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### Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
File Number:	NSD213/2011
File Title:	Tammy Maree Stanford & Anor v DePuy International Limited & Anor
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink, reading "Warwick Soden".

Dated: 26/06/2017 8:55:08 AM AEST

Registrar

### Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

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Form 59  
Rule 29.02(1)

## Affidavit of Janice Mary Saddler

No. NSD 213 of 2011

Federal Court of Australia  
District Registry: New South Wales  
Division: General

**Tammy Stanford** and Another  
Applicants

**DePuy International Limited** and Another  
Respondents

Affidavit of: **Janice Mary Saddler**  
Address: Level 14, 160 Ann Street, Brisbane QLD 4000  
Occupation: Australian Legal Practitioner  
Date: 23 June 2017

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I, Janice Mary Saddler, Australian legal practitioner, of Level 14, 160 Ann Street, Brisbane, in the State of Queensland, affirm:

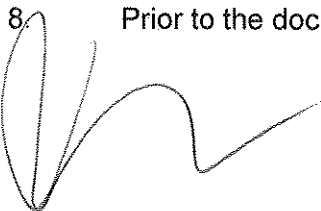
- I am a National Principal employed by Shine Lawyers Pty Ltd (**Shine**).
- Except where otherwise indicated, I make this affidavit from my own knowledge.  
Where I give evidence based on information provided to me by other people or on my

review of documents, that evidence is true to the best of my knowledge, information and belief.

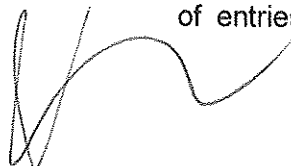
3. This is the second affidavit I have sworn in support of an application filed in these proceedings on 8 June 2017.
4. I refer to my previous affidavit affirmed on 8 June 2017, (**'my first affidavit'**). I have used the defined terms set out in my first affidavit in this affidavit. The purpose of this affidavit is to supplement my first affidavit by providing further information as to the work performed by legal practitioners and paralegals from Shine Lawyers during the period 10 May 2016 and 30 March 2017.
5. I have reviewed in draft a supplementary affidavit of Julian Schimmel. I anticipate that Mr Schimmel's affidavit will be affirmed on 23 June 2017 (**Mr Schimmel's affidavit**). I agree with the information contained in Mr Schimmel's affidavit insofar as it provides further detail concerning the work jointly performed by the Administrators in the course of Administering the Amended Settlement Scheme and in relation to his reasoning and the opinions he expresses as to future Administration Costs.
6. Exhibited to this affidavit and marked "JMS3" are two lever arch folders containing Shine Lawyers' invoices, time recording details, disbursement summaries and disbursement invoices and records in respect of the costs sought to be approved in this matter. These folders were submitted to Maurice Blackburn in accordance with Clause 10.3 of the Settlement Administration Protocol on about 7 April 2017 and were also submitted to Mr Ross Nicholas on about 3 May 2017, as part of the brief of materials provided to Mr Nicholas in order to assist him to prepare his expert report in respect of this application.

#### **Shine Lawyers Processes prior to invoices being raised**

7. Shine Lawyers undertakes a series of checks, as a matter of course, prior to raising invoices on this matter. The checks are designed to ensure that the time proposed to be billed accurately reflects work actually performed by the Shine Lawyers team and that there is an appropriate level of transparency in the manner of billing (that is to say, that appropriate detail is provided to enable the bills to be verified by a third party). Those checks occur as follows.
8. Prior to the documents in Exhibit JMS3 being finalised and compiled:



- (a) I consulted our Shine internal costs team to establish the process for preparing the documents in Exhibit JMS3. The internal costs team are utilised by Shine in order to review the time entries that have been recorded on Shine's time recording software, consider the time recorded with a view to identifying any anomalies, and to liaise with Shine's finance team to prepare invoices that are sufficiently detailed to enable the work that has been performed and charged to be reviewed. Having regard to the number of entries recorded on this matter, and given that there were 10 months' worth of time to be invoiced, I had our internal costs team manage the work (under my supervision) that needed to be done to raise the invoices. This included reconciling the disbursements recorded as against the documents supporting the disbursements, making any simple and typographical amendments to the recorded time, reviewing the time to ensure that it is consistent and recorded against the correct file and liaising with the finance team in relation to the issuing of the bill (I note only for the avoidance of doubt, Shine does not charge any amount for the work performed by its internal costs team);
- (b) The first step thereafter was that each legal practitioner and paralegal reviewed their individual time entries, which were provided to them in an Excel spreadsheet, in order to identify any time that was incorrectly recorded. For example this might arise because time has been recorded on the incorrect file or in this case because time was recorded on the Administration file instead of the individual Group Member file. Save as explained below, each of the legal practitioners (myself included) and paralegals undertook this review and time was amended based upon that review. I reviewed Ms Jancauskas' time entries on her behalf as she was on parental leave at the time the review was undertaken and I also reviewed one of our special counsel's (Mr Bray's) time entries as he had left the firm by the time this review was undertaken. I was able to undertake the review Ms Jancuaskas' and Mr Bray's time because I knew the work that Mr Bray was doing (which was limited to eligibility determinations) and I am aware of the work that was required of Ms Jancauskas on this file because I have stepped into her role during her maternity leave;
- (c) After the legal practitioners and paralegals reviewed their time, as the supervising lawyer on this matter I then conducted my own review of their time entries also. I did not review every entry in detail as there are many thousands of entries. Rather, I scanned each page of time recorded for every legal

