

**Class Action ID:**



# **SUPREME COURT OF VICTORIA**

## **NOTICE TO GROUP MEMBERS ABOUT REGISTRATION**

### **ALLIANZ CLASS ACTION**

**Tracy-Ann Fuller & Anor v Allianz Australia Insurance Limited & Anor**

**(Proceeding number: S ECI 2020 02853)**

- 1. The Supreme Court of Victoria has ordered that you receive this notice because you may be a group member in the Allianz class action about add-on insurance sold at car dealerships.**
- 2. The defendants' records show that you purchased the product/s listed in the table below.**
- 3. You must register by 4:00pm on 15 July 2024 (AEST) if you want to be eligible to claim money if there is a settlement before the trial.**

**Your products:**

<b>Type of product</b>	<b>Date product purchased</b>

**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.**

## A. Why did you receive this notice?

**Allianz's records show that you purchased the product/s in the table above.**

**Therefore, you may be a group member.**

**Even if you don't remember purchasing the insurance, based on Allianz's records, it appears that you did.**

1. The class action is about **'add-on' insurance products sold at car dealerships**. Sometimes these insurance products were 'added onto' car loans arranged by car dealers. The class action claims that these add-on insurance products had no, or very limited, value and were sold to consumers in ways that breached the law.
2. The class action is in the **Supreme Court of Victoria** (proceeding no. S ECI 2020 02853).
3. The **defendants** in the class action are Allianz Australia Insurance Limited and Allianz Australia Life Insurance Limited. They deny the allegations and are defending the class action.
4. The **plaintiffs** representing the group members in the class action are Tracy-Ann Fuller and Jordan Wilkinson. The joint solicitors for the plaintiffs are **Johnson Winter Slattery ('JWS')** and **Maurice Blackburn**. They have engaged **KPMG** to send you this notice.
5. You are receiving this notice because, based on Allianz's records, **you have been identified as a potential group member in the class action.**
6. Group members include persons who, at any time between 1 June 2006 and 27 September 2021:
  - a. Purchased a motor vehicle or motorcycle from a car dealership;
  - b. Purchased one or more of the following add-on insurance products issued by at least one of the defendants at or around the time they purchased a motor vehicle or motorcycle from the dealership:
    - i. **Loan Protection Insurance;**
    - ii. **GAP Insurance (Motor Equity, Purchase Price, Value Protect);**
    - iii. **Extended Motor Warranty;**
    - iv. **Tyre and Rim Insurance.**
  - c. Became liable to pay, or paid, a premium to at least one of the defendants;
  - d. Suffered loss or damage by reasons of the alleged contravening conduct of the defendants.
7. **Allianz's records show that you purchased and paid, or became liable to pay, premiums** for at least one of these insurance products (see "Your products" table on pg 1 of this notice). Therefore, you may be a group member.
8. The full group member definition is available here:  
<https://www.allianzclassactionregistration.com.au/statementofclaim>

9. If you meet the above description of a group member but you have previously opted out of the Allianz Class Action, you may disregard this notice as you are no longer a group member.

## B. Information about registering

**You must register by 15 July 2024 to be eligible to claim money if there is a settlement in the class action before the trial.**

### How do you register?

10. You must register your claim by completing the online registration form at: <https://www.allianzclassactionregistration.com.au>;
11. If you have **previously registered** on Maurice Blackburn or JWS's website, you do not need to register again.

### What are the consequences of registering and not registering?

12. If you **do register by 15 July 2024** and there **is** a settlement in the class action before the trial and that settlement is then approved by the Court, then you:
- might be eligible to claim money in that settlement;
  - will be bound by the terms of that settlement.
13. If you **do not register** (i.e. do nothing in response to this notice), then you:
- will not be eligible to receive any compensation if there is a settlement before trial, unless the Court makes an order permitting you to participate;
  - may lose your right to claim against the defendants in relation to the same or similar claims alleged in the class action if there is a settlement before trial;
  - may be given another opportunity register in the future, but not in relation to a settlement reached before the trial;
  - will be bound by the terms of the settlement or any final judgment.

## C. Information about costs

**Group members will not have to pay any costs out of their own pockets for participating in the class action.**

**This is the case whether the class action is successful or unsuccessful.**

14. If the class action is **successful**:
- the legal costs payable to Maurice Blackburn and JWS will be calculated as 25% of any settlement or judgment sum. This percentage was approved by the Court.

- b. that amount (25%) will then be deducted from settlement or judgment sum, and the remaining amount (75%) will be distributed between group members.
- 15. 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.
- 16. If the class action is **unsuccessful**, group members will not have to pay any legal costs at all.
- 17. If there are any costs payable to the defendants in the class action, the law requires Maurice Blackburn and JWS to pay these.
- 18. **Regardless of the outcome of the class action, there are no out of pocket costs for group members.**

#### **D. More information?**

- 19. If you have any questions, you can contact KPMG on 02 9346 6249 or [allianzclassaction@kpmg.com.au](mailto:allianzclassaction@kpmg.com.au). KPMG are assisting Maurice Blackburn and JWS with the registration process. Questions about this notice should be directed to KPMG and not be directed to the Court.
- 20. If you have any questions and you do not want to speak to KPMG, you may get independent legal advice.
- 21. The Supreme Court should not be contacted for legal advice.

