

**NOTICE TO ADDITIONAL GROUP MEMBERS OF PROPOSED SETTLEMENT AND OPT OUT RIGHTS**  
**QSUPER CLASS ACTION (VID691/2021) FOR \$67 MILLION**  
**FEDERAL COURT OF AUSTRALIA**

**ABOUT THIS NOTICE**

- **What is this?** This notice is sent by order of the Federal Court of Australia about the QSuper Class Action. **It has been sent (or otherwise made publicly available) to people who, after 21 November 2025, QSuper identified were potential Group Members who may not previously have been notified about this class action.** It contains information about the proposed settlement of the QSuper Class Action your entitlement to opt out of the class action if you wish, and how to register if you are eligible to receive a payment in the settlement. Please read this notice carefully.
- **Why is this notice important?** If you are a Group Member, your legal rights will be affected.
- **Why have I received this notice?** You have been identified as a potential Group Member. An original settlement notice was sent to potential Group Members in December 2025. You were subsequently identified as a potential Group Member and are receiving this notice in relation to your potential claim. You may be eligible for a payment from the QSuper Class Action settlement. More information about whether you might be eligible is set out at Section E of this notice.
- **What is the QSuper Class Action about?** The class action claims QSuper charged some of its members too much for life insurance. QSuper made insurance changes on 1 July 2016. The class action claims QSuper didn't properly notify or automatically reduce premiums for some members, which had the result of reducing their superannuation savings and causing them to unknowingly pay higher premiums. See Section D of this notice.
- **What is the proposed settlement?** QSuper has agreed to pay \$67 million (the **proposed settlement**) to settle the claim. The settlement (including any legal fees and costs proposed to be paid from it) will not take effect unless it is approved by the Court to ensure that it is fair and reasonable to all group members. The settlement is made without any admission of liability.
- **What are my options?**
  - **Register: To have your eligibility assessed to participate in the settlement**, you must complete your registration form on <https://www.shine.com.au/qsuper> by 4.00 pm (AEST) on 10 April 2026(**Extended Registration Deadline**).
  - **Do nothing:** If you do not register, the Court will be asked to make orders that you will be bound by the settlement, **but you will not receive a payment.**
  - **Object:** If you want to object to the proposed settlement, you must complete the Notice of Objection and email it to Shine Lawyers by 4.00 pm (AEST) on 10 April 2026. If you object but still want to be considered to receive a payment if the settlement is approved, you must also register. More information is set out at Section B of this notice.
  - **Opt Out:** If you do not want to be part of this case, you will need to fill out the form annexed to the back of this notice and send it to the Registrar of the Federal Court of Australia at the address listed on the form by no later than 10 April 2026.
- **How much money will Group Members receive from the settlement?** How much you might receive depends on a number of things, including the number of people that register, your specific circumstances, the claims you are capable of advancing against QSuper, and the costs that are approved by the Federal Court. This will be calculated at a later date, once the Extended Registration Deadline has passed, all registrations are received and the Court has decided whether it will approve the settlement. See Section I of this notice for more detail.
- **What deductions may be made from the proposed settlement?** The deductions include a litigation funding commission, payments for legal costs and disbursements incurred by the Applicant in running the claim, costs associated with the adverse costs insurance, other costs incurred by the funder in relation to the claim, and reimbursement payments for the Applicant and Sample Group Member. More information is set out at Section K. Only deductions approved by the Court will be made. The proposed deductions, if approved, are estimated to be approximately \$30,990,000, comprising:
  - \$7,230,000 in legal costs and disbursements incurred prior to the issue of the notice;
  - \$2,705,000 in adverse costs insurance and costs of insurer deeds for security for costs;
  - \$220,000 additional cash outlay that has been paid, or is estimated will be paid, by Woodsford in connection with the class action, representing costs associated with the managed investment scheme and other fees and costs incurred by the funder in relation to the class action;
  - \$320,000 for an uplift to Shine Lawyers of 25% of the legal fees not paid by the funder;
  - \$950,000 as an estimate of the future cost of progressing the proceeding to the settlement approval hearing;
  - \$1,100,000 for the costs of administering the settlement (some incurred prior to settlement approval);
  - \$18,425,000 in litigation funding commission (27.5% of the settlement sum);
  - \$20,000 each for reimbursement payments to the Applicant and Sample Group Member.
- **How long will this take?** A timeline of the steps is set out at Section L of this notice.
- **Is this notice a scam?** This notice is sent by order of the Federal Court and is not a scam. You can check the legitimacy of this notice from the Federal Court and Shine Lawyers' websites.
- **PLEASE CAREFULLY READ THIS NOTICE FOR MORE INFORMATION.**
- **Questions?** There are many potential Group Members. To help minimise costs, you are encouraged to read this notice carefully and access more information on Shine Lawyers' website <https://www.shine.com.au/qsuper>. Do not contact the Court with general questions about the QSuper Class Action.

