

IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE  
COMMON LAW DIVISION

S CI 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: 6 March 2017

ORIGINATING PROCESS: Writ

HOW OBTAINED: At the case management conference heard on 6  
March 2017

ATTENDANCE: Mr A J Watson, 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 Mr A J Watson, Scheme Administrator, sworn 28 February 2017.

**THE COURT ORDERS THAT:**

1. The Court adopts the special referee report of Mr John White dated 1 March 2017.
2. Paragraph 2(d) of the orders of the Honourable Justice John Dixon made 30 November 2016 is vacated.
3. Pursuant to sections 33V and 33ZF of the *Supreme Court Act* and in accordance with section I1.1 of the SDS:
  - a. Settlement administration costs are approved, comprising of:
    - i. \$224,339.81, being in respect of General settlement administration costs between 1 November 2016 to 31 December 2016, of which:
      - a. \$27,299.67 be allocated to the I-D settlement administration and \$197,040.14 be allocated to the ELPD settlement administration;
    - ii. \$280,648.33, being in respect of I-D settlement administration costs for the period 1 November 2016 to 31 December 2016;
    - iii. \$1,718,631.72, being in respect of ELPD settlement administration costs for the period 1 October 2016 to 31 December 2016.
4. Liberty to apply.

DATE AUTHENTICATED: 6 March 2017

  
The Honourable Justice John Dixon

IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE  
COMMON LAW DIVISION

S CI 2012 4538

**SCHEDULE OF PARTIES**

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 Plaintiff by Counterclaim  
(ACN 064 651 118)

And

ACN 060 674 580 PTY LTD (ACN 060 674 580) First Defendant by Counterclaim

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

COUNTRY FIRE AUTHORITY Third Defendant by Counterclaim

STATE OF VICTORIA Fourth Defendant by Counterclaim

KATHERINE ROWE Fifth Defendant by Counterclaim