

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

S ECI 2021 00930

BETWEEN:

ZOEY ANDERSON-VAUGHAN

Plaintiff

- and -

**AAI LIMITED (ACN 005 297 807) & ORS (according to the
Schedule)**

Defendants

ORDER

JUDGE: The Honourable Justice Delany

DATE MADE: 12 March 2024

ORIGINATING PROCESS: Writ filed on 30 March 2021

HOW OBTAINED: At the opt out and registration hearing on 12 February 2024

ATTENDANCE: D Fahey, counsel for the plaintiff
D Thomas SC with J Findlay and H Atkin,
counsel for the defendants

OTHER MATTERS: A. The order made in paragraph 6 is made pursuant to the general power in s 33ZF of the *Supreme Court Act 1986* (Vic) ('Act') and the specific power in s 33J(2) of the Act.

B. The combined updated customer data provided by the defendants on 6 and 24 November 2023 is referred to as the 'Customer Data'.

THE COURT ORDERS THAT:

Trial

1. The proceeding is set down for trial on a date to be fixed not before **1 September 2024**.

Steps prior to trial



2. The proceeding is listed for directions on **22 March 2024** before Justice Delany unless by that time the parties have agreed upon a timetable for:
 - (a) the common questions to be determined at the trial to commence not before 1 September 2024;
 - (b) the filing and service of lay evidence;
 - (c) the filing and service of expert evidence; and
 - (d) the conduct of expert conclaves and joint reports by experts of like disciplines,with all evidence to be filed and served by no later than **18 June 2024** and with expert joint reports to be completed by **2 August 2024**.
3. By no later than **4:00pm** on **3 June 2024**, the plaintiff, after consultation with the defendants, is to file and serve a trial plan in the form of Annexure A to this Order, amended as necessary, to enable a firm trial date to be set.

Opt Out Deadline

4. The date by which a group member may opt out of this proceeding, pursuant to s 33J(1) of the *Supreme Court Act 1986* (Vic) ('Act'), be fixed at **4:00pm AEST** on **18 June 2024** ('Opt Out Deadline').

Completion of Opt Out Notices by Group Members

5. For the purposes of s 33J(2) of the Act, each group member who wishes to opt out of the group proceeding must opt out by the Opt Out Deadline by:
 - (a) completing and submitting the 'Opt Out Notice' in the form of Attachment B to Annexure B to this Order; or
 - (b) completing and submitting the 'Online Opt Out Notice' through the Supreme Court of Victoria website at: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/aai-limited/opting-out>.
6. Each group member who wishes to opt out of the group proceeding in accordance with paragraph 5 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) in the case of a corporation who is a group member, by a director of the corporation personally signing or personally affixing their electronic signature;
 - (c) 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;



- (d) 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
 - (e) 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.
7. Unless an Opt Out Notice or Online Opt Out Notice is completed by or on behalf of a group member by that group member personally in accordance with paragraph 6(a) of this Order, or by a person in accordance with paragraphs 6(b)-(e) 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.

Registration Deadline

8. The date by which a group member may register their claim be fixed at **4:00pm AEST on 18 June 2024** ('Registration Deadline').
9. The solicitors for the plaintiff will make an online registration process available on their website for potential group members ('Online Registration').
10. Pursuant to s 33ZG of the Act, any group member who wishes to participate in any distribution of any in-principle settlement of this proceeding reached prior to the commencement of trial (subject to Court approval) must register their claim by the Registration Deadline by:
- (a) completing and submitting the 'Registration Form' by post or email to the plaintiff's solicitors, Maurice Blackburn, in the form of Attachment A to Annexure B to this Order;
 - (b) completing and submitting the Online Registration through the 'AAI & MTA class action' website at <https://www.mauriceblackburn.com.au/class-actions/join-a-class-action/aai-car-dealer-add-on-insurance-class-action/>; or
 - (c) signing a retainer agreement with the plaintiff's solicitors, Maurice Blackburn, before the Registration Deadline,
- (the 'Registered Group Members').
11. For the avoidance of doubt, group members who have registered their claim with Maurice Blackburn before the date of this Order are taken to be Registered Group Members.
12. For the avoidance of doubt, failure by a group member to provide all the information requested on the Registration Form will not render the group member's registration invalid provided the group member is identifiable as such based on the information provided.
13. Pursuant to ss 33ZF and 33ZG of the Act, subject to further order, only Registered Group Members shall be entitled to any relief or payment arising from an agreement to settle the proceedings where that agreement is reached at any time between the date of these orders and the commencement of the trial referred to in paragraph 1 of this Order and the agreement is subsequently approved by the Court. Any group member who by



the Registration Deadline has not opted out, and who is not a Registered Group Member, will remain a group member for all purposes of this proceeding (including for the purpose of being bound by any judgment in this proceeding and being entitled to participate in any award of damages by the Court) but will not, without the leave of the Court, be permitted to seek any benefit pursuant to any such settlement (subject to Court approval) of this proceeding but will be bound by the terms of any settlement agreement approved by the Court in respect of such a settlement.

