



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID1252/2019

KATHERINE PRYGODICZ and another/others named in the schedule
Applicant

COMMONWEALTH OF AUSTRALIA
Respondent

ORDER

JUDGE: JUSTICE MURPHY

DATE OF ORDER: 23 December 2020

WHERE MADE: Melbourne

THE COURT ORDERS THAT:

Settlement Approval Hearing

1. The application pursuant to s 33V of the *Federal Court of Australia Act 1976* (Cth) (**the Act**), for orders approving the proposed settlement be listed for hearing on 6 and 7 May 2021 (the **Settlement Approval Hearing**).

Notice to Group Members

2. Pursuant to ss 33X and 33Y of the Act by 25 January 2021 Group Members be sent a covering letter in the form of Annexure A to these orders together with a Notice of Proposed Settlement (**Notice**) in the form of Annexure B to these orders.
3. The Notice may be amended by the Respondent on the request of the Applicants before it is sent to Group Members in order to correct any website or email address or telephone number or other non-substantive error.
4. Pursuant to s 33Y(3) of the Act, the Notice be distributed according to the following procedure:
 - (a) using its best endeavours the Respondent shall use its own resources to identify the names of all Group Members, the MyGov account details of those



Group Members who have a MyGov account linked to Services Australia, and their last known contact details held by the Respondent;

- (b) where possible the Respondent shall cause the Notice to be sent to each Group Member's MyGov Account which is linked to Services Australia; and
 - (c) where a Group Member does not have a MyGov account linked to Services Australia, the Respondent will use its best endeavours to send the Notice by mail to the Group Member's last known address.
5. As soon as practicable, pursuant to the orders made on 6 March 2020 and 17 August 2020 the parties will conduct a review of all opt out notices filed in the proceeding for the purpose of ensuring that no Group Member who has filed an effective opt out notice is provided with the Notice.
6. As soon as practicable, the parties will confer and agree on a form of letter to be sent to the personal representatives of Group Members comprising deceased estates, with the terms of such letter to be agreed between the Applicants and the Respondent.

Appointment of Contradictor

7. Ms Fiona Forsyth SC and Ms Eugenia Levine are appointed as Contradictor to represent Group Members' interests and to assist the Court to perform its judicial function in relation to the settlement approval application, including as to whether the proposed settlement is fair and reasonable having regard to the interests of Group Members who will be bound by the settlement and in relation to legal costs.
8. The Contradictor has power to adduce evidence, make submissions, and seek information and documents in respect of the settlement approval application. The Contradictor may seek such documents and information from the solicitors for the applicant and/or the Costs Referee as she considers appropriate which, subject to appropriate confidentiality arrangements, shall be provided as soon as practicable. If there is any dispute regarding the provision of such material the Contradictor and the Applicants have liberty to apply to the chambers of the Honourable Justice Murphy on 24 hours' notice.
9. The Contradictor may confer with the Costs Referee in relation to the reasonableness of the legal costs proposed to be charged to Applicants and Group Members,



including so as to reduce duplication of the work to be performed by the Contradictor and the Cost Referee.

10. Subject to further order, the Contradictor's reasonable costs are to be paid, in the first instance, by the Applicants within 30 days of the presentation of an invoice.

Costs Referee

11. Pursuant to s 54A of the Act, Ms Cate Dealehr of the Australian Legal Costing Group is appointed as a referee (**Costs Referee**) to inquire into and report to the Court (**Report**) stating, with reasons, the Costs Referee's opinion on the following matters:
 - (a) the reasonableness of the Applicants' legal costs for work done up to the hearing of the settlement approval application, including costs anticipated but yet to be incurred as at the date of the Report;
 - (b) the lump sum amount of reasonable legal costs that the Court should approve as fair and reasonable and allow to be deducted from the settlement sum to be applied to payment of the legal costs of the Applicants and Group Members incurred in conducting the class action;
 - (c) the approximate proportion of the Applicants' legal costs for work done up to the Settlement Approval Hearing that are:
 - (i) attributable to making and advancing the claims made on behalf of Category 4 Group Members and ineligible Category 3 Group Members; and
 - (ii) attributable to making and advancing the allegations introduced by the Second Further Amended Statement of Claim, including but not limited to the cost attributable to the first unsuccessful application to introduce those allegations, the second successful application to introduce those allegations, the application for leave to appeal, the grant of leave for those allegations to be made and preparation for the trial of those allegations; and
 - (d) the reasonableness of the sum proposed to be charged by Gordon Legal to perform its functions under the Settlement Distribution Scheme (being Annexure B to the Settlement Deed), being:



