

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

S ECI 2020 03924

BETWEEN

**DAIMIN NATHAN**

First plaintiff

and

**TANIA NATHAN**

Second plaintiff

and

**MACQUARIE LEASING PTY LTD (ACN 002 674 982)**

Defendant

**ORDER**

**JUDGE:** The Honourable Justice Nichols

**DATE MADE:** 9 March 2023

**ORIGINATING PROCESS:** Writ filed 14 October 2020

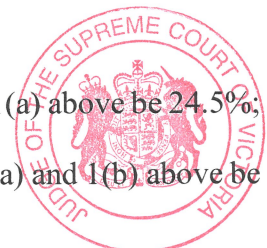
**HOW OBTAINED:** On return of the plaintiffs' summons filed 26 August 2022 (**GCO Application**)

**ATTENDANCE:** Mr Dion Fahey of counsel for the plaintiffs  
Mr Michael Borsky KC with Mr Andrew Roe of  
counsel for the defendant

**OTHER MATTERS:** Nil

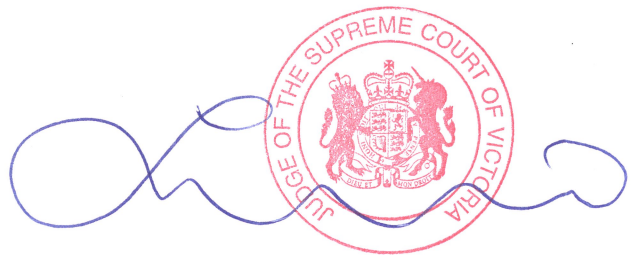
**THE COURT ORDERS THAT:**

- 1 Pursuant to s 33ZDA of the *Supreme Court Act 1986* (Vic):
  - (a) the legal costs payable to the solicitors for the plaintiffs and group members, Maurice Blackburn, be calculated as a percentage of the amount of any award or settlement that may be recovered in the proceeding;
  - (b) subject to further order, the percentage referred to in order 1(a) above be 24.5%;
  - (c) liability for payment of the legal costs pursuant to orders 1(a) and 1(b) above be shared among the plaintiffs and all group members;



- (d) the solicitors for the plaintiffs and group members, Maurice Blackburn, be liable to pay any costs payable to the defendant in the proceeding; and
  - (e) the solicitors for the plaintiffs and group members, Maurice Blackburn, be liable to give any security for the costs of the defendant in the proceeding that the Court may order to be given.
- 2 By **4:00pm on 23 March 2023**, the plaintiffs provide to the Court for approval:
- (a) a revised group proceeding summary statement; and
  - (b) a revised funding information summary statement.
- 3 By a date to be fixed, the solicitors for the plaintiffs and group members, Maurice Blackburn, make available on their website the approved revised group proceeding and funding information summary statements described in order 2 above.
- 4 The plaintiffs bear their own costs of and incidental to the GCO Application.
- 5 The defendant's costs of and incidental to the GCO Application be reserved.

**DATE AUTHENTICATED: 9 March 2023**



**The Honourable Justice Nichols**