

IN THE SUPREME COURT OF VICTORIA
COMMERCIAL COURT
GROUP PROCEEDINGS LIST

No. S ECI 2025 01120

BETWEEN:

JEREMY BERGMAN

Plaintiff

- and -

ENTAIN GROUP PTY LIMITED (ACN 151 956 768)

Defendant

ORDERS

JUDGE: The Honourable Justice Craig

DATE MADE: 27 July 2026

ORIGINATING PROCESS: Writ filed on 4 March 2025

HOW OBTAINED: By minutes of consent

ATTENDANCE: No attendance

OTHER MATTERS: A. This order is made pursuant to Rule 59.07(1) of the
Supreme Court (General Civil Procedure) Rules
2026 (Vic)
B. This order is authenticated by the Judge pursuant to
Rule 60.02(1)(b) of the *Supreme Court (General*
Civil Procedure) Rules 2025 (Vic)

THE COURT ORDERS THAT:

Notice and Opt Out

1. Pursuant to ss 33X(1)(a), 33X(5) and 33Y of the *Supreme Court Act 1986* (Vic) ('Act'), the form and content of the Opt Out Notice in Annexure A is approved.
2. The date by which a group member may opt out of this group proceeding, pursuant to s 33J(1) of the Act be fixed at **4.00pm on 8 October 2026** ('Opt Out Deadline').
3. For the purposes of s 33J(2) of the Act, each group member who wishes to opt out of this group proceeding must opt out by the Opt Out Deadline by:
 - (a) completing and submitting the Opt Out Notice in the form attached to Annexure A to this Order; or



- (b) completing and submitting the 'Online Opt Out Notice' through the Supreme Court of Victoria website <https://www.supremecourt.vic.gov.au/areas/group-proceedings/ladbroke-and-neds-class-action/ opting-out>.
4. Each group member who wishes to opt out of the group proceeding in accordance with paragraph 3 of this Order must complete the Opt Out Notice or the Online Opt Out Notice either:
- (a) by personally signing or personally affixing their electronic signature;
 - (b) by the group member's solicitor personally authorised to act on behalf of the group member personally signing or personally affixing their electronic signature as that group member's solicitor;
 - (c) in the case of an executor of an estate which is a group member, by the executor personally signing or personally affixing their electronic signature; or
 - (d) in the case of a person holding a power of attorney for a group member, by the attorney personally signing or personally affixing their electronic signature.
5. Unless an Opt Out Notice or Online Opt Out Notice is completed by or on behalf of a group member:
- (a) by that group member personally in accordance with paragraph 4(a) of this Order; or
 - (b) by a person in accordance with paragraphs 4(b)-(d) of this Order,
- any Opt Out Notice or Online Opt Out Notice otherwise received by the Court will not be treated as a valid and effective Opt Out Notice for the purposes of s 33J of the Act.
6. Pursuant to s 33Y of the Act, the Opt Out Notice be given to potential Group Members (as defined in the Amended Statement of Claim) on or before **4:00pm on 21 August 2026** ('Notice Date'), according to the following procedure:
- (a) during business hours between **9:00am on 18 August 2026** and **4:00pm on 4 September 2026**, the defendant will cause a link to the Opt Out Notice to be sent to potential Group Members as follows:
 - (i) by email under the cover of the email in Annexure B from a 'no-reply' email address to the email address on file for each potential Group Member; or
 - (ii) by SMS under the cover of the SMS in Annexure C to the mobile phone number on file for each potential Group Member.
 - (b) between **4:00pm on 17 August 2026** and **9:00am on 18 August 2026**, the solicitors for the plaintiff will cause the Opt Out Notice to be posted on its



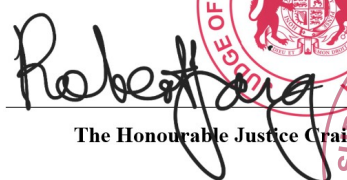
publicly available website until the Opt Out Deadline of **4:00pm on 8 October 2026**.

