10 October 2014 to 4 July 2016

The Supreme Court of Victoria previously made orders that only those Group Members who registered their claim with Maurice Blackburn by 2 October 2023 are eligible to participate in the proposed settlement of the Uber Class Actions.

If you did not register with Maurice Blackburn by 2 October 2023, you are not eligible to participate in the proposed settlement of the Uber Class Actions, without permission from the Court.

By clicking "**BUTTON**" below, you confirm that you have read and understood the above.



COMMUNICATION TO UNREGISTERED GROUP MEMBERS

SUPREME COURT OF VICTORIA

UBER CLASS ACTION

Andrianakis v Uber Technologies Inc & Ors (S ECI 2019 01926)

Salem v Uber Technologies Inc & Ors (S ECI 2020 01834)

This communication is sent pursuant to orders of the Supreme Court of Victoria.

Maurice Blackburn confirms that it has received your contact details to receive important notices from the Supreme Court of Victoria about the proposed settlement of the Uber Class Actions.

Attached is a copy of the Notice of Proposed Settlement and Abridged Notice of Proposed Settlement as approved by the Supreme Court of Victoria.

IMPORTANT: As stated on the portal, if you did not register with Maurice Blackburn by 2 October 2023, you are not eligible to participate in the proposed settlement of the Uber Class Actions, without permission from the Court. Providing your contact details via the portal does not mean you are registered to participate in the proposed settlement of the Uber Class Actions.

If you want to seek the Court's permission to participate in the proposed settlement, by **4.00pm on 2 July 2024** you must identify the basis on which the Court should grant permission and provide evidence (by way of affidavit) in support of your application, and any written submissions (of no more than 2 pages in length), by email to Maurice Blackburn at uber@mauriceblackburn.com.au.

The Court has ordered that Maurice Blackburn must collect all applications received from unregistered group members and provide them to the Court.

Further details regarding the options available to you are contained in the attached Notice of Proposed Settlement. You may also wish to get independent get legal advice from another lawyer of your choice.

Kind regards,

Maurice Blackburn

