

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

S ECI 2023 05208

BETWEEN:

ROSS ANDREW GAWLER
Plaintiff

-and-

FLEETPARTNERS GROUP LTD (ACN 131 557 901)
Defendant

ORDER

JUDGE: The Honourable Justice Craig

DATE MADE: 21 September 2026

ORIGINATING PROCESS: Writ filed 6 November 2023

HOW OBTAINED: Plaintiff's summons filed 7 August 2026

ATTENDANCE: Ms M Szydzik SC and Mr B O'Connor for the plaintiff
Mr K Loxley SC for the defendant
Ms A Folie SC for the intervenor

OTHER MATTERS: This order is signed by the Judge pursuant to r 60.02 of the
Supreme Court (General Civil Procedure) Rules 2025
(**'Rules'**).



THE COURT ORDERS THAT:

Leave to Intervene

1. Phi Finney McDonald Pty Ltd (CAN 618 727 905) (**Phi Finney McDonald**) is granted leave to intervene in this proceeding.

Settlement Approval

2. Pursuant to s 33V of the *Supreme Court Act 1986* (Vic) (the **Act**):
 - (a) settlement of the proceeding (**Settlement**) on the terms set out in the Deed of Settlement entered into between the Plaintiff, the Defendant and Phi Finney McDonald executed on 2 June 2026 (**Settlement Deed**); and
 - (b) the scheme for distribution of the settlement sum (**Settlement Distribution Scheme**) exhibited to the affidavit of Mr Jeremy Alexander Zimet affirmed 7 August 2026,

(together, **Settlement Documents**) are approved.
3. Pursuant to section 33ZF of the Act, that the Plaintiff be authorised *nunc pro tunc* to enter into the Settlement Deed on behalf of Registered Group Members.
4. Pursuant to ss 24 and 33ZF of the Act and r 63.03 of the Rules, there be no orders as to costs and all previous orders for costs in the proceeding be vacated.
5. Upon the Effective Settlement Date (as defined in the Settlement Deed) the Defendant is to return the deed of indemnity executed by Litica Australia Pty Ltd, provided by the Plaintiff as security for the Defendant's costs of the proceeding.



6. Pursuant to s 33ZB of the Act, the persons affected by these orders are:
 - (a) the Plaintiff;
 - (b) the Defendant; and
 - (c) all Group Members who have not opted-out.
7. Pursuant to s 33ZF of the Act, Mr Jeremy Alexander Zimet of Phi Finney McDonald be appointed Administrator of the Settlement Distribution Scheme (**Administrator**) and is to act in accordance with the rules of the Settlement Distribution Scheme, subject to any direction of the Court.

Costs

8. Pursuant to ss 33V and 33ZF of the Act, for the purposes of the Settlement Distribution Scheme the following distributions from the Settlement Distribution Fund are approved:
 - (a) the “Group Costs Order”, as defined in the Settlement Distribution Scheme, in the amount of \$10,530,000.00, calculated as 39% of the Settlement Sum; and
 - (b) the “Plaintiff’s Reimbursement Payment” as defined in the Settlement Distribution Scheme, in the amount of \$10,000.00.

Confidentiality

9. Pursuant to r 28.03.3 of the Rules and/or the Court’s inherent jurisdiction, the Plaintiff and/or PFM have leave to file in redacted form the documents listed in Schedules 1 and 2.



10. Pursuant to r 28.05(4) of the Rules, no person may inspect or obtain a copy of the redacted parts of the documents listed in:

- (a) Schedule 1 of these orders, until the later of:
 - (i) 64 days from the date of these orders approving the settlement of this proceeding and subject to leave of the Court; or
 - (ii) the final determination of any appeal of these orders approving the settlement of this proceeding and subject to leave of the Court;
- (b) Schedule 2 of these orders, until **4:00pm 12 October 2026**, or further order.

11. Pursuant to s 18(1)(a) of the *Open Courts Act 2013* (Vic), each redaction listed in Schedule 1 of these orders be confidential and shall not be published or disclosed, until the later of:

- (a) 64 days from the date of these orders approving the settlement of this proceeding; or
- (b) the final determination of any appeal of these orders approving the settlement of this proceeding,

and subject to leave of the Court, to any person or entity other than the Plaintiff, the Plaintiff's legal representatives, Phi Finney McDonald, Phi Finney McDonald's legal representatives, and the Court.