## **A. WHAT IS THIS NOTICE?**

1. This is a settlement and opt out notice and has been approved by the Federal Court of Australia. It contains important information about the:
  - (a) \$67 million proposed settlement of the QSuper Class Action;
  - (b) steps you **must** take if you want to be considered for a payment from the proposed settlement; and
  - (c) your right to elect to opt out of the QSuper Class Action.
2. This has been sent to you because you have been identified by QSuper as a potential Group Member in the class action commenced against the QSuper Board (**QSuper**) by Jessica Amy Challenor (**Applicant**) on behalf of herself and Group Members (the **QSuper Class Action**).
3. If you are a Group Member in the QSuper Class Action, your legal rights will be affected by the proposed settlement. **Please read this notice carefully.** You are encouraged to read the additional information on Shine Lawyers' website at the following link:  
<https://www.shine.com.au/qsuper>

## **B. WHAT ARE MY OPTIONS?**

4. If you are a Group Member and received this notice (or became aware of it through one of the websites where it has been published), you have four options:
  - (a) **Register to participate in the proposed settlement:** If you believe you are a Group Member and want to be considered for any money from the proposed settlement **you need to register**. You can do this by completing the registration form on <https://www.shine.com.au/qsuper> before 4.00 pm (AEST) on 10 April 2026 (**Extended Registration Deadline**).  
  
**If you already registered with Shine Lawyers for the QSuper Class Action prior to 1 December 2025, you will need to verify your details by 4.00 pm (AEST) on 10 April 2026** by completing the registration form available at <https://www.shine.com.au/qsuper> . This is because the Settlement Administrator requires specific information from each registrant to confirm whether they are eligible to participate in the settlement. Some of the information provided in the registration form will be matched to QSuper's records to expedite the eligibility assessment.
  - (b) **Do nothing and the Court will be asked to make orders that you will not receive a payment:** If you don't take any action in relation to this notice, and the Court makes the orders sought, you will be bound by the proposed settlement. This means:
    - (i) You will not be able to pursue the same claims and may not be able to pursue related claims against QSuper in other legal proceedings.
    - (ii) You won't receive any payment from the proposed settlement.

If you opted out of the proceeding by 20 September 2023, you do not need to do anything. You will not be bound by the proposed settlement.
  - (c) **Object:** If you are a Group Member in the QSuper Class Action and do not agree to any part of the proposed settlement, you can object.

To object, you must fill out the Notice of Objection (available from Shine Lawyers' website and at page 15 of this notice) and submit it to Shine Lawyers by 10 April 2026. This form will be provided to the judge. You or your lawyer will also have an opportunity to speak to the judge about your concerns at the settlement approval hearing, at 10:15am on 16 April 2026 in the Federal Court of Australia.

If you decide to object but still want to be considered for any payment from the proposed settlement if it is approved, you must also register.

- (d) **Opt Out:** If you do not want to be part of this case, you will need to fill out the form included at Annexure A and send it to the Registrar of the Federal Court of Australia at the address listed on the form. The form must reach the Registrar by no later than 10 April 2026 otherwise it will not be accepted and you will be a Group Member. The form is called an "Opt Out Notice" and it is Annexure A to this notice. You can also obtain a copy of the Opt Out Notice from Shine Lawyers' website at <https://www.shine.com.au/service/class-actions/qsuper-class-action>

If you opt out of the case, you remove yourself as a group member and will not be bound by the outcome of any judgment or settlement in the class action. You will not, however, be entitled to any part of the settlement sum that QSuper has agreed to pay to settle the proceeding (if the Court approves the proposed settlement), but you will be at liberty to bring your own claim against QSuper, provided that you must do so within the time limit applicable to your claim.