- (i) those set out in clauses 3b, 3.c, 4.a.iv, 4.b, 4.d.ii, 4.e.ii, checking whether the Commonwealth has correctly categorised Group Members into members who are entitled to a distribution under the Settlement Distribution Scheme, and members who are not entitled to a distribution under the Settlement Distribution Scheme; and
- (ii) those set out in clause 5, providing information and assistance to those Group Members who request it, being limited to:
 - (A) explaining how Group Members have been categorised under the Settlement Distribution Scheme; and
 - (B) explaining the methodology employed to calculate Group Members' entitlements.

12. The Reference will commence forthwith and:

- (a) the Costs Referee is to consider and implement the Reference without undue formality or delay so as to enable a just, efficient and cost-effective resolution of the Reference. This may include enquiries by telephone and direct communication, without intervention of lawyers, with any person who the Costs Referee believes may have relevant information. The Costs Referee may seek submissions from the solicitors for each of the parties and from the Contradictor and shall take such submissions into account;
- (b) to facilitate the just, efficient and cost-effective resolution of the Reference the Costs Referee is to make such directions as the Referee considers appropriate as to the conduct of the Reference, including for the attendance of any person, the production of documents and records relevant to legal costs, and/or the provisions of any submissions. The Costs Referee may confer with the Contradictor in relation to the reasonableness of the legal costs proposed to be charged to the Applicants and Group Members, including so as to reduce duplication of the work to be performed by the Contradictor and the Cost Referee;
- (c) the Applicants' solicitors shall forthwith and without delay deliver to the Costs Referee a copy of this order and immediately make available all information



and records which the Costs Referee believes are relevant to the Reference;
and

- (d) the Costs Referee, the parties and the Contradictor shall have liberty to seek directions with respect to any matter arising in the Reference upon 24 hours' notice, or such other notice ordered by the Court.
- 13. The Costs Referee shall submit the Report to the Court in accordance with r 28.66, addressed to the chambers of the Honourable Justice Murphy on or before 4.00 pm on 1 April 2021.
- 14. The Costs Referee shall provide a copy of the Report to the solicitors for the parties and the Contradictor.
- 15. The costs of and incidental to the appointment of the Costs Referee and the Costs Referee's reasonable costs shall be paid by the solicitors for the Applicants' in the first instance, but otherwise, subject to further order, shall be costs in the proceeding.
- 16. Unless the Court otherwise orders, the Costs Referee's fees shall be not more than \$35,000.

Settlement Approval Hearing Timetable

- 17. By 4.00 pm on 5 March 2021, any Group Member who objects to the proposed settlement must complete a Notice of Objection and send it to the Court either:
 - by email to the Victoria registry of the Federal Court of Australia at the email address robodebt@fedcourt.gov.au; or
 - by post to the postal address;

Robodebt Class Action
Victoria Registry
Federal Court of Australia
Owen Dixon Commonwealth Law Courts Building
305 William Street
Melbourne VIC 3000

- 18. By 4.00 pm on 19 March 2021, Group Members are to file any written submissions or affidavit evidence on which a Group Member wishes to rely in objecting to the



settlement, without prejudice to their right to file any further submissions following the Costs Referee's report.

19. Leave be granted to solicitors of the parties and the Contradictor to inspect the Court file for, and make copies of, any Notices of Objection and any evidence or submissions filed in support in relation to the proposed settlement.
20. By 4.00 pm on 9 April 2021, the Applicants file and serve any submissions and further affidavit material upon which they intend to rely in support of approval of the settlement (and serve any non-confidential materials), and by 16 April 2021 file and serve any submissions and further affidavit material upon which they intend to rely in response to the Report by the Costs Referee.
21. Leave be granted to the Applicants to file any affidavit or exhibit or part thereof in respect of which confidentiality orders are to be sought in a sealed envelope marked "Confidential Affidavit – Not to be Opened Except by Direction of a Judge of the Court" and the Applicants be excused from any requirement to serve any such affidavit or exhibit on the Respondent.
22. By 4.00 pm on 16 April 2021, the Respondent file and serve any submissions and affidavit material in relation to the application for settlement approval.
23. By 4.00 pm on 23 April 2021, the Contradictor file and serve any submissions and affidavit material in relation to the application for settlement approval.

