



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID419/2019

MICHAEL AND TRACEY FISHER (AS TRUSTEES FOR THE TRAMIK SUPER FUND TRUST)

Applicant

VOCUS GROUP LIMITED (ACN 084 115 499)

Respondent

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 7 February 2020

WHERE MADE: Sydney

THE COURT NOTES THAT:

Subject to approval of the Court, and without admission of liability on the part of the Respondent, the Applicants and the Respondent have agreed to settle the proceeding on the terms set out in the Settlement Deed, a copy of which is annexed as annexure “**KMM-1**” to the affidavit of Kirsten Marie Morrison affirmed on 24 January 2020 (**Proposed Settlement**).

THE COURT ORDERS THAT:

Approval Hearing

1. The application for orders to approve the proposed settlement of the proceeding be heard on 24 April 2020 at 10.15 am before Justice Moshinsky.

Regime for confidential affidavit material

2. Until further order, the Applicants have leave to file any affidavit or annexure or part thereof, in respect of which it seeks confidentiality orders, by email to the Associate of Justice Moshinsky marked in the subject line with the word “confidential” and is excused from any requirement to electronically file, or serve any such affidavit or annexure or any part thereof on any party in that form, but shall instead electronically file and serve that affidavit or annexure in redacted form.



Insurer sanction checks

3. Pursuant to s 33ZF of the *Federal Court of Australia Act* 1976 (Cth) (the **Act**), as soon as reasonably practicable from the date of this Order, Slater and Gordon Lawyers (**Slater and Gordon**) is to disclose on a confidential basis a Microsoft Excel spreadsheet containing the names and limited details required for identification of those persons and entities (the **Review List**) who:
 - a. meet the definition of “Group Member” in the Statement of Claim filed on 24 April 2019 (**Group Members**); and
 - b. before 4.00 pm on 13 August 2019 registered their claim to participate in the distribution of any amount agreed in settlement of this proceeding by:
 - i. providing Slater and Gordon, or taking reasonable steps to provide Slater and Gordon, with the information listed in order 14 of the orders made on 21 May 2019; or
 - ii. completing, or taking reasonable steps to complete, a registration form and providing it to Slater and Gordon by following the steps set out in order 13(b)(ii)(A) or (B) of the orders made on 21 May 2019; and
 - c. did not file an opt-out notice (**Registered Group Members**)

to such of the Respondent’s insurers (but not to the Respondent, the Respondent’s lawyers, or the insurers’ lawyers) as required for the purpose of compliance with the insurers’ legal obligations concerning the prevention of payment to prohibited persons or organisations.

4. Pursuant to s 33ZF of the Act, as soon as soon as reasonably practicable from the completion of the steps required by order 3 above, the Respondent’s insurers to disclose to the Applicants’ solicitors on a confidential basis the names of any person or entity identified by them on the Review List to be a prohibited person.

Late Registrations

5. A Group Member will be treated as a Registered Group Member if that Group Member’s unique identification number is included in **Annexure A** to these orders, being persons who registered their claim between 4.00 pm on 13 August 2019 and the 2 December 2019 mediation.

Procedural Steps for Approval Hearing

Distribution of Notice of Proposed Settlement

6. Pursuant to s 33X of the Act, Group Members be given notice:
 - a. of the date, time and place of the hearing on the date specified in order 1; and