Notice of Opt Out and Registration

14. Pursuant to ss 33X(1)(a) and (5) and 33Y of the Act, the form and content of the opt out and registration notice ('Notice'), correspondence for the main round of notices ('Main Round Correspondence') and reminder notices ('Reminder Correspondence') and newspaper advertisement ('Advertisement') set out in Annexures B to E respectively to this Order are approved.
15. Pursuant to s 33Y of the Act, the Notice be given to group members according to the following procedure:

Main round

- (a) During business hours between **26 March 2024** ('Notice Date') and **9 April 2024**, Maurice Blackburn shall send the Notice (or instruct Computershare Communication Services Pty Limited ('Computershare') in the case of prepaid ordinary post) under the cover of the Main Round Correspondence:
 - (i) by email to each person in the Customer Data at that person's email address, to the extent that an email address associated with that person is specified in the Customer Data; and
 - (ii) by SMS to each person in the Customer Data to that person's mobile phone number, to the extent that a mobile phone number associated with that person is specified in the Customer Data; or
 - (iii) by prepaid ordinary post to each person in the Customer Data to that person's postal address for whom the Customer Data does not include an email address or mobile phone number, and to the extent that a postal address associated with that person is specified in the Customer Data; and

Reminder notices

- (b) During business hours between **21 May 2024** and **4 June 2024**, Maurice Blackburn shall send the Notice under the cover of the Reminder Correspondence:
 - (i) by email to each person in the Customer Data at that person's email address, to the extent that an email address associated with that person is specified in the Customer Data, but excluding:
 - (A) any Registered Group Members; and



- (B) any persons whereby Maurice Blackburn received a ‘bounce-back’ notification from the associated email address from the distribution of notices in the main round; and
- (ii) by SMS to each person in the Customer Data to that person’s mobile phone number, to the extent that a mobile phone number associated with that person is specified in the Customer Data, but excluding:
 - (A) any Registered Group Members; and
 - (B) any persons whereby Maurice Blackburn received a ‘bounce-back’ notification from the associated mobile phone number from the distribution of notices in the main round.
- (c) The subject line of the email shall be ‘Court Notice regarding AAI & MTA Add-On Insurance Class Action (S ECI 2021 00930)’.
- (d) Where:
 - (i) subject to 15(d)(iii) below, an email is not delivered and a ‘bounce-back’ notification is received by Maurice Blackburn, Maurice Blackburn shall send the Notice by SMS or prepaid ordinary post as the case may be, to the mobile phone number or postal address in the Customer Data for that group member within 10 business days of that bounce-back notification;
 - (ii) subject to 15(d)(iii) below, an SMS is not delivered and a ‘bounce-back’ notification is received by Maurice Blackburn, Maurice Blackburn shall send the Notice by email or prepaid ordinary post as the case may be, to the email address or postal address in the Customer Data for that group member within 10 business days of that bounce-back notification; and
 - (iii) a group member is sent both an email and a text Notice (i.e. dual distribution), and only one of those delivery methods fails and a ‘bounce-back’ notification is received by Maurice Blackburn, Maurice Blackburn is not required to send the Notice again via an alternative method per 15(d)(i) or 15(d)(ii) above, as the case may be.
- (e) By the Notice Date, Maurice Blackburn shall cause the Notice to be posted on its website until the Registration Deadline.
- (f) The Commercial Court Registry of the Supreme Court of Victoria shall cause the Notice to be posted on the Supreme Court of Victoria website and be available for inspection at the Commercial Court Registry by the Notice Date.
- (g) Maurice Blackburn shall cause the Advertisement to be published once in each of the following newspapers by the between **26 March 2024** and **9 April 2024**:
 - (i) the Adelaide Advertiser;
 - (ii) the Age;
 - (iii) the Australian;



- (iv) the Courier Mail;
 - (v) the Canberra Times;
 - (vi) the Mercury;
 - (vii) the Northern Territory News;
 - (viii) the Sydney Morning Herald; and
 - (ix) the West Australian.
16. The Notice, Main Round Correspondence and Reminder Correspondence may be amended by Maurice Blackburn before it is sent or published and without any further approval of the Court in order to correct any typographical error or any email, website, postal address or telephone number details.
17. If the Notice is amended by Maurice Blackburn in accordance with paragraph 16 of this Order, Maurice Blackburn shall provide a copy of the amended Notice to the Commercial Court Registry of the Supreme Court of Victoria by **4:00pm** on **20 March 2024**, being 6 days before the Notice Date.

