

IN THE SUPREME COURT OF VICTORIA  
COMMERCIAL COURT  
GROUP PROCEEDINGS

S ECI 2023 05830

BETWEEN:

JEREMEY CLARKE

Plaintiff

- and -

JB HI-FI GROUP PTY LTD (ACN 093 114 286)

Defendant

**ORDER**

JUDGE: The Honourable Justice Delany

DATE MADE: 16 December 2025

ORIGINATING PROCESS: Writ filed 8 December 2023

HOW OBTAINED: On the Court's own motion

ATTENDANCE: N/A

OTHER MATTERS: A. This Order is authenticated by the Judge of the Court pursuant to r 60.02(1)(b) of the *Supreme Court (General Civil Procedure) Rules 2015*.

**THE COURT ORDERS THAT:**

**Production of Group Member Data**

1. By **16 January 2026**, pursuant to s 33Y of the *Supreme Court Act 1986* (Vic) ('Act'), the plaintiff is to notify the Court and the defendant of the identity of the entity engaged by the plaintiff to distribute the notice to group members, and provide to the defendant's solicitors instructions in accordance with which the data described in paragraph 2 of this Order may be securely provided to the plaintiff and the entity engaged by the plaintiff.
2. Pursuant to ss 33ZF and 33Y(2)(c) of the Act, by the date which is 7 days after the date on which the plaintiff notifies the defendant in accordance with paragraph 1 of this Order, the defendant is (to the extent that the relevant information is held by the defendant and has already been compiled by the defendant from the defendant's records) to provide to the plaintiff and to the entity identified by the plaintiff the following information in relation to each transaction recorded in the data produced by the defendant pursuant to paragraph 2(a) of the Order made on 23 September 2025



(insofar as it relates to Category 3.1), where available (collectively, ‘Transaction Data’):

- (a) first name;
- (b) last name; and
- (c) last known contact details including:
  - (i) email address;
  - (ii) mobile number; and
  - (iii) postcode,(collectively, ‘Purchaser Information’).

3. Subject to further order, the Transaction Data produced in accordance with paragraph 1 of this Order, may only be used for the purpose of distributing a notice to group members in accordance with paragraph 5 of this Order and responding to group member enquiries regarding the notice to group members.

### **Opt Out Deadline**

4. The date by which a group member may opt out of this proceeding, pursuant to s 33J(1) of the Act, be fixed at **4:00pm (AEST) on 29 May 2026** (‘Opt Out Deadline’).

### **Notice and Opt Out**

5. Pursuant to ss 33X(1)(a) and (5) and 33Y of the Act, the form and content of the Opt Out Notices in Annexure A (‘Specific Notice’) and Annexure B (‘General Notice’) (together, ‘Notices’) to this Order are approved.
6. Pursuant to s 33Y of the Act, the Notice be given to group members between 2 March 2026 (‘Notice Date’) and 1 May 2026, according to the following procedure:
- (a) the entity notified in accordance with paragraph 1 of this Order will cause a link to the Specific Notice to be sent from 2 March 2026:
    - (i) by email, to the extent that a valid email address is held in respect of that person, under cover of the email at Annexure C to this Order; and/or
    - (ii) by SMS, to the extent that a valid mobile telephone number is held in respect of that person, under cover of the SMS at Annexure D to this Order;
  - (b) the solicitors for the plaintiff will cause a link to the General Notice to be sent by email to each person who has registered with Maurice Blackburn in respect of the proceeding;
  - (c) whenever a Notice is sent by email (in fulfilment of paragraphs 6(a)–(b) of this Order) the subject line of the email shall be: ‘Court Notice about the JB Hi-Fi Class Action – Clarke v JB Hi-Fi’;
  - (d) the solicitors for the plaintiff will cause the General Notice and Specific Notice to be posted on its publicly available website until the Opt Out Deadline;
  - (e) the solicitors for the plaintiff will cause the General Notice to be published once in each of the following newspapers by the Notice Date:
    - (i) The Adelaide Advertiser;
    - (ii) The Age;