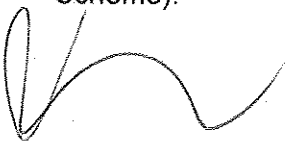


practitioner and paralegal working on the Administration, looking for any obvious anomalies or errors, in order to ensure that the time recorded was consistent with the Amended Settlement Scheme and the Settlement Administration Protocol. This approach of scanning lengthy bills is the approach I have taken for many years as a way of ensuring that the time recorded is appropriate and reasonable. I recall that in the course of undertaking this review I deleted time entries of the paralegals on the Administration file in respect of time that I did not consider appropriate for them to charge to this matter or where I considered that the time recorded was excessive. Although I cannot recall every item of time recording that I deleted, I do recall that I did this in respect of time recorded for updating Group Member records (which I did not consider to be an appropriate charge) and in relation to entries that I considered were not an appropriate charge to the Administration file;

- (d) In addition, Shine's internal costing team also reviewed the time recording entries of all legal practitioners and paralegals and either made adjustments they considered necessary and/or raised queries with me or the person who had made the entries. For example they raised queries where a time entry did not contain enough information to properly understand the work done, where there were duplicate entries where time had been incorrectly recorded a second time and on occasion they added time (once confirmed) where for example a telephone conference call was attended (appropriately) by more than one person and the second person did not record their time for attending the call; and
- (e) The adjustments referred to in sub-paragraphs (b), (c) and (d) above were then made by the relevant finance team in the firm and the invoices and documents in JMS3 reflect the adjusted time recording records only.

**General Administration Costs: 10 May 2016 until 30 March 2017**

9. By this application, pursuant to section 33ZA(2) of the Federal Court of Australia Act (1976) (Cth) and, or alternatively, clause 14.1 of the Settlement Scheme, Shine Lawyers has requested that the following costs of Shine Lawyers be approved to be paid out of the Settlement Sum (in accordance with clause 13.1 of the Settlement Scheme).




(a) Costs	\$1,164,318.93
(b) Disbursements	\$ 163,398.81
(c) Total	\$1,327,717.24

10. I understand that Mr Nicholas will be supplementing his report in relation to the costs and disbursements referred to in paragraph 9 above.
11. Exhibit JMS4 is a summary of General Administration work performed during the period 10 May 2016 and 31 March 2017 by reference to the title of the person doing the work, the hourly rate charged and the number of hours worked by persons in that role.
12. The summary of time on this document includes time for which no charge has been made but it has been recorded and included in the summary as the work has been done (Shine has chosen not to charge for that work). Accordingly, the dollar value of the work undertaken may in some cases be less than the time recorded in the summaries multiplied by the hourly rate.

**Costs pursuant to clause 13.2 of the Further Amended Settlement Scheme**

13. Clause 13.2 of the Further Amended Settlement Scheme sets out the following fixed amounts chargeable as professional fees (not including disbursements) for specified tasks:

Work	Amount (excluding GST)
Preparation of an Eligibility Book	\$1,000
Consulting with the Group Member regarding their decision to accept the Fast Track Resolution	\$500
Preparation of a Claim Book	\$5,000
Resolution of Liens	\$1,000

14. Until such time as a Group Member is paid their final payment under the Amended Settlement Scheme (subject, of course, to any adjustments that may occur depending on fund sufficiency), payment of professional fees in accordance with Clause 13.2 is not sought by Shine Lawyers.

15. As at 2 June 2017, 69 Group Members allocated to Shine Lawyers had been paid their Fast Track Payment. In respect of each of those Group Members, Shine has issued invoices for \$2,500 plus GST (that is, the fixed cost payable given that a Claim Book need not be prepared for Fast Track Group Members) and seeks approval for payment of its professional fees of \$172,500 plus GST of \$17,250 totalling \$189,750 in respect of these 69 Group Members.
16. As at 2 June 2017, 28 Group Members allocated to Shine Lawyers have been determined as ineligible. In respect of each of those Group Members, Shine has issued invoices for \$1,000 plus GST and seeks approval for payment of its professional fees of \$28,000 plus of \$2,800 totalling \$30,800.
17. Shine Lawyers therefore seeks payment of \$220,550 on account of professional fees in accordance with Clause 13.2 of the Further Amended Settlement Scheme.