- (c) The Registry of the Supreme Court of Victoria will cause the Opt Out Notice to be posted on the Supreme Court of Victoria website between **9:00am on 18 August 2026** and **4:00pm on 19 August 2026**; and
 - (d) the solicitors for the plaintiff will cause a link to the Opt Out Notice to be sent to each person who has registered with Maurice Blackburn in respect of the proceeding by email.
- 7. The Opt Out Notice may be amended by the solicitors for the plaintiff before it is published or distributed in order to correct any typographical error, link, postal address, email address or telephone number.
 - 8. If the Opt Out Notice is amended in accordance with paragraph 7 of this Order, the solicitors for the plaintiff will provide a copy of the amended Opt Out Notice to the Commercial Court Registry of the Supreme Court of Victoria by **9:00am on 18 August 2026**.
 - 9. Within 14 days of the Notice Date, the defendant is to write to the solicitors for the plaintiff to confirm that the Opt Out Notice was distributed in accordance with paragraph 6.
 - 10. If, between the Notice Date and the Opt Out Deadline, the solicitors for any party receive an Opt Out Notice referable to this proceeding, the solicitors are to send such notice to the Commercial Court Registry of the Supreme Court of Victoria within 5 business days of receipt, together with a notation specifying the date on which the Opt Out Notice was received.
 - 11. An Opt Out Notice received within the meaning of paragraph 10 of this Order shall be treated as having been received by the Court at the time it was received by the solicitors, whichever is the earlier.
 - 12. The solicitors for any party be granted leave to inspect the Court file and copy any Opt Out Notice(s) received by the Court.

Costs

- 13. Each party is to bear its own costs of and incidental to the procedure set out in paragraph 6 above in the first instance, including addressing inquiries by potential Group Members and members of the public, but such costs are to be costs in the cause.

DATE AUTHENTICATED: 27 July 2026


The Honourable Justice Craig




Annexure A
SUPREME COURT OF VICTORIA
OPT OUT NOTICE TO GROUP MEMBERS



Neds/Ladbrokes Class Action
Bergman v Entain Group Pty Limited (S ECI 2025 01120)

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

The Supreme Court of Victoria has ordered that you receive this notice because you may be a group member in a class action in the Supreme Court of Victoria against Entain Group Pty Limited, which operates gambling and wagering services through the Neds and Ladbrokes brands.

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



You have two options:

OPTION A: Opt out

If you do not want to participate in the class action, you must 'opt out' by 8 October 2026 at 4:00pm (AEDT). If you opt out, you will not be bound by any settlement or judgment in the class action and you will not be entitled to claim any compensation through it. You can opt out by submitting this online form: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/ladbroskes-and-neds-class-action/optiong-out> OR you can fill out and return an 'Notice of Opting Out' to the Civil Registry of the Supreme Court of Victoria by email or post at the address on the form attached to this Notice.

OPTION B: Do nothing

If you do nothing, you will remain a group member in the class action and will be bound by any settlement or judgment. If the class action is successful, you may be entitled to claim compensation. The consequences of remaining a group member are set out in this notice under the heading "What does 'opting out' mean?" below.

You do not need to do anything now if you want to participate in the Neds/Ladbroskes Class Action.

You can register your interest in the Neds/Ladbroskes Class Action with Maurice Blackburn, the lawyers representing the plaintiff and group members, here: [Maurice Blackburn to insert link]. You do not have to register now but you might be required to register later if you want to claim compensation through the class action. Registering now will mean Maurice Blackburn can keep you up to date about the progress of the Neds/Ladbroskes Class Action, including any deadlines to register.

Am I a group member?

1. You are a group member in the Neds/Ladbroskes Class Action if you placed one or more live bets with Entain using a "Fast Code" from 4 March 2019 to 4 March 2025 (**Relevant Period**) (**Fast Code Bet**), and suffered loss or damage arising from bets with Entain using the Fast Code.
2. Entain's records show that you placed a live bet on a sporting event with Neds or Ladbroskes in the Relevant Period. If your live bet was a Fast Code Bet, you may be a group member in the Neds/Ladbroskes Class Action.
3. You are not a group member if you are (i) a Minister of the Commonwealth, a State or Territory; (ii) a judge, magistrate or other judicial officer of the Commonwealth, a State or Territory; or (iii) an officer or employee of Entain.

What is a class action?

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



What is the Neds/Ladbrokes Class Action about?