### **C. HOW DO I REGISTER?**

5. You can register to participate in the proposed settlement by completing the registration form from <https://www.shine.com.au/qsuper> **before** the Extended Registration Deadline **at 4.00 pm (AEST) on 10 April 2026**. Any registrations received after the Extended Registration Deadline will not be accepted. If any Group Member who receives this notice seeks to be included in the proposed settlement after the Extended Registration Deadline, they must make an application to the Federal Court by 10:15am on 16 April 2026.
6. You have been allocated a Unique Identifier. It is a unique number allocated to you, which is included in the covering communication enclosed with this notice if you received it directly. Do not share it with other Group Members. Your Unique Identifier is used to confirm your eligibility. It must be correctly entered in the registration form for it to be accepted.
7. There are some Group Members for whom QSuper or Australian Retirement Trust (**ART**) no longer hold contact details. This means that this notice was unable to be sent directly to them. If you consider that you may be a Group Member and you did not receive the notice directly, **please contact ART on 1300 360 750** to confirm whether a Unique Identifier has been allocated to you. Shine Lawyers' legal team or call centre staff cannot provide you with your Unique Identifier or confirm whether you are eligible for one.
8. If your registration form is not accepted and you believe you are an eligible Group Member, please check the Unique Identifier for typographical errors. **If you are unsure about your Unique Identifier details, please contact QSuper or ART**. Shine Lawyers' legal team or call centre staff cannot provide you with your Unique Identifier or confirm whether your details are correct.
9. To help distribute the proposed settlement sum to Group Members, QSuper has been ordered by the Court to verify registrations and provide specific information about Group Members who register to participate in the proceeding to Shine Lawyers (**Group Member Data**). Registrations

will not be valid if at least the following information from your registration form does not match the Group Member Data:

- (a) Unique Identifier;
  - (b) the Fund Member's date of birth for the Fund Member assigned the Unique Identifier entered in the registration form; and/or
  - (c) the Fund Member's QSuper or ART member number (if known).
10. If you register, your Group Member Data will be used to assess your eligibility to participate in the settlement and any amount you may be paid from it.

**D. WHAT IS THE QSUPER CLASS ACTION ABOUT?**

11. QSuper changed its group life insurance policy on 1 July 2016. The QSuper Class Action alleges QSuper did not:
- (a) properly inform Fund Members about the need to elect to be occupationally rated to take the benefit of premium discounts offered to white collar or professional workers, or persons eligible to be rated as standard if they were under 39 years old;
  - (b) automatically occupationally rate members to ensure that lower risk fund members were not subsidising the premium rates paid by higher risk members.
12. The Applicant claims that because QSuper failed to meet its obligations, she and other Group Members suffered losses including:
- (a) higher insurance premiums than they should have paid; and
  - (b) lower returns on their superannuation accounts.
13. QSuper denies the allegations. The settlement is made without any admission of liability.

**What were the insurance changes?**

14. The changes QSuper introduced from 1 July 2016 allowed members to personalise their insurance cover based on the risk their occupation posed. On or around 17 May 2016, QSuper sent a Significant Event Notice to certain Fund Members to notify them of the upcoming insurance change. The Applicant claims that if members were told they could make this choice, members with lower risk jobs would have paid lower insurance premiums. The Applicant also alleges that QSuper ought to have implemented a system which would have automatically assigned Group Members an occupational rating. This affected members who, from 1 July 2016, were eligible for:
- (a) **Standard** rates – this applied to members between the ages of 17 to 39, who were employed in jobs involving some manual work, which were not high risk. For example, this may include nurses, health care workers/carers, or manual light positions. If a member did not meet the criteria for high risk, white collar or professional, they were likely eligible for Standard.
  - (b) **White Collar** rates – this applied to members in office-based roles with minimal physical risk. Generally, 80% of time in these roles was spent in an office or classroom environment, mainly doing administrative work or managerial responsibilities and it did not involve more than 10% light manual duties. For example, this may include managers,

teachers, or call centre operators.

(c) **Professional** rates – this applied to highly qualified professionals, earning a salary above \$120,000. Generally, these roles required a relevant university qualification or described a senior manager working in an office with an annual salary of \$120,000 or more. For example, this may include surgeons, doctors, or executives.

15. Potential Group Members also include beneficiaries of QSuper Fund Members who have passed away, and former spouses of Fund Members whose superannuation accounts were adversely affected.
16. Potential Group Members do not include members in high risk occupations or members eligible for the Standard rate who were over 39 years old as at 1 July 2016. This is because under the changes QSuper introduced on 1 July 2016, these members were ineligible for the cheaper insurance rates available for lower risk workers (standard, white collar or professional). High risk occupations include police, emergency services workers, cleaners, security guards or members who were employed in roles with significant physical hazards.
17. You are receiving this notice because QSuper has identified that you had an accumulation account and held group life insurance as at 1 July 2016. However, QSuper did not identify you as a potential Group Member when the original Settlement Notice was distributed. This is either because:
  - (a) QSuper identified that you became a member of the QSuper Fund only after QSuper had prepared the mailing distribution list for the Significant Event Notice to its members in May 2016; or
  - (b) QSuper considered that you were a 'lost member', meaning that two consecutive pieces of correspondence that QSuper had sent you before 12 May 2016 were returned as undeliverable/marked return to sender; or
  - (c) QSuper printed and delivered the Significant Event Notice issued on or around 17 May 2016 directly to you, rather than using a mailing house; or
  - (d) QSuper had not otherwise identified you as someone who should receive the Settlement Notice
18. If you belong in category (b) above, you are a System Group Member. If you are a System Group Member, QSuper's records indicate that you did not receive the Significant Event Notice issued on or around 17 May 2016. This means you have fewer claims in the class action compared to those Group Members who did receive the Significant Event Notice. That is because you were not affected by what the Applicant says was: (1) the failure by QSuper to properly notify its members of the nature and effect of the insurance change; and (2) misleading or deceptive conduct in relation to the change. The Applicant says that that conduct arose from documents sent to some Group Members (including the Significant Event Notice), that QSuper's records say it did not send to you. Accordingly, under the proposed Settlement Distribution Scheme (available here: <https://www.shine.com.au/service/class-actions/qsuper-class-action>), if you are a Group Member it is proposed that you will receive approximately one-third of the units allocated to Group Members who were sent those documents and therefore had available to them all of the claims the Applicant made in the proceeding.
19. If you belong in categories (a), (c) and (d) above, then the discounts explained in paragraph 18 will not be applied to your claim.

