IN THE SUPREME COURT OF VICTORIA
COMMERCIAL COURT
GROUP PROCEEDINGS

S ECI 2022 03433

BETWEEN:

JANE FULLER AND SUSAN WEEN IN THEIR CAPACITY AS JOINT EXECUTORS AND LEGAL PERSONAL REPRESENTATIVES OF THE ESTATE OF GERALD ROGER FULLER	Substituted Plaintiffs
- and -	
FLETCHER BUILDING LIMITED (ARBN 096 046 936)	Defendant

ORDER

JUDGE:	The Honourable Justice Waller
DATE MADE:	20 October 2026
ORIGINATING PROCESS:	Writ filed on 2 September 2022
HOW OBTAINED:	By consent pursuant to r 59.07 of the *Supreme Court (General Civil Procedure) Rules 2025* (Vic) (**Rules**) and the consent minute signed by the parties which has been placed on the Court file
ATTENDANCE:	On the papers
OTHER MATTERS:	This Order is authenticated by a Judge of the Court pursuant to Rule 60.02(1)(b) of the Rules.

THE COURT ORDERS BY CONSENT THAT:

Extension of orders

Evidence

1. The date in paragraph 3 of the orders made on 26 June 2026 (**June Orders**) (by which the Plaintiffs are to file and serve their expert reports) is further extended *nunc pro tunc* from 25 September 2026 to:

   (a) **4:00 pm** on **6 November 2026** for the expert report of the forensic accountant; and

   (b) **4:00 pm** on **4 December 2026** for the expert report of the economist.

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2. The date in paragraph 4 of the June Orders (by which the Defendant is to file and serve any lay witness statements) is further extended from 13 November 2026 to **4:00 pm** on **19 February 2027**.

3. The date in paragraph 5 of the June Orders (by which the Defendant is to file and serve any expert reports) is further extended from 18 December 2026 to **4:00 pm** on **19 March 2027**.

4. The date in paragraph 6 of the June Orders (by which the Plaintiffs are to file and serve any expert reports in reply) is further extended from 5 February 2027 to **4:00 pm** on **7 May 2027**.

Mediation

5. The date in paragraph 1 of the June Orders (requiring mediation between the parties to occur by 12 March 2027) is further extended to **4:00 pm** on **9 April 2027**.

6. The date in paragraph 2 of the June Orders (requiring the mediator to report back to the Court as to whether the mediation is finished by 29 April 2027) is further extended to **4:00 pm** on **28 May 2027**.

7. Pursuant to Practice Note SC GEN 10 (Group Proceedings), the Plaintiffs' solicitors are to, within three business days of the date of this Order:

   (a) cause a copy of this Order to be published on the Plaintiffs' solicitors' webpage dedicated for this group proceeding; and

   (b) provide an electronic copy of this Order to the Commercial Court Registry for publication on the Supreme Court of Victoria Group Proceedings Page.

8. The Plaintiffs' solicitors are permitted to publish a brief clarifying text on their website accompanying the Order, confirming that the registration and opt-out periods remain closed and are unaffected by this extension, in the following form:

   "On 20 October 2026, the Supreme Court of Victoria made orders by consent extending the deadline for the parties to conduct mediation. The mediation, which was ordered to take place by 12 March 2027, will now be conducted by 9 April 2027.

   A copy of the formal variation order can be viewed here: [Link to PDF Order].

   *Please note the court-ordered deadlines to **Opt-Out or Register** for this class action passed at 4 pm (AEST) on 20 August 2026. Those deadlines **remain closed** and are unaffected by this scheduling extension. If you have already registered, no further action is required from you."*

Other

9. Costs reserved.

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10. Liberty to apply.

DATE AUTHENTICATED: 20 October 2026



THE HONOURABLE JUSTICE WALLER

