

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

S ECI 2021 04738

BETWEEN

PAUL LEIGHTON MUMFORD

First Plaintiff

GAYLE MUMFORD

Second Plaintiff

and

EML PAYMENTS LTD

Defendant

ORDER

JUDGE: The Honourable Justice Nichols

DATE MADE: 8 October 2025

ORIGINATING PROCESS: Writ filed 16 December 2021

HOW OBTAINED: On the Court's own motion

ATTENDANCE: Not applicable

OTHER MATTERS: Not applicable

THE COURT ORDERS THAT:

Group Costs Order Variation Application

- 1 Orders 3 to 9 of the Orders made 2 October 2025 be vacated.
- 2 The Court's orders made 6 October 2025, regarding the appointment of the Contradictor in relation to the GCO Variation Application be vacated.
- 3 The GCO Variation Application filed by Shine Lawyers dated 25 September 2025 be dismissed.
- 4 Shine Lawyers pay any costs thrown away by the GCO Variation Application.



Second Further Settlement Notice to Group Members

- 5 Pursuant to sections 33X(4) and (5) and 33Y of the Act, the form and content of the Further Notice of Proposed Settlement to group members, set out in Schedule 1 to these Orders, is approved (**Second Further Settlement Notice**).
- 6 Pursuant to section 33Y of the Act, the Second Further Settlement Notice is to be distributed to Group Members by **4:00pm on 10 October 2025 (Second Further Settlement Notice Date)** in accordance with the following procedure:
 - (a) Shine Lawyers shall cause the Second Further Settlement Notice to be sent to each Registered Group Member:
 - (i) by email to the last known email address held by Shine Lawyers with respect to each Registered Group Member; or
 - (ii) where no email address is held by Shine Lawyers, by post to the last known mailing address held by Shine Lawyers with respect to each Registered Group Member;
 - (b) Shine Lawyers shall cause a copy of the Second Further Settlement Notice, together with a copy of these orders, to be displayed on Shine Lawyers' website, and to remain continuously so displayed up to and including the final determination of the Plaintiffs' application for approval of the settlement pursuant to section 33V of the Act; and
 - (c) the Registry of the Supreme Court of Victoria shall display the Second Further Settlement Notice on the Court's website.
- 7 The Second Further Settlement Notice may be amended by Shine Lawyers before it is published or distributed in order to correct any typographical error, or any postal, website, or email address or telephone number or other non-substantive error.
- 8 If the Second Further Settlement Notice is amended by Shine Lawyers in accordance with order 7 above, Shine Lawyers shall provide a copy of the amended Second Further Settlement Notice to the Commercial Court Registry of the Supreme Court of Victoria by **12:00pm on 10 October 2025**.



DATE AUTHENTICATED: 8 October 2025



The Honourable Justice Nichols