Other Matters

24. Liberty be granted to both parties to apply on three days' notice or on such shorter notice as a Judge might allow.
25. Subject to further order, the Applicants' costs of and incidental to the settlement approval application are costs in the proceeding, subject to approval by the Court.

Date that entry is stamped: 23 December 2020


Registrar



ANNEXURE A



Miss Anita Lisa Smith
PO Box 123
BRISBANE QLD 1234



Australian Government
Services Australia

centrelink

Proposed 'Robodebt' Class Action settlement

This notice is to inform you that the Applicants in the 'Robodebt' (Social Security Debt Collection) class action who are represented by solicitors, Gordon Legal, and the Commonwealth of Australia have agreed to settle the class action without a trial. The settlement will not take effect unless it is approved by the Court. The terms of the proposed settlement, and what to do if you object to it, are explained in the attached notice.

Why have I received this?

You have been identified as a group member of the **'Robodebt' (Social Security Debt Collection) Class Action (VID1252/2019)**.

What do I need to do?

Read all of the notice carefully so you understand the terms of the proposed settlement and your rights, before deciding on an option below.

1. If you do not want to object to the proposed settlement
 - You do not need to do anything.
- OR
2. If you want to object to the proposed settlement
 - Follow the process set out in section 26 to 31 the notice.

More information

Go to **robodebtclassaction.com.au**

Please do not call Centrelink about this proposed class action settlement.

To find out how you can get copies of relevant documents, go to sections 41 and 42 in the notice.



ANNEXURE B
NOTICE OF PROPOSED SETTLEMENT
FEDERAL COURT OF AUSTRALIA

'Robodebt' (Social Security Debt Collection) Class Action (VID1252/2019)

THIS IS AN IMPORTANT NOTICE APPROVED BY THE FEDERAL COURT OF AUSTRALIA.

You are a group member of the 'Robodebt' (Social Security Debt Collection) Class Action.

The parties in this legal case will ask the Court to approve the settlement of the case without having a trial.

You should read all of this notice carefully because your legal rights may be affected by the proposed settlement.

If you don't understand the information in this notice and need help, you can get more information from Gordon Legal's website robodebtclassaction.com.au. You can also get advice from your own lawyer.

WHY HAVE I RECEIVED THIS NOTICE?

1. You've been sent this notice because you are a 'group member' of the 'Robodebt' (Social Security Debt Collection) Class Action (Class Action).
2. The Class Action was taken against the Commonwealth of Australia (Services Australia) by six individuals, known as the 'Applicants', represented by Gordon Legal.
3. The parties have agreed to end the Class Action without a trial. This is called a 'settlement'.

THE PROCEEDING AND THE PROPOSED SETTLEMENT

The proceeding

4. The Class Action was commenced on 20 November 2019. The Applicants alleged that:
 - a. Since 1 July 2015, letters were sent to group members (by mail, email, 'myGov' or the 'Centrelink Express' app).
 - b. The letters:
 - i. stated that there was a difference between the Australian Taxation Office (ATO) income information and the employment income information used in assessing Social Security Payments; and
 - ii. requested that the group members check, confirm or update their employment income information.
 - c. Group members were then advised that an overpayment of a Social Security Payment had occurred and requested or demanded repayment of the overpayment as a debt.
 - d. Some group members have paid, had paid on their behalf, or had recovered from them (by, for example, demands from debt collectors, or having had their tax returns garnished) amounts for these claimed overpayments.