- (iii) The Australian;
  - (iv) The Courier-Mail;
  - (v) The Canberra Times;
  - (vi) the Mercury;
  - (vii) the NT News;
  - (viii) The Sydney Morning Herald; and
  - (ix) The West Australian; and
- (f) the Commercial Court Registry of the Supreme Court of Victoria shall cause the Notices to be posted on the Supreme Court of Victoria website and be available for inspection at the Registry of the Supreme Court of Victoria by the Notice Date.
7. The Notices and covering correspondence referred to in paragraphs 5 and 6 of this Order may be amended by the solicitors for the plaintiff before the Notice Date in order to correct any typographical error, or any link, postal address, email address or telephone number.
8. If the Notices are amended by the plaintiff in accordance with paragraph 7 of this Order, the solicitors for the plaintiff shall provide a copy of the amended Notice(s) to the Commercial Court Registry of the Supreme Court of Victoria, prior to the Notice Date.
9. The solicitors for the plaintiff:
- (a) will make information available to group members on the Maurice Blackburn JB Hi-Fi website: <https://www.mauriceblackburn.com.au/class-actions/join-a-class-action/jbhifi-class-action/>; and
  - (b) is not required to make a telephone line available to all group members in relation to this proceeding for the management of enquiries in relation to the opt out process between the Notice Date and the Opt Out Deadline.
10. The costs of and incidental to the procedures set out in paragraphs 6 and 7 of this Order, including addressing enquiries by group members and members of the public, be borne initially by the plaintiff on the basis that those costs will subsequently fall to be dealt with by the Court as part of the costs of the proceeding.
11. If, between the Notice Date and the Opt Out Deadline, the solicitors for either party receive a notice purporting to be an opt out notice referable to this proceeding, the solicitors shall provide that notice to the Commercial Court Registry of the Supreme Court of Victoria within 14 days of receipt of the notice by the solicitors with a notation specifying the date it was received and the notice shall be treated as an opt out notice received by the Court at the time it was received by the solicitors.
12. The parties have leave to inspect the Court file and copy any opt out notices filed.

DATE AUTHENTICATED: 16 December 2025



The Hon. Justice Delany



**SUPREME COURT OF VICTORIA**  
**OPT OUT NOTICE TO GROUP MEMBERS**  
**JB Hi-Fi Class Action (Group Proceeding)**

**Clarke v JB Hi-Fi Group Pty Ltd**

**Proceeding number: S ECI 2023 05830**

**This notice is sent by Order of the Supreme Court of Victoria**

You may be a group member in the JB Hi-Fi Class Action about Extended Warranties sold with consumer goods.

This is because JB Hi-Fi's records show that you may have purchased an Extended Warranty between 1 January 2011 and 8 December 2023.

**You do not need to do anything right now if you want to participate in the JB Hi-Fi Class Action.**

**Group members will never be 'out of pocket'** by simply remaining a group member of the JB Hi-Fi Class Action. See page 5 'information about legal costs'.

**If you do not want to participate**, you must fill out the form [here](#) or follow the instructions in the section 'how do I opt out?' on page 4 of this notice to inform the Court of your decision to opt out.

**The deadline to opt out is 29 May 2026.**

If you opt out, you will not be eligible to claim money from any settlement or judgment in the JB Hi-Fi Class Action and no part of any claim you have will be determined by the class action, but you may pursue any rights you may have independently.

**It is important that you read this notice carefully because it may affect your legal rights**

## ANNEXURE A – SPECIFIC NOTICE

### **Why am I receiving this notice?**

1. You are receiving this notice to tell you about a class action in the Supreme Court of Victoria against JB Hi-Fi Group Pty Ltd (**JB Hi-Fi Class Action**). To confirm the legitimacy of this notice, visit the Supreme Court of Victoria’s website using your preferred search engine.
2. The JB Hi-Fi Class Action is about extended warranties sold to consumers by JB Hi-Fi when consumers bought consumer goods such as electronics and home appliances, either online or in-store, between 1 January 2011 and 8 December 2023 (the **Relevant Period**). The extended warranties were called ‘Extended Care’ and ‘Extra Care’.
3. The JB Hi-Fi Class Action alleges that the JB Hi-Fi extended warranties had little or no value because customers already had the same rights for free under the Australian Consumer Law.
4. Among other things, the JB Hi-Fi Class Action asks the Court:
  - a) to declare that all JB Hi-Fi extended warranties purchased between 9 December 2017 and 8 December 2023 are void (i.e. are of no effect); and
  - b) to give each consumer a refund of what they paid for those extended warranties as well as interest on that refund.
5. JB Hi-Fi denies the allegations and is defending the class action.
6. There is more detail about the claims below on pages 2-3 of this notice.
7. You are receiving this notice because you have been identified as a potential ‘group member’ because you bought one or more extended warranties during the Relevant Period. This means you may be eligible to receive compensation for any loss you may have suffered if the JB Hi-Fi Class Action is successful.
8. This notice contains important information about:
  - a) the JB Hi-Fi Class Action, including what it is about and how it is being paid for;
  - b) what you need to do if you do not want to participate in the JB Hi-Fi Class Action (i.e. how to ‘opt out’); and
  - c) how your rights are affected if you opt out by the deadline of **29 May 2026 at 4:00pm (AEST)**.
9. **Please read this notice carefully.** If you have questions about what is in this notice, do not contact the Court. If you have questions, seek independent legal advice or visit Maurice Blackburn’s website here: <https://www.mauriceblackburn.com.au/jbhifi>