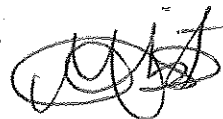
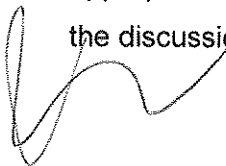
#### **Estimate of future costs**

##### General Administration costs

18. I refer to paragraph 101 of my first affidavit where I expressed the opinion that it was likely that the Administration Costs will reduce over time as the structure that is now in place can be utilised and modified for the remainder of the Administration.
19. In addition, it is my opinion that the Administration Costs will reduce because there has been a greater take up of the Fast Track Resolution offered to Group Members than was anticipated at the time these proceedings settled. Therefore, I anticipate there will be Group Members raising queries for the Administrators to deal with in the future as greater numbers than expected will be paid a Fast Track Resolution Payment.
20. Having regard to the issues raised by the Court on the first return date of this application, I have given further consideration to the reasonableness of Shine Lawyers' fees and the reasons why fees have accrued in the first year of the Administration at a significant rate. The reasonableness of Administration Costs is a matter I am sensitive to and mindful of, not only because of the Administrators' duties to the Court (and my duties as an officer of the Court) but also because as the Principal of the firm responsible for our class actions practice I am acutely aware of the need for class action settlement administrations to deliver a just and fair result to group members.



21. I remain of the view that, although the fees sought to be approved are significant, they are reasonable based upon my knowledge of the work actually performed by the firm. In particular, as deposed to in paragraphs 97 to 99 of my first affidavit, there has been a significant volume of enquiries from Group Members to be dealt with since the announcement of the Settlement. When the Settlement was approved, I had anticipated that there would be a large number of communications to be had with Group Members, but the actual volume of queries, and the time it has taken to deal with Group Members over the course of multiple conversations, has exceeded my expectations. I attribute this to:
- (a) the number of enquiries from unregistered group members after the settlement was announced contacting us and seeking information as to next steps;
  - (b) the high number of existing Group Members contacting us at around the time of the approval of the Settlement of the proceedings seeking information as to next steps, the details of the registration process, the process of settlement and other similar matters; and
  - (c) the high number of registered Group Members contacting us seeking a general update as to the Administration generally and their claim for compensation in particular or to provide information that they may have considered relevant to their claim but in fact was not necessary to report to us.
22. I have put in place procedures to manage the way in which these enquiries have been attended to because of the number of enquiries and the time it takes to respond to and address the matters raised by many of the Group Members making enquiries. For example, I have directed paralegal staff to respond to all enquiries at a certain time of the day. I have done this because it has significantly distracted the paralegals from attending to work associated with the progress of the Administration and in particular the compilation of Eligibility Books and the resolution of Liens to respond substantively to enquiries from Group Members as and when they arise.
23. Although I have sought to delegate work as far as possible, there are some enquiries from Group Members that I consider must be responded to by a person of appropriate seniority having regard to the nature of the enquiry made and the position the Group member is in. Therefore, I have spoken to many Group Members who have made enquiries since the announcement of the Settlement where I have considered it appropriate that I do so (rather than have one of my lawyers or paralegals undertake the discussion). I have found that a significant number of those enquiries have led to





difficult and challenging conversations because, for example, the steps that need to be followed by the Administrators in order to comply with the terms of the Further Amended Settlement Scheme must be explained carefully to Group Members who otherwise do not expect or understand that relatively regularised steps need to be pursued to complete the Registration, Eligibility Determination, Fast Track Resolution and Individual Assessment processes. Many Group Members had thought that upon announcement of the settlement, a settlement payment could be made to them immediately. I am conscious that in having these conversations I am speaking to Group Members who have each been through traumatic experiences and who have waited a long time for this class action to be litigated, settled, and then for the settlement to be administered. I do expect that as more claims are paid to Group Members the rate at which costs accrue will diminish, in part because there will be less conversations to be had with Group Members.

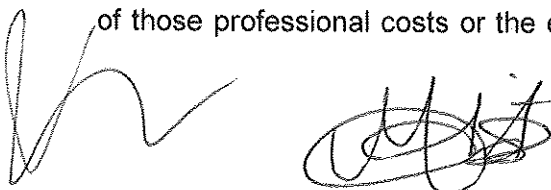
24. In my opinion I expect that the costs of the General Administration will be as follows;

(a) *April 2017 to 31 July 2017* – For each month of this period I consider that Shine Lawyers professional fees will be of a similar amount to those monthly incurred in the period from 1 July 2016 to 31 March 2017. This is because:

(i) I expect that the Eligibility Determinations of almost all group members allocated to Shine Lawyers will be finalised during this time and the work being undertaken until that time is largely consistent with the work undertaken to date;

(ii) A large amount of work has been undertaken in making this application and preparing all relevant material in preparation for this application.