## **E. AM I ELIGIBLE TO PARTICIPATE IN THE SETTLEMENT?**

20. You are a Group Member and eligible to register to participate in the settlement if you either:

- (a) were a member (**'Fund Member'**):
  - (i) of the QSuper superannuation fund (**QSuper Fund**); and
  - (ii) who had an accumulation account on 17 May 2016; and
  - (iii) who had group life insurance (death, total and permanent disablement and/or income protection/salary continuance insurance) through your QSuper superannuation account; and
  - (iv) who, had you opted in to be occupationally rated on 1 July 2016, would have been entitled to be charged premiums at one of the following rates:
    - (1) Standard Rate – if you were between 17 and 39 years old (inclusive) as at 1 July 2016; or
    - (2) Professional Rate; or
    - (3) White Collar Rate, or
- (b) at any time after 1 July 2016 received payment in respect of a deceased QSuper Fund Member of all or part of the interest of a Fund Member in the QSuper Fund; or
- (c) satisfy both of the following paragraphs:
  - (i) were the spouse of a person who was a QSuper Fund Member; and
  - (ii) pursuant to an order or settlement in a *Family Law Act 1975* (Cth) proceeding or a superannuation agreement within the meaning of part VIII B of that Act, at any time received a transfer from a Fund Member of all or part of the Fund Member's interest in the QSuper Fund.

(Collectively, **'Group Members'**). Persons who received a transfer under the *Family Law Act 1975* (Cth) prior to 1 July 2016 will not be entitled to any money under the settlement. This is because the alleged losses were only suffered on and after 1 July 2016.

- 21. For more assistance about whether you might be a Group Member based on your occupation, please review the guidance at the end of this notice or on Shine Lawyers' website <https://www.shine.com.au/qsuper>.
- 22. If you are unsure whether or not you are a Group Member, you should contact Shine Lawyers, via <https://www.shine.com.au/qsuper> or seek your own legal advice without delay. Please keep in mind that while you can contact Shine Lawyers for further assistance if you need it, given the number of potential Group Members, to minimise costs, please thoroughly read this notice and the information provided on Shine Lawyers' website (including the registration form) first. Please note that Shine Lawyers cannot assist you with confirming whether you have been allocated a Unique Identifier, as this process is being undertaken by QSuper. Any questions about the Unique Identifiers should be directed to QSuper.

## **F. WHAT IS THE PROPOSED SETTLEMENT?**

- 23. Under the proposed settlement of the QSuper Class Action, QSuper will pay \$67 million for compensation, legal fees and disbursements, without admission of any liability (the **proposed settlement**).

24. Class actions are closely supervised by the Court. A Federal Court judge must consider whether the proposed settlement is fair and reasonable to all Group Members. The proceeding cannot be settled without Court approval.
25. A judge will decide whether to approve the proposed settlement at a hearing on 16 April 2026 at 10:15am. At the hearing, the judge will consider:
- (a) if the proposed settlement is fair and reasonable and in the best interests of Group Members. The Court has an important role to ensure Group Members' interests are protected. This does not mean all Group Members will receive the full value of their alleged losses under the settlement. A settlement is a compromise, and the Court must consider the additional legal costs, time, and risks if the case went to trial in determining if it is fair and reasonable. It also considers the benefit to Group Members of receiving money sooner rather than later;
  - (b) what deductions for legal and other costs and funding commission will be made from the proposed settlement. More details about the legal costs are set out in Section K below under the heading '*The legal costs and other costs in this proceeding*';
  - (c) whether to approve the proposed Settlement Distribution Scheme (**Settlement Scheme**). This is a document which sets out the process to determine who is eligible and how payments to eligible Group Members will be efficiently calculated and paid. More information about the Settlement Scheme is set out below in Section H under the heading '*IF THE SETTLEMENT IS APPROVED: HOW WILL PAYMENTS BE MADE?*'

