

**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: 5 July 2024

ORIGINATING PROCESS: Writ filed on 30 March 2021

HOW OBTAINED: By consent

ATTENDANCE: N/A

OTHER MATTERS: A. On 12 March 2024, an Order was made in this proceeding in relation to opt out and registration processes. This Order adopts the defined terms from the 12 March Order.

THE COURT ORDERS BY CONSENT THAT:

1. By **4:00pm** on **11 July 2024**, the solicitors for the plaintiff are to obtain acknowledgement from Equifax Australia that the Customer Data, and the Equifax list, will be treated as confidential, only used for the purpose of this Order, and is subject to the usual implied undertaking to the Court.
2. By **4:00pm** on **12 July 2024**, the solicitors for the plaintiff are to provide the Customer Data, less Registered Group Members, to Equifax Australia Marketing Services Pty Ltd ('Equifax Australia') in order for Equifax Australia to search for and provide a list containing an alternative mobile phone number for each person provided to them ('Equifax list').
3. The potential group members identified on the Equifax list are permitted to:
 - (a) opt out of the proceeding; or



- (b) register for the proceeding,
by **4:00pm AEST on 21 August 2024**.
4. The solicitors for the plaintiff are to amend:
- (a) the Notice, Main Round Correspondence and Reminder Correspondence as ordered on 12 March 2024 (and amended on 27 March 2024) to replace the various references to 4pm AEST on 18 June 2024 with 4pm AEST on 21 August 2024;
- (b) the Notice ordered on 12 March 2024 (and amended on 27 March 2024) at paragraph 29 to replace 12 March 2024 with the date of this Order.
5. During business hours between:
- (a) **24 July 2024** and **26 July 2024**, the solicitors for the plaintiff are to send the Notice to each person on the Equifax list under cover of the Main Round Correspondence by SMS;
- (b) **9 August 2024** and **13 August 2024**, the solicitors for the plaintiff are to send the Notice to each person on the Equifax list, less Registered Group Members, under cover of the Reminder Correspondence by SMS.
6. By **4:00pm** on **26 July 2024**, the solicitors for the plaintiff must deliver to the solicitors for the defendants (in electronic form), a list identifying each person on the Equifax list.
7. By **4:00pm** on **30 August 2024**, the solicitors for the plaintiff must deliver to the solicitors for the defendants (in electronic form), a list of Registered Group Members from the Equifax list, combined with (and in the same format as) the previous list of Registered Group Members dated 2 July 2024.
8. The costs:
- (a) of and incidental to sending the Notice (including any disbursements incurred other than the costs of Equifax Australia) shall be paid by the plaintiff; and
- (b) the disbursement cost of Equifax Australia 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.
9. For the avoidance of doubt, addressing inquiries by potential group members in relation to the Notice is work that is incidental to the Notice.

DATE AUTHENTICATED: 5 July 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