Federal Court of Australia

District Registry: Victoria Registry

Division: General No: VID1252/2019

KATHERINE PRYGODICZ and others named in the schedule
Applicant

COMMONWEALTH OF AUSTRALIA
Respondent

ORDER

JUDGE: Justice Beach

DATE OF ORDER: 30 October 2026

WHERE MADE: Melbourne

OTHER MATTERS:

A. To facilitate the efficient determination of Category 4 Recategorisation Requests, the Scheme Administrator (appointed pursuant to order 7 of the orders made 23 June 2026) and the Respondent have agreed, pursuant to order 20 of the orders made 23 June 2026, that Services Australia will provide the Scheme Administrator with information concerning the debt circumstances of certain registered Category 4 Group Members who have submitted a Category 4 Recategorisation Application. To facilitate the exchange of this information, extensions to the dates for compliance with cll 5.8 and 5.12 of the Settlement Distribution Scheme (SDS) are proposed.

B. The Scheme Administrator and the Respondent agree that the SDS should be revised to give the Scheme Administrator the discretion to make early payments to claimants that have:

   (i) been diagnosed with a terminal illness; and

   (ii) received a prognosis from their treating physician specifying that it is unlikely that they will live beyond the distribution of their compensation payment pursuant to the operation of the SDS.

THE COURT ORDERS THAT:

Settlement Distribution Scheme

1. Pursuant to s 33V of the *Federal Court of Australia Act 1976* (Cth), the SDS approved pursuant to order 3(b) of the orders made 23 June 2026 be substituted with the Second Further Revised Settlement Distribution Scheme annexed as Annexure AG-17 to the affidavit of Andrew Grech dated 23 October 2026.

2. The Scheme Administrator is to update the version of the SDS and related information provided on the Scheme Administrator's website and online portal to reflect these orders.

Late Registrations

3. The Group Members referred to in paragraphs 5 and 8 of the affidavit of Andrew Grech dated 23 October 2026, who attempted to register before the Late Registration Period closed at 4.00 pm (AEST) 15 May 2026, but who were not properly registered due to human error, be permitted to be registered and participate in the SDS.

Category 4 Recategorisation Requests

4. The date for compliance with cl 5.8 of the SDS, by which the Scheme Administrator is required to determine all Category 4 Recategorisation Requests, be extended to 11 November 2026.

5. The date for the compliance with cl 5.12 of the SDS, by which the Scheme Administrator is required to notify Group Members of the outcome of their Category 4 Recategorisation Requests, be extended to 20 November 2026.

6. No order as to costs.

7. Liberty to apply.

Date orders authenticated: 30 October 2026

Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

Schedule

No: VID1252/2019

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Second Applicant	ELYANE PORTER
Third Applicant	STEVEN FRITZE
Fourth Applicant	FELICITY BUTTON
Fifth Applicant	SHANNON THIEL
Sixth Applicant	DEVON COLLINS