### **What is a class action?**

10. A class action is a legal case which brings the claims of a group of persons (i.e. ‘group members’) together in a single proceeding. This can occur because their claims arise out of the same, similar, or related circumstances.
11. Unless a group member opts out (as explained on page 4 below), they are automatically covered by the class action even if they did not take any active steps to join it.

## ANNEXURE A – SPECIFIC NOTICE

### **What is the JB Hi-Fi Class Action about?**

12. The JB Hi-Fi Class Action claims that extended warranties sold by JB Hi-Fi to consumers had little or no value because consumers already had those rights for free under the Australian Consumer Law.
13. The JB Hi-Fi Class Action alleges that JB Hi-Fi used misleading or deceptive conduct or unconscionable conduct in selling the extended warranties, including by telling customers either directly or by implying, that the extended warranties:
  - a) lasted for longer than the rights under the Australian Consumer Law;
  - b) provided benefits that the Australian Consumer Law did not; and
  - c) had value to consumers,when they did not.
14. It is also alleged that JB Hi-Fi failed to give customers important information about their rights under the Australian Consumer Law, which consumers needed to make a properly informed decision about whether to buy an extended warranty.
15. For all of these reasons, it is alleged the JB Hi-Fi customers bought the extended warranties because they were mistaken about their value.
16. The JB Hi-Fi Class Action is seeking, among other things, a declaration that the extended warranties are void and compensation to reimburse group members for the cost of the extended warranties plus interest, as well as other remedies.
17. JB Hi-Fi denies the allegations and is defending the class action.
18. If the JB Hi-Fi Class Action is successful it means that the Court has found that your legal rights under the Australian Consumer Law are similar to or better than those under the extended warranty that JB Hi-Fi sold to you. If your extended warranty has not yet expired, you would not be able to rely on that warranty if something goes wrong with the consumer good(s) you purchased. This is because the Court will have found it is void and of no real value to you. However, you will be compensated for having purchased the warranty, and you would still be able to rely on your legal rights under the Australian Consumer Law, which you have for free.
19. The claim is detailed in the Further Amended Statement of Claim (FASOC) available on Maurice Blackburn’s website: <https://www.mauriceblackburn.com.au/jbhifi>

### **Am I a ‘group member’?**

20. If you purchased an extended warranty from JB Hi-Fi at any time between 1 January 2011 and 8 December 2023, you are covered by the JB Hi-Fi Class Action. These individuals are, or may be, group members.
21. If you purchased an extended warranty from JB Hi-Fi between 1 January 2011 and 8 December 2017, you are a group member if your claim falls within the exception to the time limit that applies to your claim.

## ANNEXURE A – SPECIFIC NOTICE

22. You may be a group member even if you have made a claim under your extended warranty or your extended warranty has expired.
23. The full group member definition is available on Maurice Blackburn’s website: <https://www.mauriceblackburn.com.au/jbhifi>
24. **We sent you this notice because JB Hi-Fi’s records show you may have bought at least one extended warranty during the Relevant Period and so you may be a group member.**

### **What do I have to do if I want to participate?**

- **You do not need to do anything** right now if you want to participate in the JB Hi-Fi Class Action.
- **If you do not want to participate** in the JB Hi-Fi Class Action (that is, you want to ‘opt out’), see the section ‘how do I opt out?’ below.

### **What does ‘opting out’ mean?**

25. If you do **not** want to participate in the JB Hi-Fi Class Action and you are a group member, you must opt out by **29 May 2026 at 4:00pm (AEST)**.
26. If you ‘opt out’ of the JB Hi-Fi Class Action:
  - a) **you will not be a group member** in this class action.
  - b) **you will not be able to claim any money** or have a right to share in any benefit of any order, judgment or settlement, and you will not be bound by any settlement or judgment.
  - c) you may be able to bring your own claims against the defendant, if you bring the case within the time limit that applies. If you want to bring your own claims against the defendant, you should seek independent legal advice about your claims and any time limits **before opting out**.
27. If you do not opt out, you will continue to be a group member and you will be bound by any settlement or judgment in the JB Hi-Fi Class Action. This includes potentially being eligible to share in any compensation from a settlement or judgment if the JB Hi-Fi Class Action is successful. This would also result in your extended warranty being declared void but you would retain your rights under the Australian Consumer Law.