#### **G. LEGAL CONSEQUENCES OF THE SETTLEMENT APPROVAL HEARING**

26. **If the Court approves the proposed settlement** and you are an eligible Group Member who did not opt out, you will be bound by the settlement and cannot take legal action against QSuper or its related entities for claims like those made in the QSuper Class Action (even if you have not registered to participate in the settlement). You will be bound if you are a Group Member and have not opted out, even if you do not receive any compensation or payment from the settlement. If you choose to opt out of the proceeding, you will not be bound by the settlement but will not be entitled to any part of the settlement sum approved by the Court.
27. **If the Court does not approve the proposed settlement**, no money will be distributed. The class action will need to go to trial to be determined by the Court, unless another agreement can be made. There might need to be trials of many or all Group Members' claims, even if the Applicant wins. This will take a long time and be expensive. There is no guarantee that there will be another settlement.

#### **H. IF THE SETTLEMENT IS APPROVED: HOW WILL PAYMENTS BE MADE?**

28. The Settlement Scheme approved by the Court will set out the process to determine who is eligible and how payments to eligible Group Members will be efficiently calculated and paid. The proposed Settlement Scheme is a document you can download from Shine Lawyers' website, <https://www.shine.com.au/qsuper>.
29. If the proposed settlement is approved, a Settlement Administrator will manage the eligibility assessment and calculation of the payments to be made to Group Members, with assistance

from Australian Retirement Trust Pty Limited (**ARTPL**) (as appropriate). The Applicant proposes Shine Lawyers be appointed as the Settlement Administrator, subject to Court approval.

30. Under the proposed Settlement Scheme, ARTPL will distribute payments from the settlement fund as follows:
- (a) If an eligible Group Member is a member of Australian Retirement Trust (**ART**), directly to their ART account;
  - (b) If an eligible Group Member is not an ART member, payments will follow the payment or rollover instructions that were given to ART (if given in the last 12 months); or
  - (c) If a payment cannot be made in these ways (for e.g., because the instructions were provided more than 12 months ago, or some other reason), ARTPL will pay to the Australian Taxation Office the amount that was allocated to that eligible Group Member as a trustee voluntary payment in accordance with the *Superannuation (Unclaimed Money and Lost Members) Act 1999* (Cth). Group Members who have incorrect or outdated payment instructions will be notified, to give them an opportunity to rectify the issue prior to the payment being made to the Australian Taxation Office.
31. The amount you receive from the proposed settlement may be impacted by tax. **If you have questions about tax, please seek your own tax advice.** Shine Lawyers, the Settlement Administrator, and ARTPL (the Settlement Distributor) cannot provide you with that advice. Under the Settlement Scheme, Shine Lawyers, the Settlement Administrator and the Settlement Distributor are not responsible for any impact tax has on payments made to your superannuation or bank account.

#### **I. HOW MUCH WILL I RECEIVE UNDER THE SETTLEMENT?**

32. The precise amount that will be payable to each individual Group Member is not yet known and cannot yet be accurately estimated. This is because it depends on information which has not yet been provided by Group Members.
33. The dollar amount you may receive if you are eligible will be worked out from an assessment formula set out in the Settlement Scheme.
34. If the Settlement Administrator calculates that the amount payable to you by the application of the confidential assessment formula is less than \$20, then it is proposed that you will not receive a payment. That is because the cost of distributing payments under \$20 is likely to be greater than the payment itself.
35. If you are a System Group Member, under the proposed Settlement Distribution Scheme, you will be eligible to receive a discounted amount of compensation compared to other Group Members. This is because QSuper did not send you the Significant Event Notice or other documents about the insurance change and therefore you have fewer claims which are capable of being advanced against QSuper. The discount that the Applicant proposes will be applied to your claim is approximately two-thirds. If you are a Group Member who was entitled to be occupationally rated as Standard, it is unlikely you will receive a payment from the settlement. That is because the discounted unit value attributable to persons who receive this notice and were eligible to be occupationally rated as Standard will likely be less than \$20.
36. Please note that the Settlement Administrator cannot provide you with a precise estimate of the amount that might be payable to you at this stage. **To reduce costs, please avoid contacting**

**the Settlement Administrator or Shine Lawyers to ask for this information.** When this information becomes available, the Settlement Administrator will contact you.