12. Subject to further order, pursuant to s 18(1)(a) of the *Open Courts Act 2013* (Vic), each redaction listed in Schedule 2 of these orders be confidential and shall not



be published or disclosed until **4:00pm 12 October 2026** without prior leave of the Court to any person or entity other than the Plaintiff, the Plaintiff's legal representatives, Phi Finney McDonald, Phi Finney McDonald's legal representatives, and the Court.

13. By **4:00pm 24 September 2026**, the plaintiff and PFM are to file and serve any affidavit evidence and submissions in respect of any proposed further confidentiality orders to be made by the Court in respect of the documents listed in Schedule 2.
14. By **4:00pm 29 September 2026**, the defendant is to file and serve any affidavit evidence and submissions in respect of any proposed further confidentiality orders to be made by the Court in respect of the documents listed in Schedule 2.

Other

15. Within 20 Business Days of the conclusion of the distribution in accordance with the Settlement Distribution Scheme, the Administrator is to apply to the Court for orders dismissing all of the claims in the Proceeding of the Plaintiff and Group Members.
16. The parties and the Administrator have leave to apply in respect of any matters in connection with the administration of the Settlement Distribution Scheme.

Unregistered group members

17. Pursuant to sections 33V and 33ZF of the Act, the Group Members listed in Schedule 3, being Group Members who did not register in the proceeding in accordance with the Orders made by the Honourable Justice Waller on 16 December 2024, are permitted to participate in the Settlement and are deemed to be



Registered Group Members for the purposes of the Settlement Distribution Scheme.

DATE AUTHENTICATED:

21 September 2026


The Honourable Justice Craig

The seal of the Supreme Court of Victoria is a circular emblem. It features a central shield with a crown on top, flanked by two lions. The shield is surrounded by a circular border containing the text "SUPREME COURT OF VICTORIA".

Schedule 1

1. The Third Affidavit of Jeremy Alexander Zimet affirmed on 7 August 2026:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	108	Entirety (including sub-paragraphs).	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	110(a)-(e)	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	112	Entirety (including sub-paragraphs).	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice



			Note Gen 10 Group Proceedings, [13.7]).
4.	120	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
5.	122	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
6.	127	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
7.	128	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of



			Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
8.	129	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
9.	130	Third and Fourth sentences.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
10.	131	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice



			Note Gen 10 Group Proceedings, [13.7]).
11.	195(e)(viii)	Dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
12.	211(b)	Dollar figure and the words in parenthesis immediately after the dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
13.	213(b)	Dollar figure and the words in parenthesis immediately after the dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
14.	213(c)	Percentage figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of



			Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
15.	214(b)	Dollar figure and the words in parenthesis immediately after the dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
16.	214(c)	Percentage figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
17.	215	Percentage figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice



			Note Gen 10 Group Proceedings, [13.7]).
18.	216	Dollar figure and the words in parenthesis immediately after the dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
19.	217	All dollar figures in chapeau and sub-paragraphs and the words in parenthesis immediately after those dollar figures.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
20.	223	Dollar figure and the words in parenthesis immediately after the dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
21.	225	Dollar figure and the words in parenthesis immediately after the dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of



			Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
22.	227	All dollar figures in chapeau and sub-paragraphs and the words in parenthesis immediately after those dollar figures.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
23.	228	Dollar figure and the words in parenthesis immediately after the dollar figure and the right column in the table, except for those listed in Schedule 2 to these orders.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
24.	229	The dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice



			Note Gen 10 Group Proceedings, [13.7]).
25.	230	The words after “the Confidential Modelling” except for those listed in Schedule 2 to these orders.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
26.	232	The final sub-paragraph on page 76, and the first sub-paragraph on page 77.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
27.	233	The first sentence.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