Receipt of Opt Out and Registration Notices

18. If, between the Notice Date and the Opt Out Deadline, the solicitors for any party, the defendants, or Computershare receives a notice from a group member purporting to be an opt out notice referable to this proceeding, they shall provide a copy of that notice to the Commercial Court Registry of the Supreme Court of Victoria within 14 days of receipt of the notice 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, the defendants or Computershare, as relevant.
19. The parties have leave to inspect the Court file and copy any opt out notices filed.
20. By **4:00pm** on each of **28 May 2024** and **2 July 2024**, the solicitors for the plaintiff must deliver to the solicitors for the defendants (in electronic form), a list of Registered Group Members, which list shall contain a unique identification number for each Registered Group Member.

Costs

21. The costs of and incidental to sending the Notice (including any disbursements incurred) shall be paid by the plaintiff and defendants in equal shares, but on the basis that those costs will subsequently fall to be costs in the proceeding.
22. For the avoidance of doubt, addressing inquiries by group members and members of the public in relation to the Notice is work that is incidental to the Notice.
23. The costs of the application are otherwise reserved.

Mediation



24. The proceeding is referred to judicial mediation by an Associate Judge or a Judicial Registrar, such mediation not before **9 July 2024**.
25. The mediation must be attended by those persons who have the ultimate responsibility for deciding whether to settle the dispute and the terms of any settlement and the lawyers who have ultimate responsibility to advise the parties in relation to the dispute and its settlement.
26. No later than five business days before the date appointed for the mediation, each party is to notify ADRCentre@supcourt.vic.gov.au with the names and contact details of all persons expected to attend the mediation, including in the case of a virtual mediation listing, the email addresses of each attendee requiring a link.
27. If the mediation cannot proceed on the listed date (as advised by the Court's ADR Centre to the parties), the parties are to advise the ADR Centre by email to ADRCentre@supcourt.vic.gov.au as soon as it is known that the mediation cannot proceed.
28. In advance of any anticipated non-compliance with the timetable set by this Order, the parties are to:
 - (a) confer with respect to amendments to the timetable; and
 - (b) email the Associate to Justice Delany to explain the reason that further time may be required and provide draft minutes of order addressing a revised timetable.

DATE AUTHENTICATED: 12 March 2024



The Hon. Justice Delany

SCHEDULE OF PARTIES

Anderson-Vaughan, Zoey

Plaintiff

- and -

AAI Limited (ACN 005 297 807)

First Defendant

TAL Life Limited (ACN 050 109 450)

Second Defendant

MTA Insurance Pty Ltd (ACN 070 583 701)

Third Defendant

ANNEXURE A

TRIAL PLAN

Plaintiff's opening		
Defendant's opening		
Name of plaintiff witness	Time required for XN	Time required for XXN
Lay		
[insert witness names]		
Expert		
[insert witness names]		
Name of defendant witness	Time required for XN	Time required for XXN
Lay		
[insert witness names]		
Expert		
[insert witness names]		
Plaintiff's closing		
Defendant's closing		
Trial total (days)		

ANNEXURE B

Class Action ID: [insert]



SUPREME COURT OF VICTORIA

NOTICE TO GROUP MEMBERS: OPT OUT OR REGISTRATION

AAI & MTA CLASS ACTION

Zoey Anderson-Vaughan v AAI Limited & Ors
(Proceeding number: S ECI 2021 00930)

IMPORTANT NOTICE

The Supreme Court of Victoria has ordered that you receive this notice because you may be a group member in the AAI & MTA Class Action about add-on insurance sold in car dealerships. **The defendants' records show that you purchased and paid premiums for the product/s listed on the next page of this notice.**

You have three options:

- a) If you want to be eligible to claim money if there is a settlement before the trial, **you must register by 4:00pm on 18 June 2024 (AEST).**
- b) If you do not want your rights determined by the class action, **you must opt out by 4:00pm on 18 June 2024 (AEST).** If you opt out, you will not be eligible to claim money from any settlement of or judgment in the AAI & MTA Class Action, and no part of any claim you may have will be determined by the AAI & MTA Class Action, but you may pursue such rights as you may have independently.
- c) **Do nothing** and you will remain a group member in the class action but you **will not** be eligible to claim any money if there is a settlement before the trial, unless the Court makes a further order.