6. The Neds/Ladbrokes Class Action alleges that Entain's provision of a live gambling service using a Fast Code contravened the *Interactive Gambling Act 2001* (Cth). As a result, it claims that:
 - a. Entain has breached contracts between itself and Group Members and/or engaged in misleading or deceptive conduct in contravention of section 18 of the Australian Consumer Law. As a result, Entain is liable to pay compensation for loss or damage suffered by Group Members. The amount of compensation is the amount staked, and lost, by a group member on Fast Code Bets, less any amounts won by the group member on Fast Code Bets.
 - b. Alternatively, each contract under which a Fast Code Bet was made, which resulted in a loss to a Group Member (**Losing Bet Contract**), is void or unenforceable and Entain has been unjustly enriched. As a result, Entain is required to make restitution (refund) group members moneys paid to Entain pursuant to those Losing Bet Contracts. The amount of restitution (refund) is the amount staked, and lost, by a group member on Fast Code Bets, without deducting any winnings.
7. The class action does not seek compensation for other losses a person may have suffered because of in-play betting or gambling with Entain more generally.
8. Entain denies the allegations and is defending the claims.

What does "opting out" mean?

9. If you do not want to participate in this class action and you are a group member, you must opt out by **4.00pm (AEDT) on 8 October 2026**.
10. If you 'opt out' of the Neds/Ladbrokes 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 common to the class action against the defendant, if you bring the case within the time limit that applies.
11. You do not have to opt out to preserve your ability to bring any claims against Entain which are not common to the Neds/Ladbrokes Class Action. However, 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.
12. 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 class action. This includes potentially being eligible to share in any compensation from a settlement or judgment if the class action is successful.

Does it cost anything to be part of the class action or to opt out?

13. It does not cost anything to opt out of the Class Action.



14. Group members will never have to pay “out of pocket” legal costs simply by remaining a group member in the class action. The Supreme Court of Victoria has made a “group costs order” in this proceeding. This means that if there is a successful outcome in the Neds/Ladbroke’s Class Action, any legal costs payable to Maurice Blackburn will be calculated as 33% of the amount of monetary compensation recovered for the group members through any successful settlement or judgment.
15. If the class action is unsuccessful and the defendant’s costs need to be paid, Maurice Blackburn will pay those costs.
16. For more information, please visit
 - a. Maurice Blackburn’s website: <https://www.mauriceblackburn.com.au/class-actions/join-a-class-action/neds-ladbroke-class-action/>
 - b. The Supreme Court of Victoria’s website: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/ladbroke-and-neds-class-action>
17. Alternatively, you can seek independent legal advice.
18. The Supreme Court should not be contacted for legal advice.
19. This notice was approved by the Supreme Court and published pursuant to orders made on 27 July 2026.



Neds/Ladbrokes Class Action
Bergman v Entain Group Pty Limited (S ECI 2025 01120)

NOTICE OF OPTING OUT BY GROUP MEMBER

ONLY FILL IN THIS FORM IF YOU DO **NOT** WANT TO BE A GROUP MEMBER

If you would like to **opt out** of the Neds/Ladbrokes Class Action, you must complete this form online via the Supreme Court of Victoria website **OR** return this completed form to the Supreme Court of Victoria by email or by post, at the addresses on this form, by **4:00pm (AEDT) on 8 October 2026**.

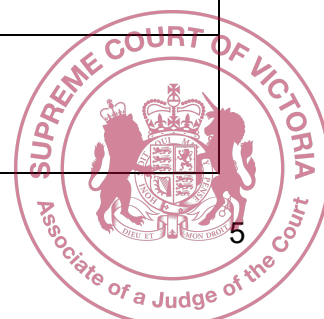
To: Civil Registry
Supreme Court of Victoria
210 William Street
Melbourne Victoria 3000
nedsladbrokesclassaction@supcourt.vic.gov.au

I, [print name], am
(select **one** option only)

- ☐ a group member;
- ☐ an Executor for the Estate of who is a group member;
- ☐ a power of attorney for who is a group member; or
- ☐ a solicitor acting for who is a group member.

in the above group proceeding, and give notice under section 33J(2) of the *Supreme Court Act 1986* that I am **opting out** of this proceeding (if a group member) or on behalf of the group member whom I represent (if I am a representative of that group member).

Date:	
Signature of group member, director of group member, Executor, power of attorney or solicitor for group member:	
Mobile telephone number of group member:	
Email address of group member:	
Postal Address of group member:	



Annexure B

RE: Court Notice about the Neds/Ladbroke's Class Action – Bergman v Entain

Dear [full name],

The Supreme Court of Victoria has ordered that you receive this notice because you may be a group member in the Neds/Ladbroke's Class Action. The Class Action is about Entain's use of Fast Codes.

