



DOWNER EDI CLASS ACTION
Justine Lidgett & Cameron Lidgett v Downer EDI Limited (ACN 003 872 848)
Supreme Court of Victoria

Case: S ECI 2023 01835

Filed on: 01/04/2025 02:40 PM

FUNDING INFORMATION SUMMARY STATEMENT

1. How is the Downer EDI Class Action funded?

Maurice Blackburn has entered into a Co-Funding and Management Agreement with William Roberts Lawyers and CASL Funder Pty Ltd as trustee for CASL Fund 1 (**CASL**), which provides for both Maurice Blackburn and CASL to fund the class action.

Under the Co-Funding and Management Agreement, Maurice Blackburn and CASL will share the funding obligations, and the responsibility for paying any adverse costs. All costs associated with the class action will therefore be borne by Maurice Blackburn and CASL, unless there is a successful outcome to the class action (such as a settlement approved by the Court or a judgment of the Court awarding damages to group members).

Maurice Blackburn's retainer agreement sets out the terms on which it is acting. Members of the class (group members) can ask to see a confidential copy of the retainer by contacting Maurice Blackburn.

On 6 October 2023, Justice Delany made a group costs order (**GCO**) in the Downer EDI Class Action. A GCO is an order that the legal costs payable to the Plaintiffs' lawyers be calculated as a percentage of any award or settlement amount that may be recovered in the proceeding. In this case, the Court ordered that the GCO percentage be set at 21%. This means that the total legal costs of the proceeding will be calculated as 21% of any award or settlement amount.

In no circumstances will group members be out of pocket by participating in the Downer EDI Class Action – whether the case is successful or unsuccessful. It is important to note that the Co-Funding and Management Agreement with William Roberts Lawyers and CASL will not affect the amount of any recovery that is returned to group members pursuant to any GCO. The legal costs payable pursuant to the GCO will be shared between Maurice Blackburn and CASL in consideration for their respective contributions to the funding of the class action.

2. How are legal fees and disbursements charged?

If the case is successful, legal costs would be deducted from the settlement sum or a collective damages award, and in this sense would be shared among the plaintiffs and group members. As stated above, the Court has made a GCO, which has been determined by the Court as 21% of the amount of any damages award or settlement.

If there is an unsuccessful outcome the Plaintiffs and group members will not be asked to pay any costs or disbursements.

3. Who can group members contact for further information about the funding or costs of the class action?

Group members may contact Maurice Blackburn, at no out of pocket cost, via:

Email downeredi@mauriceblackburn.com.au

Phone 1800 571 265

Post Downer EDI Class Action
Maurice Blackburn
PO Box A266
Sydney South 1235