## ANNEXURE B

### Main Round Correspondence

#### Email to group members – main round

**Subject:** Court Notice regarding Allianz Add-On Insurance Class Action (S ECI 2020 02853)

**Email text:**

Dear [name]

You have been identified as a potential group member in the Allianz 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 is **4:00pm on 15 July 2024 (AEST)**.

#### What to do?

**1. Confirm this is legitimate** by visiting the websites of KPMG or the Victorian Supreme Court, which have information about the class action and this notice.

You can do this by searching: **Allianz class action + KPMG**. Or, click one of these links:

- **KPMG:** <https://www.allianzclassactionregistration.com.au>
- **The Supreme Court:** <https://www.supremecourt.vic.gov.au/areas/group-proceedings/allianz>

**2. Read your notice** in the attached pdf. The notice includes details of **the product/s which the defendants' records show that you purchased**.

The Supreme Court of Victoria has ordered KPMG to send this notice to you via email. However, if you do not want to click on the pdf, 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).

**3. Register by 4:00pm on 15 July 2024 (AEST)** if you want to be eligible to claim money if there is a settlement in the class action before the trial on KPMG's website<sup>1</sup>: <https://www.allianzclassactionregistration.com.au>;

#### Any questions?

Contact KPMG on:

- [allianzclassaction@kpmg.com.au](mailto:allianzclassaction@kpmg.com.au); or
- 02 9346 6249.

Please note: You might have received similar notices in relation to the *Flex Commissions* class actions about car loans arranged at car dealerships, or the *AAI & MTA* class action about similar add-on insurance products sold at car dealerships. 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.*

1. By completing the form on KPMG's website you are agreeing to KPMG handling your personal information in accordance with the [KPMG Privacy Policy \(Linked\)](#)

### **SMS message to group members – main round**

You are a potential group member in the Allianz Class Action. Register by 15 July 2024 to claim money from any pre-trial settlement.

Your notice, with the products you purchased, is in the PDF below. Confirm this is legitimate by searching 'Allianz Class Action + KPMG' then visit KPMG's website

## ANNEXURE C

### Reminder Correspondence

#### Email to group members – reminder

**Subject:** Reminder of Court Notice regarding Allianz Add-On Insurance Class Action (S ECI 2020 02853)

**Email text:**

Dear [name]

On [date], we emailed notifying that you had been identified as a potential group member in the Allianz 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 is **4:00pm on 15 July 2024 (AEST)**.

We **re-provide** the notice in the attached pdf, which **includes details of the product/s which the defendants' records show that you purchased**. If you do not want to click on the pdf, 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):

- **KPMG:** <https://www.allianzclassactionregistration.com.au>
- **The Supreme Court:** <https://www.supremecourt.vic.gov.au/areas/group-proceedings/allianz>

You can also search: **Allianz class action + KPMG** to visit KPMG's website.

If you want to be eligible to claim money if the class action settles before the trial, you **must register by 4:00pm on 15 July 2024 (AEST) on KPMG's website<sup>1</sup>:**

<https://www.allianzclassactionregistration.com.au>;

If you have any questions, contact KPMG on:

- [allianzclassaction@kpmg.com.au](mailto:allianzclassaction@kpmg.com.au); or
- 02 9346 6249.

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

1. By completing the form on KPMG's website you are agreeing to KPMG handling your personal information in accordance with the [KPMG Privacy Policy \(Linked\)](#)

#### SMS message to group members – reminder

This is a reminder to register for the Allianz Class Action by 15 July 2024 to claim money from any pre-trial settlement. Your notice, with the products you purchased, is in our previous message to you.

Confirm this is legitimate by searching online 'Allianz Class Action + KPMG' then visit KPMG's website

**ANNEXURE D  
ONLINE REGISTRATION  
ALLIANZ CLASS ACTION**

**Proceeding No. S ECI 2020 02853**

**Tracy-Ann Fuller and Anor v Allianz Australia Insurance Limited and Anor**

**REGISTRATION BY GROUP MEMBER**

ONLY COMPLETE THIS ONLINE REGISTRATION IF YOU WANT TO **REGISTER** FOR THE ALLIANZ CLASS ACTION. IF YOU REGISTER, YOU MAY BE ELIGIBLE TO CLAIM MONEY IF THERE IS A SETTLEMENT BEFORE THE TRIAL.

<b>Date</b>	
<b>First Name</b>	
<b>Surname</b>	
<b>If you <u>received</u> a Notice via email, text message or post,</b>	<p>a) your “Class Action ID” number (located in the top left corner of the 1<sup>st</sup> page of your Notice):</p> <p><b><u>OR</u></b></p> <p>b) the email address, mobile number, or postal address that received your Notice:</p>
<b>If you <u>did not receive</u> a Notice via email, text message or post, your <u>postal address</u> at the time you purchased the add-on insurance in a car dealership</b>	
<b>Current email address (if different to the above)</b>	
<b>Current mobile (if different to the above)</b>	
<b>Company name (<u>only</u> if your add-on insurance was purchased under a company name)</b>	