THIS NOTICE IS SENT BY ORDER OF THE SUPREME COURT OF VICTORIA.

IT IS IMPORTANT THAT YOU READ THIS NOTICE CAREFULLY BECAUSE IT MAY AFFECT YOUR LEGAL RIGHTS.

1. WHAT IS THIS NOTICE?

1. The purpose of this notice is to inform you of the **AAI & MTA Class Action** about **add-on insurance products sold in car dealerships**. The class action is in the Supreme Court of Victoria against AAI Limited, MTA Insurance Pty Limited (both companies in the Suncorp Group) and TAL Life Limited (the **defendants**). The plaintiff representing the class is Zoey Anderson-Vaughan. The lawyers for the plaintiff are Maurice Blackburn Lawyers.
2. The class action relates to the following types of **add-on insurance products** issued by the defendants and sold in car dealerships:
 - a. **Loan Protection Insurance;**
 - b. **Equity or Equity Plus Insurance;**
 - c. **Cash Benefit Insurance;**
 - d. **Extended Vehicle Warranty Insurance;**
 - e. **Tyre & Rim Insurance.**

2. WHY ARE YOU GETTING THIS NOTICE?

3. The defendants were required by Court-order to provide Maurice Blackburn with customer information relevant to the class action.
4. **The defendants' records show that you purchased and paid premiums for the following add-on insurance products relevant to this class action:***

Type of product	Date product purchased

5. **Therefore, you may be a Group Member in the class action and you may be entitled to compensation if the class action is successful.**
6. The rest of this notice provides important information about the class action and your options, including how to register, if you are a Group Member. Your options are explained below under the heading 'What are your options?'
7. **You should read this notice carefully.** If you have any questions about the notice, they should *not* be directed to the Court. Please seek independent legal advice or contact Maurice Blackburn (see section 8 below).

3. WHAT IS A CLASS ACTION?

8. A class action is a type of legal proceeding in which the claims of a group of persons (the group members) are brought in a single proceeding.
9. A class action is brought by one or more persons (the plaintiffs) on behalf of the group members. Unless a group member opts out, they are automatically covered by the class action even if they did not take any active steps to join it before it was commenced.

4. WHAT IS THE AAI & MTA CLASS ACTION?

* For a small number of people, this table may not include all policy purchases. These people may also receive more than one notice, if multiple email addresses were provided for the policies. These issues do not impact eligibility for the class action. Eligibility will be determined at a later stage.

10. The plaintiff commenced the AAI & MTA Class Action on 30 March 2021.
11. The class action relates to **add-on insurance products** issued by one or more of the defendants and sold in car dealerships.
12. The plaintiff makes a number of allegations, including that the defendants engaged in **misleading or deceptive conduct** and made **false or misleading representations** in relation to the sale of the products to the plaintiff and Group Members. The plaintiff says that, as a consequence of the defendants' alleged conduct, the plaintiff and Group Members suffered **loss or damage**.
13. The plaintiff seeks damages to compensate each Group Member (as well as other types of relief).
14. The defendants deny the allegations and are defending the class action.

5. ARE YOU A GROUP MEMBER?

15. Group Members in the AAI & MTA Class Action include persons who, at any time between 1 May 2006 and 30 June 2018:

(a)	purchased or leased a vehicle from a car dealer using a loan arranged by the car dealer;
(b)	in connection with the above, also purchased at least one of the following add-on insurance products issued by one or more of the defendants: <ul style="list-style-type: none"> - Loan Protection Insurance or Commercial Loan Protection Insurance; - Equity or Equity Plus Insurance; - Cash Benefit Insurance; - Extended Vehicle Warranty Insurance; - Tyre & Rim Insurance;
(c)	by reason of the above purchases, made payments to any of the defendants (directly or indirectly);
(d)	suffered loss or damage by reason of the alleged contravening conduct of the defendants

16. In addition to the above requirements, for persons who purchased add-on insurance products prior to 30 March 2015, you are a Group Member if your claim falls within the exception to the statutory limitation period applicable to your claim.
17. The full Group Member definition is available on Maurice Blackburn's website: [[insert link to FASOC](#)].
18. **We are sending you this notice because the defendants' records show that you purchased at least one add-on insurance product relevant to the class action, and therefore you may be a Group Member.**

6. WHAT ARE YOUR OPTIONS?

19. If you are a Group Member, you have three options, which are set out in detail below.

Option 1 - Register

If you want to be eligible to claim money if there is a settlement before the trial, **you must register by 4:00pm on 18 June 2024 (AEST).**

How do I register?

