

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMON LAW DIVISION**

No. 4788 of 2009

B E T W E E N:

CAROL ANN MATTHEWS

Plaintiff

and

**AUSNET ELECTRICITY SERVICES PTY LTD
(ACN 064 651 118)
& ORS (according to the schedule of parties)**

Defendants

(by original proceeding)

A N D B E T W E E N:

**AUSNET ELECTRICITY SERVICES PTY LTD
(ACN 064 651 118)**

Plaintiff by Counterclaim

and

**ACN 060 674 580 PTY LTD
& ORS (according to the schedule of parties)**

Defendants by Counterclaim

(by counterclaim)

PROPOSED FORM OF ORDER

JUDGE:

The Honourable Justice Forrest

DATE MADE:

21 June 2016

ORIGINATING PROCESS:

Amended Writ dated 5 August 2010

HOW OBTAINED:

Case Management Conference

ATTENDANCE:

Scheme Administrator of the Settlement Distribution
Scheme (SDS)

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 Andrew John Watson, the Scheme Administrator, sworn 17 June 2016.



THE COURT ORDERS THAT:

1. Pursuant to s.33V and 33ZF of the Supreme Court Act and in accordance with section 11.1 of the SDS:
 - (a) Settlement Administration costs for the period 1 February 2016 to 30 April 2016 in the amount of \$3,619,677.85 being in respect of outstanding settlement administration costs and disbursements incurred be approved;
 - (b) Settlement Administration costs in the amount of \$1,200,000.00 being the anticipated administration costs and disbursements to be incurred in relation to the assessment of ELPD claims for the period 1 May 2016 to 30 June 2016 be approved;Such amounts to be disbursed to Maurice Blackburn from interest accrued on the Settlement Sum.
2. The exhibits previously filed in this proceeding and enumerated in Schedule A to this order:
 - (a) Be marked as confidential exhibits; and
 - (b) Be sealed in an envelope marked 'Not to be opened without leave of the Court or Judge'.
3. Liberty to apply.

DATED: 21 June 2016


The Honourable Justice J Forrest



SCHEDULE A

| | Affidavit | Exhibit |
|----|--|------------------------------------|
| 1. | Affidavit of Andrew John Watson sworn 13 April 2015 | AJW-11 Itemised MB Invoices |
| 2. | Affidavit of Rory John Walsh affirmed 17 June 2015 | RWJ-3 Itemised MB Invoices |
| 3. | Affidavit of Andrew John Watson sworn 9 October 2015 | AJW-2 Itemised MB Invoices |
| 4. | Affidavit of Andrew John Watson sworn 18 March 2016 | AJW-1 Itemised MB Invoices |
| 5. | Affidavit of Andrew John Watson sworn 17 June 2016 | AJW-3 Itemised MB Invoices |



SCHEDULE OF PARTIES

CAROL ANN MATTHEWS

Plaintiff

- and -

AUSNET ELECTRICITY SERVICES PTY LTD (ACN 064 651 118)

First Defendant

ACN 060 674 580 PTY LTD

Second Defendant

**SECRETARY TO THE DEPARTMENT
OF ENVIRONMENT AND PRIMARY INDUSTRIES
(formerly Secretary to the Department of
Sustainability and Environment)**

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

First Defendant to Counterclaim

**SECRETARY TO THE DEPARTMENT
OF ENVIRONMENT AND PRIMARY INDUSTRIES
(formerly Secretary to the Department of
Sustainability and Environment)**

Second Defendant to Counterclaim

COUNTRY FIRE AUTHORITY

Third Defendant to Counterclaim

STATE OF VICTORIA

Fourth Defendant to Counterclaim

CAROL ANN MATTHEWS

Fifth Defendant to Counterclaim