### **How do I ‘opt out’?**

28. If you do **not** want to be a group member in the JB Hi-Fi Class Action, you must opt out of the class action by **29 May 2026 at 4:00pm (AEST)**. To opt out, you **must** submit the online opt out notice at the Supreme Court of Victoria website at: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/jb-hi-fi-class-action/opting-out>

## ANNEXURE A – SPECIFIC NOTICE

29. Opt out notices received after the deadline will not be effective, unless the Supreme Court of Victoria makes a further order.

### **Information about legal costs**

**Group members will never be ‘out of pocket’ by simply remaining a group member in the JB Hi-Fi Class Action.**

30. Any legal costs payable to Maurice Blackburn will be deducted from the amount of monetary compensation recovered for the group members through any successful settlement or judgment.
31. Legal costs paid to Maurice Blackburn will be 30% of any settlement or judgment sum recovered for group members. This means that 70% of any settlement or judgment sum (less settlement administration costs) will be distributed to the group members, unless the Court makes an order to vary the percentage or make further deductions. The Court ordered that costs be calculated in this way. This is called a ‘group costs order’.
32. The Court can vary the percentage of the group costs order at any time during the JB Hi-Fi Class Action, but if that occurs, the Court will consider the interests of group members, and group members will be notified of any change.
33. If there are any costs payable to JB Hi-Fi, the law requires Maurice Blackburn to pay these.
34. This means that group members will not have to pay any costs out of their own pocket regardless of the outcome of the JB Hi-Fi Class Action.

### **I need further information**

35. For more information, please visit:
  - (a) Maurice Blackburn’s website: <https://www.mauriceblackburn.com.au/jbhifi>
  - (b) The Supreme Court of Victoria’s website: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/jb-hi-fi-class-action>
36. Based on information provided by JB Hi-Fi, there may be more than 8 million group members in this proceeding. In accordance with the Court’s orders and to minimise costs for the benefit of all group members, a direct telephone hotline is not available. If you have a question, please read the information on Maurice Blackburn’s website. If you still have a question, you can submit it on Maurice Blackburn’s website: <https://www.mauriceblackburn.com.au/jbhifi>
37. Please note we will prioritise requests for information not included on our website or in this notice. We may not reply to requests for information that is available on our website or in this notice. If you have difficulties with technology, please ask a trusted family member or friend to help you.

## ANNEXURE A – SPECIFIC NOTICE

38. Alternatively, you can seek independent legal advice.
39. The Supreme Court of Victoria should **not** be contacted for advice, as it will be unable to assist you.
40. This notice was approved by the Supreme Court of Victoria and published pursuant to the Order made on 16 December 2025.

## ANNEXURE B – GENERAL NOTICE



### NOTICE TO JB HI-FI CLASS ACTION GROUP MEMBERS SUPREME COURT OF VICTORIA

**This notice is published by Order of the Supreme Court of Victoria**

The Supreme Court of Victoria ordered that this notice be published to tell group members about a class action in the Supreme Court of Victoria against JB Hi-Fi Group Pty Ltd (**JB Hi-Fi Class Action**).

The JB Hi-Fi Class Action is about extended warranties sold to consumers by JB Hi-Fi when consumers bought consumer goods such as electronics and home appliances, either online or in-store, between 1 January 2011 and 8 December 2023.

If you purchased an extended warranty from JB Hi-Fi between 1 January 2011 and 8 December 2023, you may be a group member in the JB Hi-Fi Class Action. You can read more information about the JB Hi-Fi Class Action and claims on Maurice Blackburn’s website here: <https://www.mauriceblackburn.com.au/jbhifi>

The JB Hi-Fi Class Action alleges that the JB Hi-Fi extended warranties had little or no value because customers already had the same rights for free under the Australian Consumer Law. The plaintiff alleges that group members suffered loss and damage as a result of JB Hi-Fi’s alleged conduct.

The plaintiff seeks compensation and other remedies on behalf of the group, including:

- a) a declaration that all JB Hi-Fi extended warranties purchased between 9 December 2017 and 8 December 2023 are void (i.e. are of no effect); and
- b) a refund to each consumer of what they paid for those extended warranties as well as interest on that refund.

JB Hi-Fi denies the allegations and is defending the class action.