You may register your claim by:

- completing the online registration form with Maurice Blackburn Lawyers at: <https://classaction.mauriceblackburn.com.au/aaiaaddoninsurance>; OR
- completing the '**registration form**' in **Attachment A** below and sending it to Maurice Blackburn (who are acting for the plaintiff in the AAI & MTA Class Action).

If you have **already registered** on Maurice Blackburn's website for the AAI & MTA Class Action, you do not need to register again.

If you are unsure whether you have already registered your claim, you may contact Maurice Blackburn using the contact details in section 8 below.

What are the consequences of registering and not registering?

If you **register**, and the parties **agree to settle** before the trial of the AAI & MTA Class Action and the settlement is approved by the Court, then you might be eligible to claim money in that settlement and will be bound by the terms of that settlement. There is no guarantee that the proceeding will settle before trial or at all, but if a settlement is agreed before trial and compensation is payable to Group Members, **you can only be eligible to receive compensation if you register by 4:00pm on 18 June 2024 (AEST).**

If you **do not register**, you will not be eligible to receive any compensation if a pre-trial settlement occurs.

If you **register**, and the parties **do not agree to settle** the AAI & MTA Class Action before trial, then the class action will proceed to trial and you will remain a Registered Group Member. You will be bound by the result of the trial. You might be eligible to claim money in any subsequent settlement or judgment decided in favour of the plaintiff.

Option 2 - Opt out

If you are a Group Member and do **not** want your rights to be determined by this class action **you must opt out** by **4:00pm on 18 June 2024 (AEST)**.

What does opting out mean?

If you choose to 'opt out':

- **you will cease to be a Group Member** in the AAI & MTA Class Action;
- you will not be entitled to share the benefit of any order, judgment or settlement in favour of the plaintiff and Group Members in the AAI & MTA Class Action;
- you may be at liberty to bring your own claims against one or more of the defendants, provided that you file Court proceedings within the time limit applicable to your claims. **If you want to bring your own claims against one or more of the defendants, you should seek your own independent legal advice about your claims and any time limits before opting out.**

How can you opt out?

If you **do not** want to remain a Group Member in the AAI & MTA Class Action, you must opt out of the class action by **no later than 4:00pm on 18 June 2024 (AEST)** by:

- completing the online opt out notice at the Supreme Court of Victoria website at: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/aai-limited/opting-out>; OR
- completing an '**opt out notice**' in the form shown at **Attachment B** below and returning the completed notice to the Registry of the Supreme Court of Victoria at the address on the form.

Each Group Member who wants to opt out must complete their own separate form.

Opt out notices received after 4:00pm on 18 June 2024 (AEST) will not be effective, unless the Court makes a further order.

Option 3 - Do nothing

If you are a Group Member and you decide **not to opt out and do not register**:

- You will **not** be entitled to receive any compensation if there is a settlement before trial, unless the Court makes an order permitting you to participate.
- You may lose your right to seek monetary relief from the defendants in relation to the same (or similar) claims alleged in the AAI & MTA Class Action if there is a settlement before trial.
- You may be given another opportunity to register in the future, but not in relation to a settlement reached before trial. If, following a trial, the judgment concludes that Group Members may be entitled to receive compensation, then you may be eligible to receive compensation.
- If the AAI & MTA Class Action does not result in a settlement before trial, you will be bound by any final judgment determined at trial.

7. INFORMATION ABOUT COSTS

No Group Member will ever be “out of pocket” simply by remaining a Group Member in the AAI & MTA Class Action.

No ‘out of pocket’ costs for Group Members

20. If the class action is **unsuccessful**, Group Members will not be liable to pay any legal costs at all.
21. If the class action is **successful** (that is, if any monetary compensation is recovered from the defendants by judgment or settlement), Group Members will not have to pay any costs out of their own pockets. Any legal costs that are payable to Maurice Blackburn will be deducted from, and will not exceed, the amount of monetary compensation recovered for the Group Members.