2. Exhibit JAZ-4 to the Third Affidavit of Jeremy Alexander Zimet affirmed on 7 August 2026:



Item	Page(s)	Part claimed as confidential	Basis for confidentiality
1.	97	Dollar figure and the two words immediately following the dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	97-98	The contents of the table.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	134-138	The contents of Schedule A to the Settlement Distribution Scheme.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	141-142	The contents of Schedule C to the Settlement Distribution Scheme.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s



			business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
5.	235-236	The contents in the column entitled "Exhibits/Documents Provided".	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

3. Exhibit JAZ-5 to the Third Affidavit of Jeremy Alexander Zimet affirmed on 7 August 2026:

Item	Page(s)	Part claimed as confidential	Basis for confidentiality
1.	Entirety	Entirety of Exhibit JAZ-5 except for those listed in Schedule 2 to these orders.	Legal professional privilege – litigation privilege; assessment of claim ; Confidential – conduct of Phi Finney McDonald's business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

4. Exhibit JAZ-6 to the Third Affidavit of Jeremy Alexander Zimet affirmed on 7 August 2026:

Item	Sheet(s)	Part claimed as confidential	Basis for confidentiality
1.	Sheets entitled	Entirety of listed sheets.	Legal professional privilege



	“Estimated Future Costs”, “Estimated Admin Costs”, “PFM Fee Fees Analysis”, and “Counsel and Experts Breakdown”		– litigation privilege; assessment of claim ; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
--	---	--	---

5. The Fourth Affidavit of Timothy Michael Luke Finney affirmed on 7 August 2026:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	19	The third sentence.	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	31(e)	The words following “fifthly,” except for those listed in Schedule 2 to these orders.	Legal professional privilege – litigation privilege; assessment of claim (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	32	The first sentence.	Legal professional privilege – litigation privilege; assessment of claim (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	32(b)	The third sentence	Legal professional privilege – litigation privilege; assessment of claim (Practice Note Gen 10 Group Proceedings, [13.7]).
5.	33(a)	The second and third sentence.	Legal professional privilege – litigation privilege; assessment of claim ;



			(Practice Note Gen 10 Group Proceedings, [13.7]).
6.	33(b)	All words following “secondly,”.	Legal professional privilege – litigation privilege; assessment of claim ; (Practice Note Gen 10 Group Proceedings, [13.7]).
7.	33(c)	All words following “Total Costs Estimate of approximately”.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
8.	33(e)	The fourth, fifth and sixth sentence.	Legal professional privilege – litigation privilege; assessment of claim ; (Practice Note Gen 10 Group Proceedings, [13.7]).
9.	36	The second sentence.	Legal professional privilege – litigation privilege; assessment of claim ; (Practice Note Gen 10 Group Proceedings, [13.7]).
10.	37	Entirety (including sub-paragraphs).	Legal professional privilege – litigation privilege; assessment of claim ; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
11.	40	All words following “question of proportionality”.	Legal professional privilege – litigation privilege; assessment of claim ; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical



			advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
--	--	--	--

6. The Submissions of Phi Finney McDonald in support of settlement approval in this proceeding:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	20	The figure following “of future costs is”.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	25(d)	The first 9 words of the second sentence.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	26(e)	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	27	The words following “result in PFM in”.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
5.	27(b)	Entirety (including table) except for except for those listed at Schedule 2 to these orders.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
6.	27(c)	The words following “There is, therefore,”.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
7.	28	The words following “Fourth” in the chapeau.	Legal professional privilege – litigation privilege; assessment of claim;



			Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
8.	28(c)	The dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
9.	28(d)	Entirety following the first sentence.	Legal professional privilege – litigation privilege; assessment of claim ; party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
10.	30	The second sentence following “by the Court) was that”.	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
11.	36	The third sentence.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).

7. The Fifth Affidavit of Timothy Michael Luke Finney affirmed on 14 September 2026:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	36	Figure after “total costs estimate”	Legal professional privilege – litigation privilege; assessment of claim;



			(Practice Note Gen 10 Group Proceedings, [13.7]).
--	--	--	--



Schedule 2

1. Redactions to the Third Affidavit of Jeremy Alexander Zimet affirmed on 7

August 2026:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	32	The words between “despite one funder” and “advancing conditional proposals”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	92	Entirety.	Without prejudice privilege; Confidential – in accordance with Deed of Settlement executed 2 June 2026
3.	113(j)	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	203	The entirety of sub-paragraphs (a) to (b)(ii)(inclusive).	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that



			might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
5.	209	Entirety (including sub-paragraphs).	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
6.	218	The words after “commenced on”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
7.	219	Entirety (including sub-paragraphs).	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).