- b. of the fact that they may oppose the Proposed Settlement and/or any aspect of the distribution of the settlement sum, including the Applicants' proposed common fund order, in accordance with order 12.
7. Pursuant to s 33X and s 33Y of the Act, the form and content of the Notice of Proposed Settlement (which includes the Notice of Objection to Proposed Settlement) (**Notice**), which is **Annexure B** to these orders, be approved.
8. Pursuant to s 33Y of the Act, by 4.00 pm on 24 February 2020, the Notice is to be provided to Group Members according to the following procedure:
 - a. the Respondent shall cause its share registry service provider, Computershare Limited (**Computershare**), to send the Notice to all persons who were sent notices in accordance with order 9(a) of the orders made on 21 May 2019. The Respondent shall do so in accordance with the requirements set out in the protocol in **Annexure C** to these orders (**Computershare Protocol**);
 - b. by the date which is 7 days before the date referred to above, the Respondent shall provide a copy of this Order and the Computershare Protocol to Computershare;
 - c. should the Respondent become aware of any actual or potential non-compliance with the Computershare Protocol, the Respondent is to notify the Applicants within two (2) business days of so becoming aware. The Applicants and the Respondent are directed to advise the Court of such non-compliance by email to the Associate of Justice Moshinsky;
 - d. the Applicants shall cause a copy of the Notice to be sent by email or prepaid ordinary post to each Registered Group Member for whom the Applicants' solicitors hold a current email address or postal address.
9. By 4.00 pm on the date fixed by the Court for the purposes of Order 8 above, the Applicants' solicitors shall cause a copy of the following documents to be separately displayed (if not already displayed) and in downloadable form on the webpage <https://www.vocusclassaction.com.au>
 - a. Statement of Claim;
 - b. Notice; and
 - c. Notice of Objection.
10. The Notice (including the Notice of Objection) may be amended by the Applicants or by the Respondent by request to the Applicants' solicitors before it is posted, emailed or published in order to correct any postal, website, email address or telephone number or any typesetting or typographical error.



Timetable for settlement approval

11. By 4.00 pm on 31 March 2020, the Applicants, and Woodsford Litigation Funding Ltd (**Woodsford**), and Investor Claim Partner Pty Ltd (**ICP**) (if they so choose) file any:
 - a. affidavit evidence in support of the application pursuant to section 33V of the Act for orders approving the Proposed Settlement. Such affidavit evidence to include material as to why the settlement is fair and reasonable and in the interests of Group Members and the proposed scheme for distribution of the settlement, including filing a proposed **Settlement Distribution Scheme**; and
 - b. an outline of submissions in relation to the application for approval of the proposed settlement.
12. By 4.00 pm on 7 April 2020, any Group Member who wishes to oppose the application for approval of the Proposed Settlement and/or any aspect of the distribution of the settlement sum, including the Applicants' proposed common fund order, must file a completed Notice of Objection (in the form approved in accordance with Order 7) by sending it by email or by post to the address set out in the Notice of Objection.
13. By 4.00 pm on 14 April 2020, any Group Member who has provided written notice of an objection to the Proposed Settlement and/or any aspect of the distribution of the settlement sum, including the Applicants' proposed common fund order, must file with the Court and serve on the Applicants' solicitors:
 - a. any evidence upon which the Group Member relies; and
 - b. any written submission upon which the Group Member relies, in support of the Group Member's objection.
14. By 4.00 pm on 21 April 2020, the Applicants, Woodsford and ICP (if they so choose) file and serve (including on any objecting Group Members):
 - a. any affidavit evidence in reply; and
 - b. any outline of submissions in reply.
15. The parties have leave to inspect the Court file and to copy any Notices of Objection filed with the Court in accordance with order 11.
16. The Applicants and the Respondent have liberty to apply on 2 days' notice.



17. Costs be reserved.

Date that entry is stamped: 7 February 2020

Sia Lagos
Registrar



Annexure A – List of Late Registered Group Members

V10001	V10021	V10041	V10061
V10002	V10022	V10042	
V10003	V10023	V10043	
V10004	V10024	V10044	
V10005	V10025	V10045	
V10006	V10026	V10046	
V10007	V10027	V10047	
V10008	V10028	V10048	
V10009	V10029	V10049	
V10010	V10030	V10050	
V10011	V10031	V10051	
V10012	V10032	V10052	
V10013	V10033	V10053	
V10014	V10034	V10054	
V10015	V10035	V10055	
V10016	V10036	V10056	
V10017	V10037	V10057	
V10018	V10038	V10058	
V10019	V10039	V10059	
V10020	V10040	V10060	



Annexure B – Notice



**NOTICE OF PROPOSED SETTLEMENT
FEDERAL COURT OF AUSTRALIA**

***Michael Fisher and Tracy Fisher as Trustees for the Tramik Super Fund Trust v
Vocus Group Limited (VID 419 of 2019)***

You have been sent this notice because you have been identified as a potential Group Member in the Vocus Class Action.

