



FORM 5A

Rule 5.02(1)

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMERCIAL COURT

Case: S ECI 2024 05243

Filed on: 16/09/2025 02:54 PM

No. S ECI 2024 05243

B E T W E E N

TRACEY LEIGH HEPI, ERU MARTIN HEPI AND GLENDA WALKER

Plaintiffs

-and-

TOYOTA FINANCE AUSTRALIA LIMITED (ACN 002 435 181)

First Defendant

AIOI NISSAY DOWA INSURANCE COMPANY AUSTRALIA PTY
LTD (ACN 132 524 282)

Second Defendant

AMENDED WRIT

(Amended pursuant to orders 1 - 4 of the orders made by Osborne J on 15 September 2025)

Date of Document: 16 September 2025

~~2 October 2024~~

Solicitors Code: 11747

Filed on behalf of: The Plaintiffs

DX: N/A

Prepared by: Echo Law

Telephone: (03) 7046 3545

L2 / 533 Little Lonsdale St.

Ref: E23072001

Melbourne Victoria 3000

Email: andrew.paull@echolaw.com.au

TO THE DEFENDANT

TAKE NOTICE that this proceeding has been brought against you by the plaintiff for the claim set out in this writ.

IF YOU INTEND TO DEFEND the proceeding, or if you have a claim against the plaintiff which you wish to have taken into account at the trial, **YOU MUST GIVE NOTICE** of your intention by filing an appearance within the proper time for appearance stated below.

YOU OR YOUR SOLICITOR may file the appearance. An appearance is filed by—

- (a) filing a "Notice of Appearance" with the Prothonotary by submitting the Notice of Appearance for filing electronically in RedCrest or in person at the Principal Registry, 450 Little Bourke Street, Melbourne. See www.supremecourt.vic.gov.au; and

(b) on the day you file the Notice, serving a copy, sealed by the Court, at the plaintiff's address for service, which is set out at the end of this writ.

IF YOU FAIL to file an appearance within the proper time, the plaintiff may **OBTAIN JUDGMENT AGAINST YOU** on the claim without further notice.

***THE PROPER TIME TO FILE AN APPEARANCE** is as follows—

- (a) where you are served with the writ in Victoria, within 10 days after service;
- (b) where you are served with the writ out of Victoria and in another part of Australia, within 21 days after service;
- (c) where you are served with the writ in Papua New Guinea, within 28 days after service;
- (d) where you are served with the writ in New Zealand under Part 2 of the Trans-Tasman Proceedings Act 2010 of the Commonwealth, within 30 working days (within the meaning of that Act) after service or, if a shorter or longer period has been fixed by the Court under section 13(1)(b) of that Act, the period so fixed;
- (e) in any other case, within 42 days after service of the writ.

IF the plaintiff claims a debt only and you pay that debt, namely, \$ and \$ for legal costs to the plaintiff or the plaintiff's solicitor within the proper time for appearance, this proceeding will come to an end. Notwithstanding the payment you may have the costs taxed by the Court.

FILED 16 September 2025

Prothonotary

THIS WRIT is to be served within one year from the date it is filed or within such further period as the Court orders.

1. Place of trial— Melbourne
2. Mode of trial— Judge
3. This writ was filed for the plaintiffs by Echo Law of L2, 533 Little Lonsdale Street, Melbourne VIC 3000
4. The address of the first and second plaintiffs is— 10 Owen Ah Chee Street, Derby 6728
5. The address of the third plaintiff is— 34 Beachcomber Parade, North Avoca NSW 2260
6. The address for service of the plaintiff is— c/o Echo Law, L2, 533 Little Lonsdale Street, Melbourne VIC 3000
7. The email address for service of the plaintiff is— andrew.paul@echolaw.com.au
8. The address of the first defendant is— Level 7, 207 Pacific Highway, St Leonards, NSW 2065
9. The address of the second defendant is— Level 17, 412 St Kilda Road, Melbourne VIC 3004