**J. CAN I OPT OUT?**

37. You can opt out of the QSuper Class Action by completing the form annexed to the back of this supplementary notice at Annexure A and sending it to the Registrar of the Federal Court of Australia at the address listed on the form. If you opt out you will not be entitled to receive any money from the proposed settlement.
38. Your form must reach the Registrar by 10 April 2026. Otherwise, it will not be accepted, and you will be a Group Member bound by the settlement of the proceeding.

**K. THE LEGAL AND OTHER COSTS IN THIS PROCEEDING**

39. The QSuper Class Action was funded by Woodsford (a litigation funder) and Shine Lawyers. This was agreed in a litigation funding agreement (**LFA**) which the Applicant signed with Woodsford.
40. Under the LFA, Woodsford paid a portion of the legal fees, costs and expenses of the Applicant in running the class action. Shine Lawyers carried the balance of legal fees not paid by Woodsford on a “no win, no fee” arrangement. This arrangement enabled legal representation to be provided to the Applicant and Group Members to progress the class action, including reaching the proposed settlement.
41. You will not pay any out-of-pocket legal costs to participate in the proposed settlement. Before payments are made to eligible Group Members, the Applicant will seek Court approval that registered group members contribute a proportion of the amount of compensation that they are awarded under the settlement to the costs of running the proceeding, including a commission to be paid to the litigation funder. This is called a Common Fund Order. These will only be deducted if the Court says they are fair and reasonable. These costs will be taken out of the settlement sum of \$67 million and may include:
  - (a) Total legal fees, costs and expenses currently estimated at approximately \$30,990,000 incurred to bring the class action, including:
    - (i) The costs of procuring adverse costs insurance in case of an adverse costs order in the class action including insurance premiums, and the costs of insurer deeds which were used to provide security for costs in the class action, so that the class action could continue, in the amount of \$2,705,000;
    - (ii) Additional cash outlay that has been paid, or is estimated will be paid, by Woodsford in connection with the class action, representing the legal fees and costs associated

with the managed investment scheme and other fees and costs incurred by Woodsford in relation to the class action, in the amount of \$220,000;

- (iii) An uplift to Shine Lawyers of 25% of the legal fees that were not paid by Woodsford, estimated at \$320,000;
  - (iv) The future cost of progressing the proceeding to the settlement approval hearing, estimated to be \$950,000;
  - (v) The reasonable costs of administering the settlement (some of which may be incurred prior to settlement approval), currently estimated to be \$1,100,000;
  - (vi) A litigation funding commission of \$18,425,000 which is equivalent to 27.5% of the settlement sum;
- (b) Payments to the Applicant and Sample Group Member estimated at approximately \$20,000 each to reimburse them for their time and expenses incurred in representing Group Members in the class action.

42. Based on the above, and if all of these proposed deductions are approved by the Court, we estimate that approximately \$36,010,000 of the \$67 million will be distributed to group members, being approximately 54%. The \$67 million is being held in an interest-bearing account pending distribution (if the settlement is approved). This means interest will be earned on the sum until payments are made. Any interest earned will also be included in the amounts available for distribution to registered Group Members.
43. The proposed deductions for legal costs and disbursements will be independently reviewed by a costs expert. The expert will assess whether the legal fees and disbursements are fair and reasonable and will provide a report to the Court for its consideration.

#### **Litigation Funding Commission**

44. Throughout the course of the class action, Woodsford provided litigation funding to the Applicant on the terms set out in the LFA. Under this arrangement, Woodsford paid some of the legal costs incurred in prosecuting the class action, including the cost of solicitors, barristers and experts.
45. In return for the funding that Woodsford has provided for the Applicant's costs (as distinct from the adverse costs risk, which is discussed further below), Woodsford charges a litigation funding commission. The Applicant intends to apply to the Court for a Common Fund Order under which Woodsford would be paid a litigation funding commission of 27.5% of the settlement sum.

#### **Adverse Costs Insurance**

46. Adverse costs are costs of the successful party in the litigation that the Court may order the unsuccessful party in the litigation to pay.
47. To protect against the risk of adverse costs, Woodsford:
- (a) indemnified the Applicant against liability for any adverse costs order made against the Applicant; and
  - (b) obtained adverse costs insurance to:
    - (i) provide the Applicant and Group Members with additional protection against the risk of adverse costs (the ATE insurance policy expressly covers adverse costs payable by the Applicant); and

- (ii) assist the Applicant to provide security for the Respondent's costs (for example by purchasing deeds of indemnity from the adverse costs insurer).
- (c) In return for this protection against the risk of having to pay adverse costs, the Applicant agreed to apply for the cost of any such insurance, including any deferred and contingent insurance premiums, to be payable from the settlement sum, subject to Court approval.