This notice contains important information about the proposed settlement of the Vocus Class Action and your rights.

WHY ARE YOU RECEIVING THIS NOTICE?

- **This is an important legal document and must be read carefully. If you do not understand this notice, you should immediately contact Slater and Gordon on 1800 071 827 or vocusclassaction@slatergordon.com.au or obtain independent legal advice.**
- On 23 December 2019, the Applicants and Vocus Group Ltd (**Vocus**) announced the conditional settlement of this class action against Vocus (**Vocus Class Action**), subject to Court approval, for the sum of \$35 million (**Settlement Sum**), inclusive of legal fees, disbursements, interest and funding commission (**Proposed Settlement**).
- The purpose of this Notice is to inform you of the Proposed Settlement as a potential Group Member of the Vocus Class Action and to explain your rights.
- You are only entitled to participate in the Proposed Settlement if you are a Group Member and you registered your claim in the Vocus Class Action on or before the deadline on 13 August 2019, or were otherwise deemed to have registered before that deadline (**Registered Group Member**). Registration was completed by signing a cost agreement with Slater and Gordon and a funding agreement with Woodsford Litigation Funding (**Woodsford**), or by lodging a Group Member Registration Form.
- At 10:15 am AEDT on 24 April 2020 at the Federal Court of Australia (the **Court**), in Melbourne, the Court will be asked to approve the Proposed Settlement and the proposed Settlement Distribution Scheme (**Settlement Approval Hearing**). Group Members can attend the Settlement Approval Hearing and have a right to lodge an objection or expression of support for the Settlement Approval Hearing.
- On 7 February 2020, the Court approved the form and content of this Notice and ordered that the Notice be distributed to Group Members in the Vocus Class Action.
- If you do **not** oppose the Proposed Settlement or any aspect of the proposed distribution of the Settlement Sum, including the Applicants' proposed common fund order referred to in paragraphs 24 and 25 below, no action is required by you in response to this Notice.
- If you wish to oppose the Proposed Settlement or any aspect of the proposed distribution of the Settlement Sum, including the Applicants' proposed common fund order, you must take the steps outlined in paragraph 31 of this Notice, which includes filing a completed Notice of Objection to Proposed Settlement by 7 April 2020.

[Following section included in Notice distributed by Applicants' solicitors only]

- As you are a Registered Group Member, accompanying this Notice is a Notice of Estimated Distribution and Schedule of Trade Data. The amount of your estimated distribution has been calculated in accordance with the proposed loss assessment formula which the Applicants will seek be approved by the Court. The amount shown in the Notice of Estimated Distribution is a preliminary estimate of the amount that may be distributed to you individually in the event the



Proposed Settlement is approved by the Court based on the terms of the proposed Settlement Distribution Scheme.

[End section included in Notice distributed by Applicants' solicitors only]

BACKGROUND

1. The Vocus Class Action was commenced in the Federal Court of Australia on 24 April 2019 and alleges that:
 - (a) Vocus engaged in misleading and/or deceptive conduct and breached its obligations of continuous disclosure in contravention of sections 1041H(1) and 674(2) of the *Corporations Act 2001* (Cth) and the ASX Listing Rules between 29 November 2016 and 2 May 2017 (inclusive) (**Claim Period**); and, consequently
 - (b) persons who purchased Vocus shares during the Claim Period suffered compensable loss.
2. Copies of selected court documents (including the Statement of Claim) are available at:
<https://www.vocusclassaction.com.au>