- e. Centrelink had no right to demand or recover any part of these overpayments as debts.
 - f. As a result, the Commonwealth has been "unjustly enriched" and has been negligent.
5. The Commonwealth admitted it made demands and recovered parts of some overpayments, but said that in some cases, there was a valid basis for raising the debts and recovering the overpayments because the recipients were actually overpaid. The Applicants said that there is no basis in Australian law for being able to do this. The Commonwealth denied that it was negligent as alleged by the Applicants.
6. Full details of the allegations made by the Applicants and of the Commonwealth's defence against those allegations are set out in the Second Further Amended Statement of Claim and Defence to Second Further Amended Claim. See "Relevant Documents and Further Information" below for details on how to access these documents.
7. On or about 29 May 2020 the Commonwealth announced publicly that from July 2020 it would refund all repayments made on debts raised wholly or partially using averaging of ATO income information and any interest charges and/or recovery fees paid on related debts. On or about 1 July 2020 the Commonwealth announced publicly that debts raised using averaging of ATO income information, in respect of which no amount had been paid to the Commonwealth, would be reduced to zero.
8. On 16 November 2020 the Commonwealth announced publicly that it had been processing refunds to affected social security recipients, and as at 13 November 2020 \$705.9 million had been refunded to 405,814 such persons.

The proposed settlement

9. Under the proposed settlement the Commonwealth has agreed it:
- 9.1. won't demand, raise or recover any invalid debt (see below for information about what an invalid debt is)
 - 9.2. will consent to the Court making declarations regarding the invalid debts;
 - 9.3. will refund monies collected in respect of invalid debts if it hasn't already made those refunds as part of the Government's announcement, and;
 - 9.4. will pay an additional \$112 million to eligible group members.

CATEGORIES OF GROUP MEMBERS AND WHAT THE PROPOSED SETTLEMENT MEANS

10. If the proposed settlement is approved by the Court, you will not need to repay any 'invalid debt'. The Court will declare debts to be invalid where:
- a. the rate of the social security payment for the group member was dependent upon the person's ordinary income on a fortnightly basis;
 - b. the Commonwealth based its decision on an assumption (Assumption) that the person's ordinary income for a fortnight (relevant fortnight) was greater than the amount of ordinary income that the person had reported to the Commonwealth for the relevant fortnight;
 - c. the Commonwealth relied solely on PAYG employment income data from the ATO (ATO data) to make the Assumption and did not have evidence that the person was likely to have earned employment income at a constant fortnightly rate during a period covered by the ATO data, or other evidence to support the Assumption;



- d. the Assumption was based on an assessment of the person's employment income for the relevant fortnight derived from averaging the ATO data, for a longer period that included the relevant fortnight, as if the person had earned income at a constant rate during that period.
11. If the settlement is approved by the Court, \$112 million will be made available to be paid to eligible group members, less an amount to be deducted for the Applicants' reasonable legal costs (as approved by the Court) in bringing the proceeding and to pay Gordon Legal for performing its functions under the Settlement Distribution Scheme.
12. Under the proposed settlement, group members are in different categories. Not all categories of group members will receive a payment. A group member can be in more than one category if they had more than one debt. People who will receive a settlement payment are known as 'eligible group members'. Further information about the categories and who will receive a settlement payment is in the Table at paragraph 15 below.
13. If you are an eligible group member, you may also have the amount you paid to Services Australia refunded (if it has not been refunded already) or no longer be required to pay the balance of your debt or both.
14. The amount eligible group members receive will depend on when they paid an amount towards an ATO income averaged debt and when that money was paid back to them.
15. This means that eligible group members who paid back more and were without their money for longer will receive a bigger settlement payment than those who paid back less and were without their money for a shorter time. The Table below explains how the proposed settlement will operate.

Category	Definition of category	What the proposed settlement means for this category
Category 1	You are in category 1 if you had a debt that was either partly or wholly based on averaged ATO income information, but <u>did not</u> pay any money to Centrelink in respect of the debt.	Not eligible for settlement payment Category 1 group members: <ul style="list-style-type: none">– will get the benefit of a declaration made by the Court that they do not have to pay back a debt based on averaged ATO income information to Centrelink– will not have to pay back the debt based on averaged ATO income information to Centrelink; and– will not receive a settlement payment.
Category 2	You are in category 2 if you had a debt that was either partly or wholly based on averaged ATO income information, and you paid back some or all of the money	Eligible for settlement payment Category 2 group members:



Category	Definition of category	What the proposed settlement means for this category
	to Centrelink.	<ul style="list-style-type: none"> – will get the benefit of a declaration made by the Court that they do not have to pay back a debt based on averaged ATO income information to Centrelink – will have their debt refunded (if it has not already been refunded); – will not have to pay back the balance of the debt owing to Centrelink; and – will receive a settlement payment.
Category 3	<p>You are in category 3 if you had a debt that was initially partly or wholly based on averaged ATO income information, but with the debt later being recalculated:</p> <ul style="list-style-type: none"> – based on information (payslips or bank statements) provided to Centrelink and – not on the basis of averaged ATO income information <p>and paid back some or all of the money to Centrelink.</p>	<p>Some members only eligible for settlement payment</p> <p>Category 3 group members:</p> <ul style="list-style-type: none"> – will get the benefit of a declaration made by the Court that they do not have to pay back a debt based on averaged ATO income information to Centrelink (this will be relevant to the initially calculated debt only, not the final recalculated debt); – will only receive a settlement payment if the amount they have paid to Centrelink for a debt partly or wholly based on averaged ATO income information was more than the value of the recalculated debt using other information provided to Centrelink
Category 4	<p>You are in category 4 if you had a debt that was not based on averaged ATO income information.</p>	<p>Not eligible for settlement payment</p> <p>Category 4 group members:</p> <ul style="list-style-type: none"> – will not receive a settlement payment because their debt was not based on averaged ATO income information.



LEGAL COSTS

16. In asking the Court to approve the proposed settlement, the Applicants will also ask the Court to make orders that part of the \$112 million settlement be used:
 - a. to pay the legal costs they incurred in running the Class Action; and
 - b. to pay the Applicants' and group members' legal costs to Gordon Legal to perform its functions under the Settlement Distribution Scheme (settlement administration costs), being:
 - i. checking whether the Commonwealth has correctly categorised group members into members who are entitled to a distribution under the Settlement Distribution Scheme, and members who are not entitled to a distribution under the Settlement Distribution Scheme; and
 - ii. providing limited information and assistance to group members about how they have been categorised under the Settlement Distribution Scheme, and the methodology employed to calculate their share of the Settlement Sum (if any), if a group member requests it.
17. Gordon Legal has not finalised the calculation of the Applicants' legal costs, but the firm presently estimates that the legal costs will be up to approximately \$16.0 million. When calculated the final amount may be less than that.
18. If you have a concern in relation to the reasonableness of the estimated legal costs, you should note the following:
 - a. it is a matter for the Court to determine what amount of legal costs is reasonable, and should be deducted from the settlement;
 - b. the Court has appointed an independent legal costs expert as a referee under s 54A of the *Federal Court of Australia Act 1976* (Cth) (Costs Referee) to report to the Court as to the reasonableness of the legal costs and settlement administration costs proposed to be charged. A copy of the Costs Referee's report will be available on 12 April 2021 on the Federal Court website at <https://www.fedcourt.gov.au/services/access-to-files-and-transcripts/online-files/robodebt>;
 - c. the Court has also appointed a senior and junior barrister as Contradictor to represent the interests of group members in the settlement approval application, including in relation to the reasonableness of the legal costs and settlement administration costs proposed to be charged; and
 - d. the Court will consider the Costs Referee's report and the Contradictor's submissions and the Court will only approve the deduction of costs in an amount it considers to be fair and reasonable.
19. The question as to the reasonableness of the legal costs will be considered by the Court whether or not you object, but if you disagree with the proposed deduction of the estimated legal costs or with the amount found to be reasonable by the Costs Referee you may, if you wish, object to the settlement being approved on that basis and also make submissions to the Court.

WHAT IS THE PROCESS FOR THE COURT TO APPROVE THE SETTLEMENT?

20. As already explained, the Court has appointed a senior and junior barrister as Contradictor to represent the interests of group members in the settlement approval application. The Court



has also appointed a Costs Referee in relation to the reasonableness of legal costs. In the approval hearing the Court receives and considers any evidence and submissions from the Applicants, the Commonwealth and the Contradictor, as well as the Costs Referee's report. The Court must decide whether the proposed settlement is fair and reasonable in the interests of the group members to be bound by the settlement.