What will happen with legal costs?

22. If the class action is successful, the legal costs payable to Maurice Blackburn will be calculated as 25% of any settlement or judgment sum recovered for Group Members. This means that 75% of any settlement or judgment sum will be distributed to the Group Members, unless the Court makes an order to vary the percentage. This is called a “group costs order” and it was approved by the Court.
23. The Court may vary the percentage at any time during the class action, but if that occurs the Court will take into account the interests of Group Members in any re-assessment, and Group Members will be notified of any change.
24. If there are any costs payable to the defendants in the class action, the law requires Maurice Blackburn to pay these.
25. This means that Group Members will not have to pay any costs out of their own pocket regardless of the outcome of the class action.

8. WHERE CAN YOU OBTAIN FURTHER INFORMATION?

26. For more information about the class action, please see relevant documents on:
- a. Maurice Blackburn's website: <https://www.mauriceblackburn.com.au/class-actions/join-a-class-action/aai-car-dealer-add-on-insurance-class-action/>
 - b. the Supreme Court of Victoria website: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/aai-limited/opting-out>.
27. If there is anything in this notice of which you are unsure, you can:
- a. contact Maurice Blackburn on 1800 571 256 or aai_addonclassaction@mauriceblackburn.com.au
 - b. seek independent legal advice.
28. The Supreme Court should **not** be contacted for legal advice.
29. This notice was approved by the Supreme Court and published pursuant to Orders made on 12 March 2024.
30. **You should not delay in making any decision to register or opt out or seek further advice.**

ATTACHMENT A

NOTICE OF REGISTRATION BY GROUP MEMBER

AAI CLASS ACTION – Proceeding No. S ECI 2021 00930

Zoey Anderson-Vaughan v AAI Limited & Ors

OPTION 1: NOTICE OF REGISTRATION BY GROUP MEMBER

ONLY COMPLETE THIS FORM IF YOU WANT TO **REGISTER** FOR THE AAI & MTA CLASS ACTION. IF YOU REGISTER, YOU MAY BE ELIGIBLE TO CLAIM MONEY IF THERE IS A SETTLEMENT BEFORE THE TRIAL.

IF YOU WANT TO **OPT OUT** YOU MUST COMPLETE THE ONLINE OPT OUT NOTICE OR OPT OUT NOTICE. SEE **OPTION 2 - OPT OUT**.

REGISTRATION FORM - you must complete and send this form to Maurice Blackburn by email to aai_addonclassaction@mauriceblackburn.com.au or by post to Level 29 Liberty Place, 161 Castlereagh St, Sydney, NSW 2000) by **4:00pm on 18 June 2024 (AEST)**

Date	
First Name	
Surname	
If you <i>received</i> a Notice via email, text message or post	a) your "Class Action ID" number (located in the top left corner of the 1 st page of your Notice: <u>OR</u> b) the email address, mobile number, or postal address that received your Notice:
If you <i>did not receive</i> a Notice via email, text message or post, your <i>postal address</i> at the time you purchased the add-on insurance in a car dealership	

Current email address (if different to the above)	
Current mobile (if different to the above)	
Company name (<i>only</i> if your add-on insurance was purchased under a company name)	

OR, you can register your claim on Maurice Blackburn's website:
<https://classaction.mauriceblackburn.com.au/aaiaaddoninsurance>

ATTACHMENT B

NOTICE OF OPTING OUT BY GROUP MEMBER

AAI & MTA CLASS ACTION – Proceeding No. S ECI 2021 00930

Zoey Anderson-Vaughan v AAI Limited & Ors

OPTION 2: NOTICE OF OPTING OUT BY GROUP MEMBER

ONLY COMPLETE THIS FORM IF YOU WANT TO **OPT OUT** OF THE AAI & MTA CLASS ACTION. IF YOU OPT OUT, YOU WILL **NO LONGER** BE A GROUP MEMBER.

IF YOU WANT TO **REGISTER** YOU MUST COMPLETE THE **OPTION 1 - REGISTRATION**.

THIS FORM MAY ONLY BE COMPLETED BY A GROUP MEMBER PERSONALLY, OR BY A DIRECTOR OF A COMPANY WHICH IS A GROUP MEMBER, A PERSON WHO IS AN EXECUTOR OF AN ESTATE OF A PERSON WHO IS A GROUP MEMBER, A POWER OF ATTORNEY OF A PERSON WHO IS A GROUP MEMBER OR A SOLICITOR ACTING FOR A GROUP MEMBER.