8.	220	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
9.	221	Entirety.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
10.	228	The third-last row (both columns) and the figure in the last right cell (being the total).	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
11.	230	The words between “Group Members under the” and “(see [31] of the First”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that



			might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
12.	232	The words following “The modelling”, except for those listed at Schedule 1 to these orders.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
13.	233	The last two sentences.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
14.	234	The words after “Settlement sum (see [93]):”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).



15.	235	The words between “presented to the Court a” and “In ordering the 39% GCO”, and between “accepted Mr Finney’s” and “([78] of the confidential judgment”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
16.	236	The words between “Group Members than the” and “[65] PFM’s financial incentives”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

2. Redactions to Exhibit JAZ-4 to the Third Affidavit of Jeremy Alexander Zimet affirmed on 7 August 2026:

Item	Page(s)	Part claimed as confidential	Basis for confidentiality
1.	235-236	Columns entitled “Number of Shares Acquired”, “Number of Shares Disposed”, “Number of Net Shares Acquired”, and “Preliminary Loss Estimate”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).



3. Redactions to Confidential Exhibit JAZ-5 to the Third Affidavit of Jeremy Alexander Zimet affirmed on 7 August 2026:

Item	Page(s)	Part claimed as confidential	Basis for confidentiality
1.	Entirety	All references to individual Group Member loss calculations, and Group Member personal information, for example: mailing addresses, email addresses (including names of Group Members that have an email address hyperlinked), phone numbers, Claimant ID, HIN, and/or SRN.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	285-293	Confidential Annexure to the ruling of the Plaintiff’s Group Costs Order application in this proceeding.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	327-391	Confidential Opinion of Counsel for the Plaintiff.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	614	Policy Number.	Confidential – conduct of Phi Finney McDonald’s



			business
5.	621, 634	All references to personal information of natural persons which appear in the Insurance Policy.	Confidential – conduct of Phi Finney McDonald’s business
6.	627-637	Policy Details and annexures.	Confidential – conduct of Phi Finney McDonald’s business

4. Redactions to Confidential Exhibit JAZ-6 to the Third Affidavit of Jeremy Alexander Zimet affirmed on 7 August 2026:

Item	Sheet(s)	Part claimed as confidential	Basis for confidentiality
1.	Sheets entitled “Costs Summary”, “PFM Professional Fees”, “PFM Disbursements”, and “Non-Billable Case Work”	Entirety of listed sheets.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

5. Redactions to the Fourth Affidavit of Timothy Michael Luke Finney affirmed on 7 August 2026:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	31(e)	Words 2-5 of the text beginning on page 11.	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	32(a)	The words following “first,”.	Legal professional privilege – litigation privilege; assessment of claim;



			Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	32(b)	The words following “secondly,” and the last sentence	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	32(c)	The words following “thirdly”, except for the last word.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
5.	33(d)	The words following “fourthly,”.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party



			to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
6.	34	The first sentence.	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
7.	34(a)	The words following “the”, except for the last word.	Legal professional privilege –assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
8.	34(b)	The words following “the”.	Legal professional privilege –assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
9.	39	The words in the second sentence between “matters set out above” and “it is my opinion” and the third sentence.	Legal professional privilege – assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party



			to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
--	--	--	---

6. Redactions to the Submissions of Phi Finney McDonald in support of settlement approval in this proceeding:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	14(e)(i)	The dollar figure.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	14(e)(ii)-(vi)	The entire section.	Legal professional privilege – assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	14(f)	The figure and words between “proposed GCO, being” and “and PFM’s total costs exposure” and the word and figure between “PFM’s total costs exposure” and “His Honour was”.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	25	The third sentence and sub-paragraphs except for those listed in Schedule 1 to these orders.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group