**L. HOW LONG WILL THE SETTLEMENT TAKE?**

- 48. A number of steps need to be taken to process the proposed settlement. An indication of the steps is set out in the timeline below.
- 49. The distribution of this notice represents step 4 in the list below.

<b>SETTLEMENT TIMELINE</b>	
<b>1.</b>	<p><b>Mediation - settlement agreement reached by the parties</b></p> <p>The parties attended a mediation and agreed to settle the class action for \$67 million. This amount includes legal costs and represents a full and final resolution of the claims brought by the Applicant and Group Members. The settlement is made without any admission of liability.</p>
<b>2.</b>	<p><b>The parties write up the agreement, plan what to do next, and ask the Court for a hearing date</b></p> <p>The settlement agreement is formally documented and signed. A number of documents are prepared for the next Court hearing, to communicate the proposed settlement to potential Group Members and propose a method of assessing and distributing the proposed settlement.</p>
<b>3.</b>	<p><b>Parties attend a Court hearing</b></p> <p>The Court:</p> <ul style="list-style-type: none"> <li>• Reviews the notice of proposed settlement and makes orders about the content and distribution of the notice.</li> <li>• Reviews the proposed settlement distribution scheme and administrator.</li> <li>• Sets a date for the settlement approval hearing.</li> </ul>
<b>4.</b>	<p><b>Notice of proposed settlement sent to potential Group Members</b></p> <p>The distribution of this notice tells Group Members about the proposed settlement, what steps they must take to participate and what will happen if they do nothing.</p> <p>A notice of the proposed settlement was sent to the majority of potential Group Members in December 2025. This notice is being sent <b>only</b> to the small number of additional potential Group Members who QSuper only identified after 21 November 2025.</p>
<b>5.</b>	<p><b>Group Member Registration</b></p> <p>Group Members who were sent the settlement notice in <b>December 2025 (December Notice)</b> had an opportunity to register on Shine's website <a href="https://www.shine.com.au/qsUPER">https://www.shine.com.au/qsUPER</a>, or to object to the proposed settlement, before the Registration Deadline on 4.00 pm (AEST) on 27 February 2026. They were also entitled to choose to do nothing, or to object to the proposed settlement by completing the notice of objection and sending it to Shine Lawyers before 4.00 pm (AEST) on 27 February 2026.</p> <p>The deadline to register or object has been extended for recipients of <b><u>this notice, or persons who were "lost members" who become aware of this notice after it is published (and who did not receive the December Notice)</u></b>. To register to participate in the settlement you must</p>

	complete the registration form on Shine's website <a href="https://www.shine.com.au/qsuper">https://www.shine.com.au/qsuper</a> before the Extended Registration Deadline on 4.00pm (AEST) on 10 April 2026. Recipients of <b><i>this notice</i></b> may also choose to do nothing, or object to the proposed settlement by completing the notice of objection and sending it to Shine Lawyers before 4.00 pm (AEST) on 10 April 2026.
<b>6.</b>	<b>Settlement Approval Hearing at 10:15am on 16 April 2026</b> The Court reviews the settlement, reviews the proposed deductions from the settlement sum, hears any objections and makes orders approving it if it satisfied that the settlement is fair and reasonable and in the interests of Group Members.
<b>7.</b>	<b>Administrator reviews Group Member claims and calculates payment amounts for eligible Group Members</b> The administrator will follow the process set out in the settlement distribution scheme approved by the Court to determine who will receive payments and estimate payment amounts.
<b>8.</b>	<b>Distribution to Group Members</b> The administrator will provide data to Australian Retirement Trust who will distribute the payments to eligible Group Members.

**M. WHERE CAN I GET MORE INFORMATION?**

50. More information or documents about the QSuper class action can be downloaded from Shine Lawyers' website at <https://www.shine.com.au/qsuper>.
51. The documents available include the Further Amended Statement of Claim, which contains detailed allegations made by the Applicant in the class action. **You should not contact the Court or QSuper for any general enquiries about the QSuper Class Action.**
52. You can also request information from Shine Lawyers. Given the number of potential Group Members, **to minimise costs for Group Members please thoroughly read this notice** before contacting Shine Lawyers for further information.
53. The proposed Settlement Scheme, which includes detail of how the Settlement Administrator intends to determine Group Member entitlements will be published online at <https://www.shine.com.au/qsuper>.