21. If the Court decides the proposed settlement is fair and reasonable and in the interests of group members, the Court will approve the proposed settlement under section 33V of the *Federal Court of Australia Act 1976* (Cth).
22. The approval hearing will commence at 10:15 am on 6 May 2021 and is listed to continue into the following day, in the Federal Court of Australia located at Owen Dixon Commonwealth Law Courts Building, 305 William Street, Melbourne, Victoria.
23. You can attend the hearing if you want to. Information about how to attend will be available on the Federal Court's website, and may include options to attend online or by telephone.
24. If you want to object to the proposed settlement, you should follow the process set out in paragraphs 26 to 31 below.

IF YOU DON'T WANT TO OBJECT TO THE PROPOSED SETTLEMENT

25. There is **nothing** you need to do if you don't want to object to the proposed settlement. If the settlement is approved, Services Australia will notify you about the category you are in, the amount of any payment you will get, and information about what to do if you don't agree with your categorisation.

IF YOU WANT TO OBJECT TO THE PROPOSED SETTLEMENT

26. If you think you might want to object to the proposed settlement of the Class Action, you may want to get independent legal advice now (this can't be from Gordon Legal).
27. If you want to ask the Court not to approve the settlement, you must send a completed copy of the attached Notice of Objection form by 5 March 2021 either:
 - a. by email to the Victoria registry of the Federal Court of Australia at the email address robodebt@fedcourt.gov.au; or
 - b. if you don't have access to email, by post to the postal address;
Victoria Registry
Federal Court of Australia
Owen Dixon Commonwealth Law
Courts Building 305 William Street
Melbourne VIC 3000
28. If you want to, you can file with the Court any written submissions, which further state the reasons why you object to approval of the proposed settlement, and any evidence upon which you may rely, by 19 March 2021. If you want to, you can also file further submissions after the Costs Referee's report is available on 12 April 2021, doing so by 19 April 2021.
29. Written submissions and any evidence should be in approved Court forms. You might want to get an independent lawyer to help you fill these out.



30. You can attend (or send a representative to) the hearing 6 May 2021 when the Federal Court will consider whether to approve the settlement and you or your representative may make oral submissions in support of your objection. The hearing will take place at:

Federal Court of Australia
Owen Dixon Commonwealth Law
Courts Building
305 William Street
Melbourne VIC 3000

31. Information about how to attend will be available on the Federal Court's website, and may include options to attend online or by telephone.

OTHER INFORMATION ABOUT THE PROPOSED SETTLEMENT

32. If the Court approves the proposed settlement, group members won't be able to make the same legal claims made in this Class Action in new proceedings, unless the group member opted out of the Class Action.
33. In May 2020, Services Australia sent 'opt out notices' to group members. The opt out notices stated that if you did not wish to remain a group member you could opt out of the Class Action by completing a "Notice of opting out by class member". People who opted out of the Class Action:
- 33.1. aren't entitled to share in the benefit of the settlement, if approved, but
 - 33.2. may still bring their own claims against the Commonwealth, provided they issue Court proceedings within the time limit applicable to their claim.
34. You are receiving this Notice because you did not opt out of the Class Action before the opt-out date (see paragraph 33), or your opt out notice could not be matched to your customer record.
35. Even if the Court approves the settlement, you can still ask Services Australia to review any social security decision.
36. An independent organisation will check that Services Australia correctly categorises group members and pays group members the right amount. Gordon Legal will also be told about how Services Australia has categorised group members and will have an opportunity to check that the categorisation is correct. If the Court approves the settlement, group members will be told if they are an eligible group member or not, and if they are an eligible group member, how payments will be calculated.
37. Services Australia will develop a web page and a help line for group members for questions.
38. The proposed settlement must be approved by the Court and could change.

