

CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

ISGM CLASS ACTION UPDATE: MAY 2020

Robert Mutch vs ISG Management Pty Ltd

UPDATE FROM YOUR LEGAL TEAM

Thank you once again for registering with Shine Lawyers (Shine) for the class action against ISG Management (ISGM).

Now that the Court has determined that this case will continue to run as a class action, we write to invite you to review, consider and agree to the Litigation Funding Agreement below.

In summary, the Litigation Funding Agreement is an agreement between you and Litigation Lending Services Limited (LLS) to fund your claim against ISGM on the following terms:

- LLS will fund all expenses, 80% of Shine Lawyers' professional fees, and will pay any adverse costs orders that the Court orders the Lead Applicant to pay. Shine Lawyer will defer 20% of its fees to the end of the matter.
- LLS and Shine Lawyers will not seek any payment from you towards any legal costs and expenses, other than from any proceeds recovered.
- If the claim is unsuccessful, you will not have to pay LLS or Shine Lawyers any legal costs.
- In return LLS will take a share of any proceeds as follows:
 - 25% if the claim is favourably resolved and proceeds are received by June 2020;
 - 30% if the claim is favourably resolved and proceeds are received after June 2020; or
 - as is otherwise approved by the Court.

By agreeing to the Litigation Funding Agreement you will:

- assist the Lead Applicant, Robert Mutch, to continue to prosecute the case against ISGM by ensuring there are a sufficient number of group members who agree to funding with LLS;
- have certainty that an amount no greater than that set out in the Litigation Funding Agreement will be deducted from any judgment or settlement sum, to pay LLS on any successful conclusion of the case; and
- ensure that LLS will pay the costs of prosecuting your individual claim, including any adverse costs, if unsuccessful.

Upon successful conclusion of the case, and approval by the Court, you and other group members will be required to pay the following amounts from the proceeds recovered:

1. The expenses funded by LLS;
2. The 80% proportion of Shine's legal costs funded by LLS;
3. A share of the proceeds for LLS' commission (either 25% or 30%); and
4. The remaining 20% of unfunded legal costs incurred by Shine, together with a 25% uplift on these fees.

Neither LLS nor Shine will seek from you any payment towards any legal costs and disbursements, other than from any proceeds recovered from ISGM. If your claim is unsuccessful, you will not have to pay any legal costs to Shine Lawyers or LLS.

To access and agree to the Litigation Funding Agreement online, please click on the button below. Please note the button will take you to a unique link that **should not be shared with others**.

[ACCESS UNIQUE LINK TO THE LITIGATION FUNDING AGREEMENT](#)

If you want to agree to the Litigation Funding Agreement using a paper form, please [download the form here](#), then print and mail the form to the postal address at the bottom of this email.

Please note, your participation in the class action will continue to be kept confidential, and will only be disclosed with your prior consent:

- to the Court, if there is a settlement or successful judgement on a confidential basis; and/or
- to ISGM, if required as part of settlement or judgment, to enable verification of your claim and/or payment.

We strongly believe in the prospects of this case and will fight tirelessly to ensure that justice is delivered, and you receive the benefits that you are rightfully entitled to.

We encourage you to inform your fellow technicians of this class action and the [registration process](#) so that the case can gather as much support as possible.

If you have any questions about this update or any aspect of the class action, please do not hesitate to contact us via by calling either [\(02\) 8754 7246](tel:0287547246) or 1800 316 471 or by emailing us at isgmclassaction@shine.com.au.