

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

S ECI 2023 05208

BETWEEN:

ROSS ANDREW GAWLER

Plaintiff

- and -

FLEETPARTNERS GROUP LTD (ACN 131 557 901)

Defendant

ORDER

JUDGE: The Honourable Justice Waller

DATE MADE: 26 June 2024

ORIGINATING PROCESS: Writ filed 6 November 2023

HOW OBTAINED: On return of the Plaintiff's summons filed 25 April 2024

ATTENDANCE: Ms F K Forsyth KC with Mr T L Bagley of counsel for the Plaintiff
Ms W A Harris KC with Mr T P Diaz of counsel for the Defendant

OTHER MATTERS: A. This order is made following the ruling delivered this day, 26 June 2024, in *Gawler v FleetPartners Group Ltd* [2024] VSC 365.
B. This order is signed by the Judge pursuant to r 60.02(1)(b) of the *Supreme Court (General Civil Procedure) Rules 2015* ('Rules').

THE COURT ORDERS THAT:

1. The legal costs payable to the solicitors for the plaintiff and group members, Phi Finney McDonald Pty Ltd, be calculated as a percentage of the amount of any award or settlement that may be recovered in the proceeding.
2. Subject to further order, the percentage referred to in paragraph 1 be 39%.



3. Liability for payment of the legal costs pursuant to paragraphs 1 and 2 be shared among the plaintiff and all group members.
4. The defendant's costs of the application be reserved.

DATE AUTHENTICATED: 26 June 2024



THE HONOURABLE JUSTICE WALLER

