

IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE  
COMMON LAW DIVISION

No. SCI 2012 04538

B E T W E E N :

KATHERINE ROWE

Plaintiff

and

AUSNET ELECTRICITY SERVICES PTY LTD (ACN 064  
651 118) (FORMERLY SPI ELECTRICITY PTY LTD) & ORS  
(according to the attached Schedule)

Defendants

(by original proceeding)

A N D B E T W E E N :

AUSNET ELECTRICITY SERVICES PTY LTD (ACN 064  
651 118) (FORMERLY SPI ELECTRICITY PTY LTD)

Plaintiff by Counterclaim

and

ACN 060 674 580 PTY LTD  
& ORS (according to the attached Schedule)

Defendants by Counterclaim

(by counterclaim)

**ORDER**

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JUDGE: The Honourable Justice John Dixon

DATE MADE: 30 November 2016

ORIGINATING  
PROCESS: Writ

HOW OBTAINED: Case Management Conference

ATTENDANCE: Mr A J Watson, Scheme Administrator

OTHER MATTERS: The Court notes the progress made on the distribution of the Settlement Sum in accordance with the SDS as set out in the Affidavit of Mr A J Watson, Scheme Administrator, sworn 31 October 2016 and 29 November 2016.



**THE COURT ORDERS THAT:**



1. The Court adopts the special referee's reports of Mr John White dated 30 June 2016 and 21 November 2016.
2. Pursuant to sections 33V and 33ZF of the *Supreme Court Act 1986* and in accordance with section I1.2 of the SDS:
  - (a) Settlement Administration costs for the period May 2016 and 30 June 2016 in the amount of \$952,009.14, being in respect of outstanding settlement administration costs and disbursements incurred in excess of the \$1,100,000.00 previously approved on 21 June 2016 are approved;
  - (b) Settlement Administration costs for the period 1 July 2016 to 30 September 2016 in the amount of \$2,496,022.19, being in respect of outstanding settlement administration costs and disbursements incurred are approved;
  - (c) Settlement Administration costs for the period 1 October 2016 and 31 October 2016 in the amount of \$258,997.81, being in respect of estimated anticipated, general and I/D settlement administration costs and disbursements are approved;
  - (d) Settlement Administration costs for the period 1 November 2016 and 31 December 2016 in the amount of \$307,948.00, being in respect of estimated anticipated I/D settlement administration costs and disbursements are approved;
  - (e) Settlement Administration costs for the period 1 January 2017 and 31 January 2017 in the amount of \$33,213.00, being in respect of estimated anticipated I/D settlement administration costs and disbursements are approved;
  - (f) Plaintiff's reasonable legal costs and disbursements of the proceeding for the period 1 May 2015 to 27 May 2015 in the amount of \$434,450.43 are approved; and

(g) A transfer payment of \$3,782,340.77 be made from the Murrindindi settlement fund to the Kilmore settlement fund on account of common settlement administration costs and disbursements.

3. Liberty to apply.

DATE AUTHENTICATED: 30 November 2016

  
The Honourable Justice John Dixon

SCHEDULE OF PARTIES

S CI 2012 4538

BETWEEN

KATHERINE ROWE

Plaintiff

And

AUSNET ELECTRICITY SERVICES PTY LTD (ACN 064 651 118)

First Defendant

ACN 060 674 580 PTY LTD (ACN 060 674 580)

Second Defendant

SECRETARY TO THE DEPARTMENT OF ENVIRONMENT, LAND,  
WATER AND PLANNING (FORMALLY SECRETARY TO THE  
DEPARTMENT OF ENVIRONMENT AND PRIMARY INDUSTRIES)

Third Defendant

COUNTRY FIRE AUTHORITY

Fourth Defendant

STATE OF VICTORIA

Fifth Defendant

AND

AUSNET ELECTRICITY SERVICES PTY LTD  
(ACN 064 651 118)

Plaintiff by Counterclaim

And

ACN 060 674 580 PTY LTD (ACN 060 674 580)

First Defendant by Counterclaim

SECRETARY TO THE DEPARTMENT OF  
ENVIRONMENT, LAND, WATER AND PLANNING  
(FORMALLY SECRETARY TO THE DEPARTMENT  
OF ENVIRONMENT AND PRIMARY INDUSTRIES)

Second Defendant by Counterclaim

COUNTRY FIRE AUTHORITY

Third Defendant by Counterclaim

STATE OF VICTORIA

Fourth Defendant by Counterclaim

KATHERINE ROWE

Fifth Defendant by Counterclaim