			Proceedings, [13.7]).
5.	26	The first sentence following “maintained will result in” and the entire third sentence.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
6.	26(a)	The dollar figures.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
7.	26(b)	The dollar figure and second sentence.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
8.	26(c)	The figure and words between “comparing an estimated” and “a 39% GCO”.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
9.	26(d)	The figure and words following “taken on the same”.	Legal professional privilege – litigation privilege; assessment of claim; (Practice Note Gen 10 Group Proceedings, [13.7]).
10.	27(b)	The third-last row (both columns) and the figure in the	Legal professional privilege – litigation privilege;



		last right cell (being the total).	assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
11.	34	The second sentence.	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

7. Redactions to the Fifth Affidavit of Timothy Michael Luke Finney affirmed on 14 September 2026:

Item	Paragraph(s)	Part claimed as confidential	Basis for confidentiality
1.	17	Second sub-paragraph of quoted material	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
2.	18	The words after “Commenced on 20 January 2025”	Legal professional privilege – litigation privilege; assessment of claim;



			Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
3.	19	Table after the chapeau	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
4.	21 (b)	Words after “Managing Director. PFM):”	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
5.	21 (c)	Words after “I depose that”	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
6.	22 (b)	Hourly Overhead Cost Figure	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party



			to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
7.	22 (d)	Total Hourly Cost Figure and Understated Total Hourly Cost Figure	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
8.	22 (e)	Total Labour Cost Figure	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
9.	22(f)	Unpaid ATE and Total Disbursements Figure	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
10.	22 (h)	Sum of Total Labour Cost Plus Total Disbursements Figure	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
11.	21(h)	Amount column in Table entirety other than line 3	Confidential – conduct of Phi Finney McDonald’s business; information that



			might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
12.	24	Second sentence after “informed me that”	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
13.	25	After “(Managing Director, PFM):”	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
14.	26(d)	IRR Figure	Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
15.	31	PFM Costs for Loss at Trial Scenario and underlying calculation	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party



			to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
16.	32	After “had regard to”	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
17.	33	Table	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
18.	34	After “TMLF-1:137	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
19.	35	After “in my experience”	Legal professional privilege – litigation privilege; assessment of claim;



			Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
20.	36	After “Approximately”	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
21.	37	Table	Legal professional privilege – litigation privilege; assessment of claim; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

8. Redactions to Confidential Exhibit TMLF-6 to the Fifth Affidavit of Timothy Michael Luke Finney affirmed on 14 September 2026:

Item	Sheet(s)	Part claimed as confidential	Basis for confidentiality
1.	Entirety.	Entirety.	Legal professional privilege



			– litigation privilege; assessment of claim ; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
--	--	--	---

9. Redactions to Confidential Exhibit TMLF-7 to the Fifth Affidavit of Timothy Michael Luke Finney affirmed on 14 September 2026:

Item	Sheet(s)	Part claimed as confidential	Basis for confidentiality
1.	Entirety.	Entirety.	Legal professional privilege – litigation privilege; assessment of claim ; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).

10. Redactions to the Sixth Affidavit of Timothy Michael Luke Finney affirmed on 15 September 2026:

Item	Sheet(s)	Part claimed as confidential	Basis for confidentiality
1.	Entirety.	Entirety.	Legal professional privilege – litigation privilege; assessment of claim ; Confidential – conduct of Phi Finney McDonald’s business; information that might reasonably be expected to confer a tactical



			advantage on another party to the proceeding (Practice Note Gen 10 Group Proceedings, [13.7]).
--	--	--	---



Schedule 3

UNREGISTERED GROUP MEMBERS DEEMED TO BE REGISTERED GROUP MEMBERS

LGM ID	Group Member Name
3	Smiyah Family Investments Pty Ltd <LBG Family Investments A/C>
5	Shelford Gold Pty Ltd <P M Wilson Super Fund A/C>
6	Philippa Mary Wilson
7	Sarah Edwards and Paul Edwards
8	SafetyFirst Pty Ltd <Maloney Family S/F A/C>
17	Kruse Youds Superannuation Fund
21	Cyrus Rezazadeh Oskooi
23	Mr David Colin Wright
25	John Kolevski
27	Elizabeth Jane Quade
28	John Anderson Maher <Ankerwyke Holdings Pty Ltd>