If the JB Hi-Fi Class Action is successful it means that the Court has found that your legal rights under the Australian Consumer Law are similar to or better than those under the extended warranty that JB Hi-Fi sold to you. If your extended warranty has not expired, you would not be able to rely on that warranty if something goes wrong with the consumer good(s) you purchased because the Court will have found it is void and of no real value to you. However, you will be compensated for having purchased the warranty, and you would still be able to rely on your legal rights under the Australian Consumer Law, which you have for free.

**You do not need to do anything** right now if you want to participate in the JB Hi-Fi Class Action.

**If you do not want to participate in the JB Hi-Fi Class Action** and you are a group member (that is, you want to ‘opt out’) you must do so by **29 May 2026 at 4:00pm (AEST)**. To opt out you must submit the online opt out notice at the Supreme Court of Victoria website:

## ANNEXURE B – GENERAL NOTICE

<https://www.supremecourt.vic.gov.au/areas/group-proceedings/jb-hi-fi-class-action/opting-out>

Opt out notices received after the deadline will not be effective, unless the Court makes a further order. Visit our website for more information: <https://www.mauriceblackburn.com.au/jbhifi>

Any legal costs payable to Maurice Blackburn will be 30% of the amount of monetary compensation recovered for the group members through any successful settlement or judgment unless the Court makes an order to vary the percentage or make further deductions. The Court ordered that costs be calculated in this way. This is called a ‘group costs order’.

Group members will never have to pay ‘out of pocket’ legal costs simply by remaining a group member in the class action.

## ANNEXURE C – SPECIFIC EMAIL NOTICE

### RE: Court Notice about the JB Hi-Fi Class Action – Clarke v JB Hi-Fi

Dear [full name],

The Supreme Court of Victoria has ordered that you receive this notice because you may be a group member in the JB Hi-Fi Class Action. The JB Hi-Fi Class Action is about extended warranties sold with consumer goods such as electronics and home appliances, either online or in-store, between 1 January 2011 and 8 December 2023 (the **Relevant Period**).

JB Hi-Fi's records show that you purchased an extended warranty during the Relevant Period. This means you may be a group member.

Please read this notice carefully. You should also read the full Opt Out Notice here: [Insert link]

**You do not have to do anything right now if you want to participate in the JB Hi-Fi Class Action.**

If you do **not** want to participate, you must fill out the form [here](#).

**The deadline to opt out is 29 May 2026.**

If you opt out, you will not be eligible to claim money from any settlement or judgment in the JB Hi-Fi Class Action, and no part of any claim you may have will be determined by the JB Hi-Fi Class Action, but you may pursue any rights you may have independently.

You should also read the full Opt Out Notice available [here](#) **before you opt out.**

The JB Hi-Fi Class Action alleges that the JB Hi-Fi extended warranties had little or no value because customers already had the same rights for free under the Australian Consumer Law.

Among other things, the JB Hi-Fi Class Action asks the Court to:

- a) declare that all JB Hi-Fi extended warranties purchased between 9 December 2017 and 8 December 2023 are void (i.e. are of no effect); and
- b) to give each consumer a refund of what they paid for those extended warranties as well as interest on that refund.

JB Hi-Fi denies the allegations and is defending the class action.

If the JB Hi-Fi Class Action is successful it means that the Court has found that your legal rights under the Australian Consumer Law are similar to or better than those under the extended warranty that JB Hi-Fi sold to you. If your extended warranty has not expired, you would not be able to rely on that warranty if something goes wrong with the consumer good(s) you purchased because the Court will have found it is void and of no real value to you. However, you will be compensated for having purchased the warranty, and you would still be able to rely on your legal rights under the Australian Consumer Law, which you have for free.

Visit Maurice Blackburn's website for more information on the claims and for a copy of the full Opt Out Notice: <https://www.mauriceblackburn.com.au/jbhifi>

## ANNEXURE C – SPECIFIC EMAIL NOTICE

The links in this email are legitimate and safe to click. To confirm this notice's legitimacy, you can also visit the Supreme Court of Victoria's website here:

<https://www.supremecourt.vic.gov.au/areas/group-proceedings/jb-hi-fi-class-action>

The Proceeding Number for this class action is S ECI 2023 05830.

Kind regards,

[Maurice Blackburn JB Hi-Fi CA Team email signature]

## ANNEXURE D – SPECIFIC NOTICE SMS

The Supreme Court of Victoria ordered that you receive this notice because you may be a group member in the JB Hi-Fi Class Action about extended warranties sold between 1/1/2011 and 8/12/2023. The deadline to opt out if you don't want to participate is 29 May 2026. No action is required if you want to participate. Read the Opt Out Notice on the Court's website: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/jb-hi-fi-class-action>. To confirm, visit the Court's website by searching 'JB Hi-Fi group proceeding'.