

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

S ECI 2025 00287

**BETWEEN:**

SCOTT BYRNES

Plaintiff

- and -

ORIGIN ENERGY LIMITED (ACN 000 051 696)

Defendant

**ORDER**

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JUDGE: The Honourable Justice Waller

DATE MADE: 20 August 2025

ORIGINATING PROCESS: Writ filed 21 January 2025

HOW OBTAINED: Following the hearing on 29 July 2025 of the application by summons filed 17 June 2025

ATTENDANCE: WAD Edwards KC with R Howe, of counsel, for the plaintiff  
J Findlay, of counsel, for the defendant

OTHER MATTERS:

A. This order is made following the ruling delivered on 20 August 2025 in *Byrnes v Origin Energy Ltd* [2025] VSC 504.

B. This order is signed by the Judge pursuant to r 60.02(1)(b) of the *Supreme Court (General Civil Procedure) Rules 2015*.

**THE COURT ORDERS THAT:**

1. Pursuant to s 33ZDA of the *Supreme Court Act 1986* (Vic) (**Act**):
  - (a) the legal costs payable to the solicitors for the plaintiff and group members, Phi Finney McDonald Pty Ltd (ACN 618 727 905), be calculated as a percentage of the amount of any award or settlement that may be recovered in the proceeding;



- (b) subject to further order, the percentage referred to in paragraph 1(a) be 30% inclusive of GST; and
  - (c) liability for payment of the legal costs pursuant to paragraphs 1(a) and 1(b) be shared among the plaintiff and all group members (other than those group members who opt out of the proceeding in accordance with s 33J of the Act).
2. The plaintiff bear his own costs of and incidental to the application.
  3. The defendant's costs of and incidental to the application be reserved.

**DATE AUTHENTICATED:** 21 August 2025

  
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**The Honourable Justice Waller**  