GROUP MEMBER AND REGISTERED GROUP MEMBER DEFINITIONS

3. You are a Group Member in the Vocus Class Action if you:
 - (a) acquired an interest in fully paid ordinary shares in Vocus during the Claim Period; and
 - (b) are alleged to have suffered loss and damage by reason of the conduct alleged against Vocus in the Statement of Claim; and
 - (c) are not a director or officer, a close associate, a related party, a related body corporate, or an associated entity of Vocus (as defined by the *Federal Court of Australia Act 1976* (Cth) (the **Act**)) or a Justice, Registrar, District Registrar or Deputy District Registrar of the High Court of Australia or the Federal Court of Australia; and
 - (d) did not opt-out of the Vocus Class Action on or before 13 August 2019.
4. However, you are only entitled to participate in the Proposed Settlement if you are a Group Member and you registered your claim in the Vocus Class Action on or before the deadline on 13 August 2019 (or were otherwise deemed to have registered before that deadline), by reason of having:
 - (a) signed a cost agreement with Slater and Gordon Limited (**Slater and Gordon**) and a funding agreement with Woodsford and Investor Claim Partner (**ICP**); or
 - (b) completed and lodged a Group Member Registration Form,
(Registered Group Member).
5. **If you did not register your claim in the Vocus Class Action, you may still be a Group Member in this proceeding, but you are not entitled to participate in the Proposed Settlement and are not entitled to receive any compensation from it ("Unregistered Group Member"). If you are an Unregistered Group Member, you will not receive any further information beyond this Notice.**
6. If you are not sure whether you are a Registered Group Member in the Vocus Class Action, please contact Slater and Gordon on 1800 071 827 or vocusclassaction@slatergordon.com.au or seek your own legal advice.



PROPOSED SETTLEMENT

Application for settlement approval

7. The Proposed Settlement must be approved by the Court under section 33V of the Act. Before approving the settlement, the Court must be satisfied that the Proposed Settlement is fair and reasonable and in the interests of all Group Members. The Court will also determine at this time whether the legal costs, fees and other expenses, including litigation fees and commission are reasonable and will review the proposed distribution of the Settlement Sum, including the proposed distribution of amounts for legal costs and litigation funding fees, under the proposed Settlement Distribution Scheme, which includes the proposed common fund order referred to in paragraphs 24 and 25 below.
8. The approval hearing will take place **at 10:15 am AEDT on 24 April 2020** in the Victoria Registry of the Federal Court of Australia located at **Owen Dixon Commonwealth Law Courts Building, 305 William Street, Melbourne Victoria 3000**. You are entitled to attend the hearing if you wish to and you may file an objection to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order.
9. Under the Proposed Settlement:
 - (a) Vocus will pay \$35 million (**Settlement Sum**) to settle the Vocus Class Action inclusive of legal costs, interest and funding commission;
 - (b) the Applicants intend to ask the Court to make orders that the following deductions are made from the Settlement Sum:
 - i. approximately \$2.5 million, plus applicable GST, for legal costs and disbursements incurred in conducting the proceeding (including a contingent insurance premium covering the risk of adverse costs in the action), consistent with legal costs in the conditional legal costs agreement and the legal costs incurred by Woodsford in a predecessor proceeding;
 - ii. approximately \$6.1 million, plus applicable GST, for funding fees and commission to Woodsford and ICP;
 - iii. approximately \$14,500 by way of a reimbursement to the Applicants for the time and expense incurred in representing the class,with the balance then remaining to be distributed between Registered Group Members.
10. The Federal Court's Practice Note states that in an open class action (such as this), class members may expect that if an application is made, and if in all the circumstances it is fair, just, equitable and in accordance with principle, the Court will make an appropriately framed order to prevent unjust enrichment and equitably and fairly distribute the burden of reasonable legal costs, fees and other expenses (including reasonable litigation funding charges or commission) amongst all persons who have benefitted from the action. As part of the Settlement Approval Hearing, the Court will review whether the legal costs, fees and other expenses, including litigation funding fees and commission which are proposed to be deducted are reasonable.
11. As part of the Settlement Approval Hearing, the Applicants will also seek orders from the Court to approve the Settlement Distribution Scheme which will establish how Registered Group Members' entitlements are to be calculated, and the process to distribute the Settlement Fund as efficiently as possible. It is proposed that the cost of administering the settlement under the Settlement Distribution Scheme, will also be payable from the Settlement Sum to the Settlement Administrator (and these costs are also to be subject to the approval of the Court).



