



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD1812/2017

GREGORY JOHN LENTHALL and others named in the schedule
Applicants

WESTPAC BANKING CORPORATION ABN 33 007 457 141 and another named in the
schedule
Respondents

JUSTKAPITAL LITIGATION PTY LIMITED
Intervener

ORDER

JUDGE: JUSTICE LEE

DATE OF ORDER: 16 July 2021

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. Leave be granted to the legal representatives of the applicants, by arrangement with the Associate to Lee J, to gain access within the Brisbane Registry to the contents of the USB device provided to the Court by the solicitors for the respondents, namely the potential group member lists made and produced to the Court pursuant to the orders dated 17 May 2021.
2. The access in accordance with order 1 is to take place by 22 July 2021.
3. By 27 July 2021, the applicants are to file and serve:
 - a. any further version of the applicant's proposed minute of order, including any revised version of the applicant's settlement distribution scheme; and
 - b. any further affidavit material upon which they propose to rely.
4. By 3 August 2021, the respondents are to file and serve any affidavit material upon which they propose to rely relating to the question of the proposed orders sought by the applicant as to notification to group members.
5. By 5 August 2021, the applicants are to file and serve any affidavit material in reply to that filed in accordance with order 4.



6. By 12 noon on 6 August 2021, the parties are to provide any additional outline of submissions.
7. The application for settlement approval be adjourned part heard until 9.30am on 9 August 2021.
8. By 22 July 2021, the solicitors for the applicants are to notify counsel, other than counsel appearing on this application or who appeared before the High Court of Australia (**Relevant Disbursement Payees**), as to the prospect of the Court appointing either an *amicus* or a referee or referees to assist the Court in determining whether the amount received by the Relevant Disbursement Payees and paid by JustKapital Litigation Pty Ltd represented legal costs properly incurred for the benefit of the group members (**Relevant Costs**).
9. Any Relevant Disbursement Payees be granted leave to be heard:
 - a. in relation to the question of whether an *amicus* or referee or referees ought to be appointed; and
 - b. at any hearing or hearings relating to the Relevant Costs, including as to the issue of what, if any, orders should be made in the event the Court determines any of the Relevant Costs were not incurred for the benefit of group members.

Date that entry is stamped: 16 July 2021


Registrar



Schedule

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Second Applicant SHARMILA LENTHALL

Third Applicant SHANE THOMAS LYE

Fourth Applicant KYLIE LEE LYE

Second Respondent WESTPAC LIFE INSURANCE SERVICES LIMITED ABN 31
003 149 157