



Markovic v Unified Security Group (Australia) Pty Ltd & MSS Security Pty Ltd

Case: S ECI 2020 03679

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COVID-19 Security Contractors (Personal Injury) Group Proceeding

FUNDING INFORMATION SUMMARY STATEMENT

Arnold Thomas & Becker ('ATB') is acting in the COVID-19 Security Contractors (Personal Injury) Group Proceeding on a 'No Win, No Fee' basis. This means that ATB will only charge and recover its 'legal costs' if the class action is successful.

What are 'Legal Costs'?

'Legal costs' includes both:

- Professional fees for the legal work ATB carries out; and
- Disbursements incurred by ATB for example expert report fees, barristers' fees and Court fees.

How are ATB's Professional Fees Calculated?

ATB's professional fees are charged based on hourly rates for the legal work it performs.

If the class action is successful, because ATB is acting on a 'No Win, No Fee' basis, it will charge an uplift fee of 25% of its reasonable professional fees. This is calculated as a percentage of the time-based fees charged for the work its staff performed on the case.

How are ATB's Disbursements Calculated?

ATB's disbursements are charged and recovered at cost plus any applicable GST; without interest or additional funding fees attached.

How are Disbursements Being Paid?

ATB is paying all disbursements necessary to pursue the claim, excluding the fees of some barristers who will work on the case on a 'No Win, No Fee' basis.

Do Group Members Have to Pay Money Up-front?

Group members are not required to pay any money up-front in order to be involved in the case or to receive any compensation that they are entitled to from it.

Is a Third-Party Litigation Funder Involved in the Case?

There is no third party litigation funder involved. ATB however is funding the disbursements (see above).

Group Costs Order

ATB is not seeking a Group Costs Order as ATB is not seeking its legal costs to be calculated as a percentage of the amount of any award or settlement that may be recovered in the proceeding. ATB is also not providing security for any costs or providing payment for any adverse costs orders sought by the Defendant(s).

How and when will ATB be paid?

If, either by way of a settlement or successful Court trial, compensation is payable to group members, it is likely that the Defendant(s) will be required to pay some, but not all, of ATB's Legal Costs. ATB will seek an order at the time of the approval application from the Court to allow for some of the compensation to be used to pay for a share of the Legal Costs, to the extent those Legal Costs are not able to be recovered from the Defendant(s).

Further Information and Contact Details

The Cost Agreement and Disclosure Statement setting out in full detail the terms of ATB's Legal Costs is available to group members by contacting ATB.

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