12. If the Proposed Settlement is approved by the Court, all Group Members (whether registered or not) will be bound by the settlement and will not be permitted to make any further claims against Vocus or any of its related parties, including its present or former directors and officers, in relation to the allegations advanced in the proceeding or in relation to any matters arising out of, relating to or in connection with the subject matter of the proceeding.
13. If the Proposed Settlement is not approved by the Court, the Vocus Class Action will continue and there will be no distribution of monies to Registered Group Members unless and until the Applicants are successful in the proceeding, or a further settlement is reached.
14. The Proposed Settlement is without admission of liability by Vocus.

Settlement Distribution Scheme

15. The process by which the Settlement Sum is proposed to be distributed will be outlined in a "Settlement Distribution Scheme". The Settlement Distribution Scheme will include a confidential schedule containing a "Loss Assessment Formula" which details how each Registered Group Member's entitlement to a share of the Settlement Sum will be calculated. The proposed Settlement Distribution Scheme and the Loss Assessment Formula must also be approved by the Court.
16. Group Members can obtain access to the proposed Settlement Distribution Scheme including the relevant confidential schedules from 24 February 2020, by:
 - (a) contacting Slater and Gordon at vocusclassaction@slatergordon.com.au and requesting a copy of the proposed Settlement Distribution Scheme; and
 - (b) signing and returning a confidentiality undertaking to obtain a copy of the confidential Loss Assessment Formula, which will be sent to Group Members upon request.
17. The amount of compensation to be paid to each Registered Group Member under the Proposed Settlement will depend on a number of factors such as the number of shares purchased by that Registered Group Member, the date of purchase, whether any of those shares were sold, and the overall losses of all Registered Group Members who chose to participate in the Proposed Settlement, the total amount of the deductions from the Settlement Sum which are approved by the Court and any interest earned on the Settlement Sum prior to final distributions.
18. If the Court approves the Proposed Settlement, a Settlement Administrator will be appointed in order to distribute the Settlement Sum to Registered Group Members and administer the settlement in accordance with the Settlement Distribution Scheme under the directions of the Court.
19. In applying for approval of the Proposed Settlement, the Applicants intend to ask the Court to make an order that Slater and Gordon be appointed as Settlement Administrator, however the appointment of the Settlement Administrator is a decision for the Court.

Funding commission

20. Throughout the course of the proceeding, Woodsford provided litigation funding and ICP provided claims management services to the Applicants and those group members who had signed funding agreements with them (**Funded Group Members**) on the terms set out in the funding agreements. Under this arrangement, the funders:
 - (a) indemnified the Applicants against any adverse costs orders;
 - (b) paid legal costs incurred in prosecuting the proceeding, including the cost of solicitors, barristers and experts;
 - (c) are entitled to a funding commission of 20.5% of any settlement proceeds recovered by Funded Group Members if they are received by 24 October 2020; and