DEFINITION OF GROUP MEMBERS

39. A group member (or 'class member') in the Class Action is a person who:
- a. at any time after 1 July 2010 received from the Commonwealth (through Centrelink) one or more payments of:
 - i. Newstart Allowance;



- ii. Youth Allowance;
 - iii. Disability Support Pension;
 - iv. Austudy Allowance;
 - v. Age Pension;
 - vi. Carer Payment;
 - vii. Parenting Payment;
 - viii. Partner Allowance;
 - ix. Sickness Allowance;
 - x. Special Benefit;
 - xi. Widow A Allowance; and
 - xii. Widow B Pension,
- and

b. in respect of whom the Commonwealth, at any time after 1 July 2015:

- i. generated correspondence or other notification (including by postal mail, email or through 'myGov' or 'Centrelink Express') referring to a difference between the income information obtained by Centrelink from the Australian Taxation Office and that used by Centrelink in assessing Centrelink entitlements and requesting, requiring or reminding you to check, confirm or update employment income information (**Robodebt notification**); and
 - ii. by or following the Robodebt notification, asserted an overpayment of one or more Centrelink payments recoverable by the Commonwealth as a debt (**Asserted Overpayment Debt**); and
 - iii. requested or demanded repayment of any Asserted Overpayment Debt or part thereof; and
- who:
- a. have paid, had paid on their behalf, or had recovered from them, any Asserted Overpayment Debt or part thereof; and/or
 - b. have not been informed by the Commonwealth that no recovery action will be pursued in respect of their Asserted Overpayment Debt.

40. You are a group member if you meet these criteria and the Court thinks you did not opt out before the opt-out date of 29 June 2020. A small number of people were allowed to opt out until 14 September 2020 and were sent notices telling them this.

RELEVANT DOCUMENTS AND FURTHER INFORMATION

41. Copies of relevant documents, including the Second Further Amended Statement of Claim and the Defence to Second Further Amended Statement of Claim, and the Deed of Settlement, including the Settlement Distribution Scheme can be obtained by downloading them from Gordon Legal's website at: www.robodebtclassaction.com.au



42. Relevant court documents can also be inspected on the Federal Court website: at <https://www.fedcourt.gov.au/services/access-to-files-and-transcripts/online-files/robodebt> or by visiting a District Registry of the Federal Court in Sydney, Canberra, Melbourne Brisbane, Adelaide, Perth, Hobart or Darwin. The addresses for these registries are available at www.fedcourt.gov.au



NOTICE OF OBJECTION TO PROPOSED SETTLEMENT

'Robodebt' (Social Security Debt Collection) Class Action (VID 1252/2019)

Complete this form if you wish to submit an objection to the Proposed Settlement.

Your Notice of Objection will be considered by the Court when it is determining whether or not to approve the Proposed Settlement.

If you wish to object to the Proposed Settlement, or any aspect of it, your Notice of Objection must be received by the Court by 4.00 pm (AEST) on 5 March 2021.

Any objection received after this time may not be accepted

If you do NOT wish to object to the proposed settlement, you do NOT need to return this form.

TO: The Federal Court of Australia
by email to robodebt@fedcourt.gov.au
OR
Robodebt Class Action
Federal Court of Australia, Commonwealth Law Courts
305 William Street, Melbourne VIC 3000

The person identified below gives notice pursuant to Order 27 of the orders of the Honourable Justice Murphy made on 23 December 2020 that the person **OBJECTS** to the Proposed Settlement of this proceeding.

A YOUR INFORMATION

Your full name (including any middle names):	
Customer Reference Number (CRN):	
Postal address (including post code):	
Residential address (including post code) if different to postal address:	
Email address:	
Telephone number:	



B IF YOU ARE REPRESENTING A DECEASED ESTATE

Full name of Class Member (including any middle names):	
Customer Reference Number (CRN) of Class Member:	
Postal address of Class Member (including post code):	
Residential address of Class Member (including post code) if different to postal address:	

C GROUND(S) OF OBJECTION

My submissions in support of my objection to the proposed settlement are as follows *[set out in the space below any submissions you wish to make, attach additional pages if necessary]*:

--

D ATTENDANCE AT HEARING on 6 May 2021 at 10.15 am (AEST)

<input type="checkbox"/> I intend to appear before the Court at the hearing on 6 May 2021 at 10.15 am (AEST). You may appear by video or by telephone. Arrangements for appearances will be published by the Court on the day prior to the hearing. <i>[If you intend to appear, please complete the following]:</i> <input type="checkbox"/> I will appear on my own behalf <input type="checkbox"/> I will be represented by a lawyer:
<input type="checkbox"/> I do not intend to appear, but wish for my submissions to be considered in my absence

Signed:	
Name of person signing:	
Date:	