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

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

- a group member;
- a director of [company].....which is a group member;
- an Executor for the Estate of [print name].....who is a group member;
- a power of attorney for [print name].....who is a group member; or
- a solicitor acting for [print name].....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.

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

If you would like to opt out of the AAI & MTA Class Action, please 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 on 18 June 2024 (AEST).**

ANNEXURE C - Main Round Correspondence

Email to group members - main round

Subject: Court Notice regarding AAI & MTA Add-On Insurance Class Action (S ECI 2021 00930)

Email text:

Dear [name]

You have been identified as a potential group member in the AAI & MTA Class Action, which relates to add-on insurance products sold in car dealerships. The deadline to **register** to claim money from any pre-trial settlement or to **opt out**, is **4:00pm on 18 June 2024 (AEST)**.

What to do?

1. **Read your notice** in the following link: [URL TBC]. The notice includes details of **the product/s which the defendants' records show that you purchased**. The Supreme Court of Victoria has ordered Maurice Blackburn Lawyers to send this notice to you via email. However, if you do not want to click on the link, you can visit the above websites for a copy of the generic notice (but that generic notice will not have information about the products you purchased).
2. If you want to be eligible to claim money if the class action settles before the trial, you **must register by 4:00pm on 18 June 2024 (AEST)**:
 - **on Maurice Blackburn's website:**
<https://classaction.mauriceblackburn.com.au/aaiaaddoninsurance>; or
 - **by completing the registration form in the notice and returning it to Maurice Blackburn.**
3. If you do not want your rights determined by the class action, you **must opt out by 4:00pm on 18 June 2024 (AEST)**.
4. If you **do nothing**, you will remain a group member in the class action but you **will not** be eligible to claim any money if there is a settlement before the trial, unless the Court makes a further order.

The notice contains additional detail in relation to the AAI & MTA Class Action and your options.

If you wish to **confirm this is legitimate**, visit the websites of Maurice Blackburn or the Victorian Supreme Court, which have information about the class action and this notice.

You can do this by searching: **AAI & MTA class action + Maurice Blackburn or Supreme Court of Victoria**. Or, click one of these links:

- **Maurice Blackburn:** <https://www.mauriceblackburn.com.au/class-actions/join-a-class-action/aai-car-dealer-add-on-insurance-class-action/>
- **The Supreme Court:** <https://www.supremecourt.vic.gov.au/areas/group-proceedings/aai-limited/opting-out>

Any questions?

Contact Maurice Blackburn on:

- aai_addonclassaction@mauriceblackburn.com.au; or
- 1800 571 256.

Please note: You might have received a similar notice in relation to the *Flex Commissions* class actions, which are also being conducted by Maurice Blackburn. This is a different class action. If you want to be eligible to claim money if there is a settlement before the trial in this case, you will need to register by the deadline.

Please read the notice carefully as it contains information that may impact your legal rights.

SMS to group members - main round

You have been identified as a potential group member in the AAI & MTA Class Action regarding add-on insurance sold at car dealerships. The deadline to register to claim money from any pre-trial settlement or to opt out is 4:00pm on 18 June 2024 (AEST).

Your notice, containing details of the products you purchased, can be accessed here: [\[link\]](#).

Confirm this is legitimate and that it is safe to click this link by searching: AAI & MTA class action + Maurice Blackburn or Supreme Court of Victoria. Then visit the website of Maurice Blackburn Lawyers or the Supreme Court of Victoria.

ANNEXURE D - Reminder Notice Correspondence

Email to group members - reminder

Subject: Reminder of Court Notice regarding AAI & MTA Add-On Insurance Class Action (S ECI 2021 00930)

Email text:

Dear [name]

On [date], we emailed notifying that you had been identified as a potential group member in the AAI & MTA Class Action, which relates to add-on insurance products sold at car dealerships.

This is a reminder that the deadline to register to claim money from any pre-trial settlement or to opt out is **4:00pm on 18 June 2024 (AEST)**.

We **re-provide** your notice in the following link [URL TBC], which includes details of the **product/s which the defendants' records show that you purchased**. If you do not want to click on the link, you can visit the following websites for a copy of the generic notice (but that generic notice will not have information about the products you purchased):

- **Maurice Blackburn:** <https://www.mauriceblackburn.com.au/class-actions/join-a-class-action/aai-car-dealer-add-on-insurance-class-action/>
- **The Supreme Court:** <https://www.supremecourt.vic.gov.au/areas/group-proceedings/aai-limited/opting-out>

You can also search: **AAI & MTA class action + Maurice Blackburn** to visit the websites of Maurice Blackburn or the Victorian Supreme Court.

