

25 June 2014

Access to Justice Arrangements
Productivity Commission
By email: access.justice@pc.gov.au

Dear Sir/Madam

Further comments in response to Access to Justice Arrangements

We refer to the appearance of our Andrew Watson and Ben Slade in the public hearings of the Productivity Commission in Melbourne on 10 June 2014.

At that hearing we were asked to provide further details of the class actions that Maurice Blackburn is currently conducting and the number of shareholder class actions amongst them. These actions are identified in the table below. These are class actions in the Federal Court of Australia or the State Supreme Courts of NSW or Victoria that are filed and underway. The table does not include actions that are contemplated.

CLASS ACTIONS COMMENCED BY MAURICE BLACKBURN			
Name of action	Short title	Type of action	Estimated number of group members ¹
<i>State of Victoria & Anor v Regent Holdings Pty Ltd</i>	Abalone	Appeal against decision of Beach JA of Victorian Supreme Court relating to the operation and management of an abalone farm	90
<i>Matthews v SPI Electricity Pty Ltd and Others</i>	2011 King Lake Bushfires	Compensation for negligent management of power lines	9000
<i>Roderic Liesfield V SPI Electricity & Ors</i>	2011 Murrindindi Bushfires	Compensation for negligent management of power lines	1000

¹ These estimates are just that, estimates as some classes remain open

<i>Erin Downie v Spiral Foods Pty Ltd and Others</i>	Bonsoy Milk	Compensation for negligent manufacture of soy milk	700
<i>Stanford v DePuy International and Johnson & Johnson Medical Pty Ltd</i>	Defective hips	Compensation for injuries caused by defective hip implants in the Federal Court	4,000
<i>Inabu Pty Ltd v Leighton Holdings Limited</i>	Leighton	Shareholder class action in the Federal Court that settled for \$69.5m	3,000
<i>Gray v Cash Converters International Limited & Ors</i>	Cash Converters	Two consumer class actions against Cash Converters for excessive interest charges on payday loans	40,000
<i>McAlister v State of NSW & Ors</i>	Grand Western Lodge	Claim by residents of licenced premises in the Federal Court for compensation for injuries caused by the State's negligence and the licensee's intentional torts	40
<i>Konneh v State of NSW</i>	Children in detention	Claim for false imprisonment against NSW Police in the NSW Supreme Court	50
<i>Clasul Pty Ltd and Others v Commonwealth of Australia</i>	Equine influenza	Claim by businesses in the Federal Court for losses caused by the negligent management of the Commonwealth's quarantine station	570
<i>Hopkins v AECOM and Ors</i>	Rivercity	Claim for compensation for investment in the CLEM7 tunnel	660
<i>Blairgowrie Trading Ltd and Others v Allco Finance Group Ltd and Others</i>	Allco Finance	Shareholder class action in the Federal Court	1000
<i>De Brett Seafood Pty Ltd & Anor v Qantas Airways Limited & Ors</i>	Air Cargo Cartel	Claim by business for refund of over charge in price fixing cartel	200

We were also asked to provide examples of cases which would not have progressed without funding. Perhaps the best examples are the various bank fees cases. Maurice Blackburn had looked at the concept of bank fees class actions prior to IMF's involvement but had determined that, amongst other things, a number of cases against the major banks would create a drain on the financial resources of the firm. It was not until funding became available that these cases became a realistic option to pursue.

Yours faithfully

Ben Slade
MAURICE BLACKBURN