- (d) are entitled to a funding commission of 28% of any settlement proceeds recovered by Funded Group Members if they are received after 24 October 2020, or three times total funder's expenses, whichever is greater.
21. Based on the current stage of the proceeding, in the absence of extensive and unforeseen delays, it is expected that the applicable funding commission rate under the funding agreement will be that set out in (c) above (namely, 20.5%), although if delays are experienced the applicable rate may be that set out in (d) above (namely, 28%).
22. In the Notice to Group Members distributed in June 2019, the Applicants notified an intention to apply to the Court for a "common fund order" under which Woodsford and ICP would be paid a funding commission of up to 25% of any proceeds, or three times total funding expenses, whichever was greater.
23. Registered Group Members are either Funded Group Members (as defined in paragraph 20 above) or group members who have registered, but who have not entered into any funding agreements with Woodsford or ICP (**Unfunded Registered Group Members**).
24. The Applicant is now seeking a common fund order in the amount of \$6.1 million, which represents a funding commission of 17.43% of the Settlement Sum. This proposed common fund order will allow a deduction in this amount from the Settlement Sum recovered for all Registered Group Members (including Unfunded Registered Group Members who have not entered into a funding agreement) as a funding commission to Woodsford and ICP, in exchange for funding and managing the litigation. It will mean all Registered Group Members who stand to benefit from the proceeding contribute towards the funding arrangements.
25. If a common fund order is not made, the Applicants will proceed with the application for approval of the Proposed Settlement and Woodsford and ICP will seek to recover commission under their funding agreements from Funded Group Members, subject to a funding equalisation order. Under a funding equalisation order, an amount equal to the amount of funding commission owed under the funding agreements (at the rate set out in paragraph 20 above) is deducted from the Unfunded Registered Group Members' recovery and redistributed amongst all Registered Group Members on a pro rata basis, so that they all contribute towards the funding arrangements.
26. A funding equalisation order is likely to result in overall a lesser amount being deducted from the Settlement Sum on account of funding commission than if a common fund order were made, although the precise difference will depend on several factors including how many group members have signed litigation funding agreements, and the applicable commission rate (which depends in part on when the Settlement Sum is received as noted above).
27. Group Members have a right to object to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order.

WHAT YOU MUST DO

Registered Group Members Only

28. **As a Registered Group Member, you should review** the Notice of Estimated Distribution, as:
- (a) you will be deemed to have accepted the accuracy of the Notice of Estimated Distribution if you do not take any further steps by 7 April 2020; and
 - (b) your right to request a formal review, as outlined in the Review Request Form enclosed with the Notice of Estimated Distribution, must be made by 27 March 2020.
29. Please see the Notice of Estimated Distribution for further information.



All Group Members

30. **If you are in favour of the Proposed Settlement, there is nothing you need to do in response to this Notice**
31. **If you wish to object to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum**, including the proposed common fund order, then you **must**, by no later than 4:00 pm (AEDT) on 7 April 2020, complete the Notice of Objection to Proposed Settlement (which is below and can also be downloaded from <http://www.vocusclassaction.com.au>) and file it with the Court by sending it by:
 - (a) email to: **vicreg@fedcourt.gov.au** with the subject line "Notice of Objection to Proposed Settlement VID419/2019"; or
 - (b) post to: Federal Court of Australia Registry, Level 7, 305 William St, Melbourne, Victoria 3000 (labelled as a "Notice of Objection to Proposed Settlement VID419/2019").
32. If you intend to object to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order, you should obtain independent legal advice immediately.
33. If you propose to object to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order, you may wish to review the materials in support of the settlement approval filed by the Applicants. Such material will be available to you for inspection at the offices of Slater and Gordon on request, subject to signature of an appropriate confidentiality undertaking. You should, however, be aware that Slater and Gordon is not required to file that material until 31 March 2020. If, upon review of that material, you decide to withdraw or amend your objection, you **must** file your withdrawal or amendment with the Court by sending it by email to the address above.
34. Any Group Member who has provided written notice of an objection to the Proposed Settlement and who wishes to rely on:
 - (a) any evidence in support of their objection; and/or
 - (b) any written submissions in support of their objection in addition to those include on the Notice of Objection to Proposed Settlement,must file with the Court and serve on Slater and Gordon that evidence and/or submissions by no later than 4:00 pm on 14 April 2020.
35. Any objections will be considered by the Court, along with submissions from the parties, when assessing whether the Proposed Settlement is fair and reasonable.
36. You **may** also attend the approval hearing to explain the basis of your objection to the Judge if you wish to do so. You can undertake the above steps yourself, or with the assistance of a lawyer.

