

**SUPREME COURT OF VICTORIA**  
**THE HOTEL QUARANTINE CLASS ACTION**  
**(COVID-19 Security Contractors (Personal Injury))**

**MARKOVIC**  
**v**  
**MSS SECURITY PTY LTD and ANOTHER**  
**(S ECI 2020 03679)**

**NOTICE OF DISCONTINUANCE TO REGISTERED GROUP MEMBERS**

This notice relates to a class action commenced in the Supreme Court of Victoria seeking compensation for personal injuries, loss and damage alleged to have been caused by failures in the management of quarantining of travellers returning to Victoria during the 'Coronavirus' pandemic in 2020.

The Supreme Court has ordered that this notice be provided to inform registered group members (**Group Members**) that a discontinuance of claims in the class action against one of the defendants, MSS Security Pty Ltd (**MSS**) has now been approved by the Court.

You should **read this notice carefully** as the matters set out below may affect your legal rights.

**The Hotel Quarantine Class Action**

The defendants to the class action are Unified Security Group (Australia) Pty Ltd (**Unified**) and MSS who were engaged to provide security services for the management of returned travellers at the Rydges Hotel and the Stamford Plaza Hotel respectively within the Victorian Hotel Quarantine Program (**Program**).

The Plaintiff alleges that failures in the management of the Program by the Defendants led to the spread of the novel coronavirus known as SARS-CoV-2 (**COVID-19**) and caused at least 99.8% of COVID-19 cases in Victoria from May 2020 (**Hotel Quarantine Outbreak**).

The Plaintiff alleges that as a result of the Hotel Quarantine Outbreak, he and the group members in the class action have suffered personal injuries and associated loss and/or damage.

**Who is a group member in the Hotel Quarantine Class Action?**

The Hotel Quarantine Class Action covers a number of classes of people:

- (a) people who suffered psychiatric injury as a result of the death of a person who died from COVID-19 as a result of the Hotel Quarantine Outbreak;
- (b) people who suffered personal injury (either physical injury or psychiatric injury), loss and damage as a result of contracting COVID-19 as a result of the Hotel Quarantine Outbreak;
- (c) the legal personal representatives of the estates of any deceased persons who died from COVID-19 as a result of the Hotel Quarantine Outbreak;
- (d) people who were dependants of persons who died from COVID-19 as a result of the Hotel Quarantine Outbreak; and

(e) the legal personal representatives of the estates of any deceased persons who came within one or more of paragraphs (a) to (d).

The precise definition of the group covered by the class action is contained in a Court document called a Statement of Claim, which has been filed with the Supreme Court of Victoria by the plaintiff and is available on the Court's website.

### **Discontinuance of the Class Action against MSS**

The plaintiff has now filed a notice of discontinuance of the proceeding against MSS, on the basis that there be no order as to costs.

On 16 December 2021, the Supreme Court approved the discontinuance.

### **Legal Costs**

You will not have any additional liability for the plaintiff's legal costs in relation to the claim against MSS which has been discontinued.

### **What do I need to do?**

You are not required to do anything in response to this notice. The Court approval means that the plaintiff is no longer pursuing any claim for personal injuries and associated loss and/or damage against MSS on your behalf. Any rights you or any other person who falls under the definition of group member in the proceeding may have against MSS are not affected by the discontinuance of the claims against MSS in the Hotel Quarantine Class Action.

Arnold Thomas & Becker Lawyers will provide further advice to you in relation to the status of the claims as against Unified, which was placed into liquidation on 26 May 2021.

### **Address for questions**

If you have any questions about the discontinuance or this notice, you can contact Arnold Thomas & Becker Lawyers at any time, or seek your own independent legal advice.

Arnold Thomas & Becker contact details:

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