

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 3 December 2019**

2017/00294069-001 / Statement of Claim: Haliburton Charles David Findlay v DSHE Holdings Ltd (receivers and managers appointed)(in liquidation)

HH makes orders in terms of short minutes of order initialled and dated today's date.

Short Minutes of Order

The Court orders that:

PROCEEDINGS 2017/294069 AND 2018/52431

Settlement Period

1. The Settlement Period defined in Order 4 of the short minutes of order as amended and incorporated into the orders of the court by Order 3 of the orders of 20 August 2018, and further amended by Order 1 of the orders of 26 April 2019, 12 June 2019, 8 July 2019, and 4 September 2019 be extended to 21 February 2020.
2. Pursuant to section 175 of the Civil Procedure Act 2005 (NSW) (Act) notice be given to group members of the extension of the Settlement Period (Website Settlement Period Extension Notice).
3. Pursuant to section 175 of the Act notice be given to those group members who registered in accordance with order 4 of the Opt Out and Registration Orders by 4.00 pm on 19 November 2018 of the extension of the Settlement Period (Registrants Settlement Period Extension Notice).
4. The form and content of the Website and Registrants Settlement Period Extension Notices attached as Annexures A and B respectively be approved for the purposes of section 176(1) of the Act.
5. The Notices approved pursuant to orders 2 to 4 above may be amended by the Plaintiffs before they are emailed, posted, displayed or published in order to correct any website or email address or telephone number or other non-substantive error.

Annexure A

Website Settlement Period Extension Notice

PROPOSED TEXT TO BE PLACED ON THE DICK SMITH CLASS ACTION WEBSITE –
dshclaim.com.au

Dick Smith Class Actions – Settlement Period Extension

The court has further extended the date by which the parties can reach a proposed settlement agreement for currently registered group members from 2 December 2019 to 21 February 2020. After that time the registration process ceases to be effective.

This extension is made to accommodate the reconvening of the mediation, which has been ordered to commence no later than 7 February 2020.

We are working to secure a reasonable commercial settlement by 21 February 2020.

Annexure B

Registrants Settlement Period Extension Notice

PROPOSED EMAIL TO FUNDED OR REGISTERED GROUP MEMBERS

Email Subject – “Dick Smith Class Actions – Settlement Period Extension Notice”

Dear XXX,

We refer to our previous communications with you regarding the Court ordered mediation of the Dick Smith Class Actions.

The court has further extended the date by which the parties can reach a proposed settlement agreement for currently registered group members from 2 December 2019 to 21 February 2020. After that time the registration process ceases to be effective.

This extension is made to accommodate the reconvening of the mediation, which has been ordered to commence no later than 7 February 2020.

The parties consider that there is a reasonable chance of settling the matter within the extended Settlement Period. The parties agree to use best endeavours to progress settlement negotiations within the extended timeframe

If you have any questions, please contact the Dick Smith Class Actions Help Centre on 1800 38 10 30 or via email at help@DSHclaim.com.au

Justice M Ball

Signed

Date