FURTHER INFORMATION

37. If you need further information about the Proposed Settlement, please contact Slater and Gordon on 1800 071 827, or by email to classactions@slatergordon.com.au

Please bear in mind that while you should contact Slater and Gordon for further information as necessary, if you do not require further assistance, it is in the interests of all Group Members to keep any further costs to a minimum.



Notice of Objection to Proposed Settlement

**VOCUS CLASS ACTION
No VID 419 of 2019**

Complete this form if you want to submit an objection to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order, that will be considered by the Court when it is determining whether or not to approve it.

If you wish to object to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order, your Notice of Objection must be received by the Court by 4:00 pm (AEDT) on 7 April 2020.

If you do NOT wish to object to the Proposed Settlement and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order, you should NOT complete and return this form.

TO: The Federal Court of Australia, by email to vicreg@fedcourt.gov.au with the subject line "Notice of Objection to Proposed Settlement VID419/2019" OR by post addressed to Federal Court of Australia Registry, Level 7, 305 William St, Melbourne, Victoria 3000 (labelled as a "Notice of Objection to Proposed Settlement VID419/2019")

The person identified below gives notice pursuant to order 12 of the orders of the Honourable Justice Moshinsky made on 7 February 2020 that the person **OBJECTS** to the Proposed Settlement of this proceeding and/or any aspect of the proposed distribution of the Settlement Sum, including the proposed common fund order.

A DETAILS OF OBJECTOR

Name:	
ACN/ABN [if company]:	
Capacity [e.g., individual, partnership, trustee/agent]:	
Telephone:	
Email:	
Postal address:	
HIN/SRN under which Vocus shares were traded:	
Total number of Vocus shares acquired by the objector during the period 29 November 2016 to 2 May 2017 (inclusive)	
Total number of Vocus shares disposed of by the objector during the period 29 November 2016 to 2 May 2017 (inclusive)	

[Continued overleaf]

Signed:		Second signature [if company]:	
---------	--	-----------------------------------	--



Name of person signing:		Name of person signing:	
Position <i>[if applicable]</i> :		Position <i>[if applicable]</i> :	
Date:		Date:	



Annexure C – Computershare Protocol



Computershare Protocol

1. Scope and definitions

- (a) Computershare Limited (**Computershare**) will send the Notice contained in **Annexure B** to the Orders of 7 February 2020 to all persons who were sent notices in accordance with order 9(a) of the orders made on 21 May 2019 (for the purpose of this Protocol, **Group Members**).

2. Communication

2.1. Multiple interest holders

- (a) Where the register appears to disclose that a custodian or adviser represents more than one Group Member, Computershare will send a single Notice to that custodian or adviser.

2.2. Email

- (a) The Notice will be sent by email to all Group Members who have provided an email address to Computershare. The content of:
 - (i) the subject line of the email shall read: "IMPORTANT: Class Action against Vocus Group Limited"; and
 - (ii) the body of the email shall read as set out in **Annexure D** to the Orders of 7 February 2020.
- (b) The Notice will be sent as a link to a PDF attachment to the email.
- (c) The Notice will be emailed to Group Members on or before 24 February 2020.
- (d) Computershare's email server will be programmed to make a total of three (3) delivery attempts (if required) over two (2) business days.
- (e) If Computershare receives notification that an email was, or may not have been, delivered after two (2) business days, then on 27 February 2020, it will:



- (i) provide Herbert Smith Freehills with an email delivery failure report identifying the email failures or potential failures; and
 - (ii) send the Notice by prepaid ordinary post in accordance with Section 2.3. below to all Group Members identified in the delivery failure report.
- (f) On 27 February 2020, Computershare will confirm to Herbert Smith Freehills the number of Notices sent by email. Herbert Smith Freehills will provide to Slater and Gordon Lawyers this number (without any information that would reveal the identification details of the Group Member).