You are a group member in the Neds/Ladbroke's Class Action if you placed one or more live bets with Entain using a "Fast Code" from 4 March 2019 to 4 March 2025 (**Relevant Period**) (**Fast Code Bet**), and suffered loss or damage arising from bets with Entain using the Fast Code.

Entain's records show that you made a live bet on a sporting event between 4 March 2019 to 4 March 2025 (**Relevant Period**). If your live bet was a Fast Code Bet, you may be a group member in the Neds/Ladbroke's Class Action.

Please read this notice carefully. You should also read the full Opt Out Notice here: [Maurice Blackburn to insert link]

You have two options:

OPTION A: Opt out

If you do not want to participate in the class action, you must 'opt out' by 8 October 2026 at 4:00pm (AEDT). If you opt out, you will not be bound by any settlement or judgment in the class action and you will not be entitled to claim any compensation through it. You can opt out by submitting this online form: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/ladbroke's-and-neds-class-action/optioning-out> OR you can follow the instructions set out in the full Opt Out Notice.

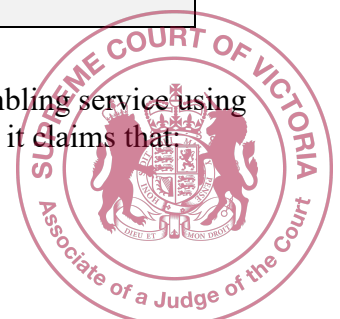
OPTION B: Do nothing

If you do nothing, you will remain a group member in the class action and will be bound by any settlement or judgment. If the class action is successful, you may be entitled to claim compensation. The consequences of remaining a group member are set out in this notice under the heading "What does 'opting out' mean?" below.

You do not need to do anything now if you want to participate in the Neds/Ladbroke's Class Action.

You can register your interest in the Neds/Ladbroke's Class Action with Maurice Blackburn, the lawyers representing the plaintiff and group members, here: [Maurice Blackburn to insert link]. You do not have to register now but you might be required to register later if you want to claim compensation through the class action. Registering now will mean Maurice Blackburn can keep you up to date about the progress of the Neds/Ladbroke's Class Action, including any deadlines to register.

The Neds/Ladbroke's Class Action alleges that Entain's provision of a live gambling service using a Fast Code contravened the Interactive Gambling Act 2001 (Cth). As a result, it claims that:



- (a) Entain has breached contracts between itself and group members and/or engaged in misleading or deceptive conduct in contravention of section 18 of the Australian Consumer Law. As a result, Entain is liable to pay compensation for loss or damage suffered by Group Members. The amount of compensation is the amount staked, and lost, by a group member on Fast Code Bets, less any amounts won by the group member on Fast Code Bets.
- (b) Alternatively, each contract under which a Fast Code Bet was made, which resulted in a loss to a Group Member (**Losing Bet Contract**), is void or unenforceable and Entain has been unjustly enriched. As a result, Entain is required to make restitution (refund) group members moneys paid to Entain pursuant to those Losing Bet Contracts. The amount of restitution (refund) is the amount staked, and lost, by a group member on Fast Code Bets, without deducting any winnings.

Entain denies the allegations and is defending the claim.

Visit Maurice Blackburn's website for more information on the claims: [\[Maurice Blackburn to insert link\]](#)

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 and search 'Ladbrokes and Neds class action'.

The Proceeding Number for this class action is S ECI 2025 01120.

Kind regards,

[\[Entain email signature\]](#)



Annexure C

The Supreme Court of Victoria has ordered that you receive this notice because you may be part of the Neds/Ladbroke's Class Action, which concerns Entain's use of Fast Codes for placing live bets on sporting events.

You do not have to do anything now if you want to stay in the Class Action.

If you do not want to participate, you must opt out by **8 October 2026**. You can opt out by submitting an online form <https://www.supremecourt.vic.gov.au/areas/group-proceedings/ladbroke-s-and-neds-class-action/ opting-out> .

Read the full Opt Out Notice for more information: [Maurice Blackburn to insert link]

The links in this SMS are safe to click. To confirm the legitimacy of this notice, visit the Supreme Court of Victoria's website.

