

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

S ECI 2021 03645

BETWEEN:

JAKE THOMAS and YUE XIAO

Plaintiffs

And

THE A2 MILK COMPANY LTD (ARBN 158 331 965)

Defendants

**ORDERS**

**JUDGE:** The Honourable Justice M Osborne

**DATE MADE:** 20 December 2023

**ORIGINATING PROCESS:** Writs filed on 5 October 2021 (Jake Thomas)  
and 23 November 2021 (Yue Xiao)

**HOW OBTAINED:** Plaintiffs summons filed 18 October 2023

**ATTENDANCE:** Ms R Doyle SC with Ms A M Folie, for the  
plaintiffs

Mr C Withers SC with Mr B Cameron and Ms  
N Wootton, for the defendant


**OTHER MATTERS:** Nil

**THE COURT ORDERS THAT:**

1. Pursuant to s 33ZDA of the *Supreme Court Act 1986* (Vic) the legal costs payable to the solicitors for the plaintiffs and group members, Slater and Gordon Limited and Shine Lawyers Pty Limited, be calculated as a percentage of the amount of any award or settlement that may be recovered in the proceeding, with such payment to be shared equally between the two firms of solicitors.
2. Subject to further order, the percentage referred to in paragraph 1 above be 24% inclusive of GST.
3. Liability for payment of the legal costs pursuant to paragraphs 1 and 2 be shared among the plaintiffs and all group members.

4. The solicitors for the plaintiffs and group members, Slater and Gordon Limited and Shine Lawyers Pty Limited, be liable to pay any costs payable to the defendant in the proceeding, with each firm of solicitors being severally liable for 50% of such costs.
5. The defendant's costs are reserved.

**DATE AUTHENTICATED:** 20 December 2023

  
THE HONOURABLE JUSTICE M. OSBORNE