2.3. Post

- (a) The Notice will be sent by prepaid ordinary post to all Group Members:
- (i) who do not have an email address recorded on the share register, or who otherwise have not provided an email address to Computershare on or before 24 February 2020;
 - (ii) for whom Computershare receives notification that an email sent in accordance with paragraph 2.2 (a)-(d) above was or may not have been delivered.
- (b) The Notice will be attached to a cover letter, the content of which shall read as set out in **Annexure D** to the Orders of 7 February 2020.
- (c) On 27 February 2020, Computershare will confirm to Herbert Smith Freehills the number of Notices sent by prepaid ordinary post. Herbert Smith Freehills will provide Slater and Gordon Lawyers with this number (without any information that would reveal the identification details of the Notice Recipient).

3. Record of communications

- (a) On 2 March 2020, Computershare is to provide to Herbert Smith Freehills a document which lists all the Group Members to whom the Notice has been sent in accordance with sections 2.2. and 2.3. above, and which identifies in relation to each Group Member:
- (i) the method by which the Notice was sent to the Group Member;
 - (ii) the date on which the Notice was sent to the Group Member;



- (iii) whether and which distribution attempts failed to the Group Member; and
- (iv) the form of the evidence by which the failed distribution attempt was identified by Computershare, including, but not limited to, by way of receipt of an email delivery failure notification, or receipt of a prepaid ordinary post envelope marked 'return to sender' (or similar).

(b) To the extent that it would not already do so in the ordinary course of its business, Computershare is to retain records for the duration of this proceeding of all communications sent and received in the course of executing this Protocol, including:

- (i) the emails sent, and any delivery failure notifications received, in accordance with section 2.2. above;
- (ii) postal records or receipts or similar, of the Notices sent by prepaid ordinary post in accordance with section 2.3. above; and
- (iii) any prepaid ordinary post envelopes received by Computershare marked 'return to sender' (or similar), in accordance with section 2.3. above.

4. General Compliance with this Protocol

- (a) In the event that Computershare becomes aware that they are unable to comply with any requirements under this Protocol, they are to notify Herbert Smith Freehills in writing within 24 hours of so becoming aware.
- (b) In the event that Computershare becomes aware that they have failed to comply with any requirements under this Protocol, they are to notify Herbert Smith Freehills in writing within 24 hours of so becoming aware.

5. Amendment

- (a) This Protocol may be amended by agreement between the parties.



Annexure D – Template Computershare Email/Letter

[INSERT DATE]

Dear Claimant,

RE: Class Action against Vocus Group Limited (Vocus)

You are receiving this correspondence because, based on the information available, you may have acquired an interest in ordinary shares in Vocus during the period of 29 November 2016 to the close of trade on 2 May 2017 inclusive.

If you did, you may be a class member in the Vocus Class Action.

THE DOCUMENT ENCLOSED WITH THIS CORRESPONDENCE (NOTICE) PROVIDES YOU WITH INFORMATION CONCERNING:

- (1) THE PROPOSED SETTLEMENT OF THE VOCUS CLASS ACTION**
- (2) YOUR RIGHT TO OBJECT TO THE PROPOSED SETTLEMENT OF THE VOCUS CLASS ACTION AND/OR ANY ASPECT OF THE PROPOSED DISTRIBUTION OF THE SETTLEMENT SUM, INCLUDING THE APPLICANTS' PROPOSED COMMON FUND ORDER**
- (3) THE MONIES YOU MAY BE ENTITLED TO RECEIVE IF THE PROPOSED SETTLEMENT IS APPROVED**

It is therefore very important that you read the enclosed Notice carefully and if you have any questions, please visit the Vocus Class Action Website or call the Vocus Class Action Hotline:

- (a) Vocus Class Action Website: www.vocusclassaction.com.au or
- (b) Vocus Class Action Hotline: 1800 071 827.

Alternatively, you may wish to seek your own legal advice regarding the Notice.