If you want to be eligible to claim money if the class action settles before the trial, you **must register by 4:00pm on 18 June 2024 (AEST)**:

- a) on **Maurice Blackburn's website:**
<https://classaction.mauriceblackburn.com.au/aaiaddoninsurance>; or
- b) by completing the registration form in the notice and returning it to Maurice Blackburn.

If you do not want your rights determined by the class action, you **must opt out by 4:00pm on 18 June 2024 (AEST)**.

If you **do nothing**, you will remain a group member in the class action but you **will not** be eligible to claim any money if there is a settlement before the trial, unless the Court makes a further order.

The notice contains additional detail in relation to the AAI & MTA Class Action and your options.

Contact Maurice Blackburn if you have any questions on:

- aai_addonclassaction@mauriceblackburn.com.au; or
- 1800 571 256.

Please read the notice carefully as it contains information that may impact your legal rights.

SMS to group members - reminder

On [date], we notified you that you had been identified as a potential group member in the AAI & MTA Class Action regarding add-on insurance sold at car dealerships.

This is a reminder that the deadline to register to claim money from any pre-trial settlement or to opt out is 4:00pm on 18 June 2024 (AEST).

Your notice, containing details of the products you purchased, can be accessed here: [link].

Confirm this is legitimate and that it is safe to click this link by searching: AAI & MTA class action + Maurice Blackburn or Supreme Court of Victoria. Then visit the website of Maurice Blackburn Lawyers or the Supreme Court of Victoria.

ANNEXURE E

NOTICE TO GROUP MEMBERS – SUPREME COURT OF VICTORIA

AAI & MTA CLASS ACTION (PROCEEDING NO: S ECI 2021 00930)

The Supreme Court of Victoria has ordered that this notice be published to notify persons who might have claims affected by a class action (**AAI & MTA Class Action**) brought against AAI Limited, MTA Insurance Pty Ltd and TAL Life Limited (the **defendants**). The class action relates to **add-on insurance products** issued by one or more of the defendants and sold in car dealerships.

The plaintiff commenced the class action on her own behalf and on behalf of group members. The class action is being conducted by Maurice Blackburn Lawyers.

Group members include persons who, at any time between **1 May 2006 and 30 June 2018** (inclusive):

- purchased a **vehicle** from a car dealership, using a **loan** arranged by the car dealer; and
- in connection with the above, also purchased at least one of the following **add-on insurance products** issued by one or more of the defendants:
 - **Loan Protection Insurance or Commercial Loan Protection Insurance;**
 - **Equity or Equity Plus Insurance;**
 - **Cash Benefit Insurance;**
 - **Extended Vehicle Warranty Insurance;**
 - **Tyre & Rim Insurance.**

The AAI Class Action involves a number of allegations, including that the defendants engaged in misleading or deceptive conduct in relation to the sale of the products to the plaintiff and group members. The plaintiff alleges that as a consequence of the defendants' alleged conduct, the plaintiff and group members suffered loss or damage.

Compensation and damages are sought against the defendants. The defendants deny the allegations and are defending the class action.

If you purchased one or more of the add-on insurance products listed above, you may be a group member of this class action and may be able to claim compensation.

If you are a group member and you want to be eligible to participate in any pre-trial settlement, you must register your claim by 4:00pm on 18 June 2024 (AEST).

If you are a group member and you do not want your rights determined by this class action, you must **Opt Out** by **4:00pm on 18 June 2024 (AEST)**.

If you choose not to register and not to opt out, you do not need to take any action at this time.

Group members will not have to pay any legal costs out of their own pocket simply by remaining a group member in the class action.

For further information, including details of how to **register** or **opt out**, and to obtain a copy of the **Long Form Notice**, please visit either:

- the Supreme Court's website: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/aai-limited/opting-out>.
- Maurice Blackburn's website: <https://www.mauriceblackburn.com.au/class-actions/join-a-class-action/aai-car-dealer-add-on-insurance-class-action/>

If you have any questions in relation to the notice, please contact Maurice Blackburn on 1800 571 256 or aai_addonclassaction@mauriceblackburn.com.au.

You should read the Long Form Notice before deciding whether or not to register for or opt out of the AAI & MTA Class Action.