



ANNEXURE A

BSA LIMITED CLASS ACTION Bradshaw & Anor v BSA Limited

IMPORTANT NOTICE TO GROUP MEMBERS (Issued by Order of the Federal Court of Australia)

If you were identified as a person who might be a group member of the BSA Class Action, you should have received an Opt Out Notice by email and/or post from Shine Lawyers.

Prior to and following the distribution of the Opt Out Notice, some group members may have attended meetings conducted by BSA (called Toolbox Meetings) where comments were made and opinions expressed about this class action. During and after these meetings some group members were provided access to a FAQ document by BSA, and that FAQ document has also been available for downloading on BSA's website.

The statements made in the meetings conducted by BSA (the Toolbox Meetings) and included in the FAQ document refer to the possible exposure of group members to cross claims made by BSA and about the potential liability of group members to pay monies to BSA. Information about these matters that the Court has reviewed and approved as being accurate is set out in the Opt Out Notice, and in particular paragraphs 6 to 13. In particular you should note:

- There will be an initial trial in the matter. The initial trial will decide the claims made by and against Mr Bradshaw and Mr Uren and their companies and a number of issues which are common to the claims of group members and the cross claims made against them. The initial trial will not determine BSA's cross claims against individual group members and their related companies. (See paragraph 11 of the Opt Out Notice).
- BSA's cross claims against group members and their related companies are currently stayed (that means that those claims are not active and will not become active until the Court decides they should be activated). (See paragraph 9 of the Opt Out Notice).
- After the initial trial has been held and the Court has published its decision, group members will be given the opportunity to decide whether or not they wish to pursue their own individual claims, including whether to take up any offer of funding made at that time to pursue their own individual claims. BSA has indicated that it will only pursue its cross claim against a group member and any related corporation if the group member decides to pursue his or her individual claim. (See paragraphs 12 and 13 of the Opt Out Notice).

If you were motivated to opt out of the class action because of any information received from BSA, its servants or agents about those aspects of this class action referred to above, but wish to reconsider your position and withdraw the Opt Out Notice you sent to the Court, you may apply to the Court **before 4.00pm on 1 October 2021** to withdraw the Opt Out Notice so that you can be reinstated as a group member in the class action.

You should only make this application if you were motivated to opt out because the information provided by BSA.

If you wish to pursue such an application, please complete the attached form and send it so that it is received by the Court **before 4.00pm on 1 October 2021**.

If there is anything in the Opt Out Notice or in this Notice that you do not understand, you should speak to Shine Lawyers on 1800 325 172 or seek your own independent legal advice. Enquiries should not be directed to the Court.



Application for leave to withdraw Opt Out Notice

No. VID488 of 2020

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

Paul Bradshaw and another

Applicant

BSA Limited (CAN 088 412 748)

Respondent

To: The Registrar

Federal Court of Australia Victoria District Registry 305 William Street
Melbourne VIC 3000

By this application, the person named below (**Group Member**) seeks:

- (a) leave of the Court pursuant to section 33ZF of the *Federal Court of Australia Act 1976* (Cth) (the Act) to withdraw their notice of opt-out of the proceeding previously given to the Court; and
- (b) an order that they be reinstated as a group member within the meaning of s 33A of the Act.

The Court may determine any application that is filed with the Registrar before **4.00pm on 1 October 2021** on the basis of the documents filed with the Court and without hearing further from the Group Member or the parties to the proceeding.

Name of Group Member	
Name of company of Group Member	
Postal address of Group Member	
Telephone contact	
Email address	



If signing as the solicitor or representative of the Group Member:

Person completing form	
Authority of person completing form	
Postal address of person completing this form	
Telephone contact	
Email address	

Date:

Signed by _____ (print name)

Group Member / Lawyer for Group Member / Group Member representative