# Guidance for completing the occupational rating declaration



Occupational rating category	Types of occupations that fall within each category. This relates to the Fund Member's occupation as at 1 July 2016.
Standard	<ul style="list-style-type: none"> <li>• Registered or enrolled nurse or nursing assistant Retail workers</li> <li>• Food and beverage/hospitality workers</li> <li>• Qualified tradesperson working within your areas of expertise (e.g. hairdresser, chef, plumber, electrician, plaster, carpenter or concreter)</li> <li>• Skilled workers with light manual duties (e.g. jewellers, building inspectors, laboratory technicians, foreman, office equipment technician).</li> </ul>
White collar	Usual activities of your job considered office based or school teaching (meaning you spend at least 80% of your work time doing clerical, call centre, administrative or other office or classroom based activities).
Professional	<p>Satisfy the white collar requirements plus the following additional criteria:</p> <ul style="list-style-type: none"> <li>• You earned more than \$120,000 per year (before tax and superannuation)</li> <li>• You have a university qualification which you are using/is required for your current role You have a senior/executive role in your organisation/department (e.g. your direct reports would be mid-level manager or skilled specialists in a sedentary setting)</li> <li>• Your role is considered professional (e.g. doctors, solicitors, accountants) and requires membership of a professional or government body to practice in your occupation.</li> </ul>
High Risk	<ul style="list-style-type: none"> <li>• Police officer</li> <li>• Firefighter</li> <li>• Paramedic</li> <li>• Other emergency or protective services workers, including security guards and corrections officers</li> <li>• Professional sportsperson/athletes</li> <li>• Manual occupations which do not require trade qualifications and may be subject to accident or environmental hazards (e.g. earthmover, driver, cleaner, labourer, factory worker, agricultural worker)</li> <li>• Occupations that required performing any of the following activities:               <ul style="list-style-type: none"> <li>○ Handling firearms (other than as a police officer, correctional officer or licensed security guard), dangerous chemicals or explosives</li> <li>○ Offshore work on oil or gas platforms or ships at sea</li> <li>○ Being underground in construction or mining environments or underwater for more than 20% of total work time</li> <li>○ Working at heights over 20 metres in any environment requiring hard hat and</li> <li>○ harness for safety by law</li> <li>○ Crop dusting, aerial mustering or any low level flying activity (below 150m or 500ft) Flying more than 200 hours per year as a passenger other than on a commercial airline, or as a pilot (fixed wing or helicopter).</li> </ul> </li> </ul>



**NOTICE OF OBJECTION TO PROPOSED SETTLEMENT  
QSUPER CLASS ACTION (VID691/2021)**

**FEDERAL COURT OF AUSTRALIA**

**IMPORTANT: ONLY COMPLETE THIS FORM IF YOU WANT TO OBJECT TO  
THE PROPOSED SETTLEMENT OF THE QSUPER CLASS ACTION. IT IS NOT A  
REGISTRATION FORM.**

**To:** Shine Lawyers: [gsupersca@shine.com.au](mailto:gsupersca@shine.com.au)

The person identified below gives notice that they object to the proposed settlement of the QSuper Class Action:

**A. DETAILS OF OBJECTOR**

Name of Group Member:	
Postal Address:	
Email Address:	
Phone Number:	

**B. GROUNDS OF OBJECTION**

The ground(s) for my objection to the proposed settlement are as follows (set out in the space below any submissions you wish to make – you may attach additional pages if necessary):

**C. ATTENDANCE AT HEARING ON 10:15AM ON 16 APRIL 2026**

**Please select one option:**

- I do not intend to appear at the settlement approval hearing, but wish for my submission to be considered in my absence
  
- I do intend to appear at the settlement approval hearing

If you **do** intend to appear at the settlement approval hearing, please complete the following:

- I will appear on my own behalf
  
- I will be represented by a lawyer:

.....  
Lawyer's name and firm

**D. SIGNATURE**

.....  
Signature of Group Member

Date:

Annexure A

No. VID691 of 2021

Federal Court of Australia  
District Registry: Victoria  
Division: General

**Jessica Amy Challenor**

Applicant

**QSuper Board (ABN 32 125 059 006)**

Respondent

By post: The Registrar  
Federal Court of Australia  
Victoria District Registry  
305 William Street  
Melbourne, VIC 3000

By Email: [vicreg@fedcourt.gov.au](mailto:vicreg@fedcourt.gov.au)

**OPT OUT FORM**

**The Court has ordered that any person who was issued with a Settlement and Opt Out Notice on 6 March 2026 who wishes to opt out of this class action must do so by 10 April 2026.**

The person named below, as a class member in this representative proceeding, gives notice under section 33J of the *Federal Court of Australia Act 1976* (Cth), that the person is opting out of the proceeding.

Name of the Group Member	
Postal address of the Group Member	
Telephone number	
Email address	

If you are completing this form as the solicitor or representative of the Group Member:

Name of the person completing this form	
Authority of person completing	

Postal address of the person completing	
Telephone number	
Email address	

Date:

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Signed by

---

(print name)

Group Member / Lawyer for the Group Member / Group Member Representative