(b) *1 August 2017 to 31 December 2017* – It is my opinion that during this time the work associated with the General Administration will reduce as more Group Members' claims are paid and Eligibility Determinations are finalised. This will also be the timeframe during which I expect that substantially more work will be undertaken in relation to individual assessment of Group Members who have made that election following the determination of Eligibility and for which professional fees will be payable in accordance with Clause 13.2 of the Further Amended Settlement Scheme which I refer to below in paragraph 31. I do not consider that I can give an accurate assessment of the extent of the reduction of those professional costs or the extent of the professional costs that will be

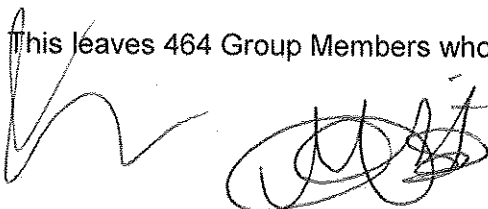


incurred at this time as I am not yet able to ascertain with specificity how much time will be required in relation to the individual assessment process.

- (c) *1 January 2018 to 31 December 2018* – It is my opinion that during this time the work associated with the General Administration will be reduced by a further modest amount as I expect that the work for this period will be consistent with the work that had been undertaken in the months of November 2017 and December 2017, by which time all Fast Track Resolutions would have been paid and some individual assessments may have been paid, depending upon the number that had been assessed to that date.
- (d) *Post 1 January 2019* – It is my opinion that by this time most of the individually assessed claims will have been finalised and many will have been paid. Therefore, it is likely that the Administrators will be responding to and undertaking work in relation to new registrations. It is not possible in my opinion to provide an estimate of the likely professional fees that will be incurred in the General Administration at that time, except to express the opinion that they will be significantly modest compared with those professional fees incurred in the period 10 May 2016 to 31 March 2017 as I do not expect there to be new registrations in anything like the numbers seen to date.

Costs pursuant to clause 13.2 of the Further Amended Settlement Scheme

- 25. Shine Lawyers has had allocated to it 711 Group Members in total of which 97 have been paid their Fast Track Resolution or have been determined ineligible. Therefore, there are 613 Group Members allocated to Shine Lawyers in respect of whom work has been undertaken but for which no costs have been sought to date pursuant to clause 13.2 of the Further Amended Settlement Scheme.
- 26. If it is assumed, given that to date approximately 75% of Group Members have elected the Fast Track Resolution, that Group Members continue to take up the Fast Track Resolution option at that rate and evenly across all firms' allocations, then 533 of Shine's 711 Group Members will elect Fast Track Resolution.
- 27. Of those 533 Group Members, 69 have already been paid their Fast Track Resolution payment and approval for payment of the professional fees in respect of these 69 Group Members is set out in paragraphs 13 to 15 above.
- 28. This leaves 464 Group Members who will elect Fast Track Resolution in the future.



29. For each Fast Track Resolution professional fees of \$2,750 inclusive of GST will become payable in accordance with Clause 13.2 of the Further Amended Settlement Scheme. I therefore estimate that future fixed costs relating to Fast Track Resolution payments will amount to a further \$1,276,000 inclusive of GST.
30. It is my opinion that almost all Fast Track Resolution payments will be made to Group Members by 31 December 2017.
31. Assuming that 178 Group Members elect to have their claims individually assessed, then fixed professional fees of \$7,700 inclusive of GST per Group Member on account of the work undertaken for these Group Members will result in additional professional fees of \$1,370,600 being payable, subject to approval.
32. It is my opinion that almost all individually assessed claims will be finalised by 31 December 2018.
33. Therefore it is my estimate of future fixed costs payable to Shine Lawyers in accordance with clause 13.2 of the Further Amended Settlement Scheme, subject to Court approval, will be approximately \$2,646,600.

Affirmed by the deponent  
at Brisbane  
in Queensland  
on 23 June 2017

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Signature of deponent

Before me:



Signature of witness

Melissa Obrist

An Australian legal practitioner within the meaning  
of the *Legal Profession Act* (QLD)

Name of witness: Melissa Obrist

Address of witness: Level 13, 160 Ann Street, Brisbane QLD 4000

JSM3

Too large to be filed  
electronically.

Will be provided  
separately.

Federal Court of Australia

No. NSD 213 of 2011

District Registry: New South Wales

Division: General

**Tammy Stanford and Another**

Applicants

**DePuy International Limited and Another**

Respondents

Affidavit of: **Janice Mary Saddler**

Address: Level 13, 160 Ann Street, Brisbane QLD 4000

Occupation: Solicitor

Date: 23 June 2017

**CERTIFICATE IDENTIFYING ANNEXURE**

This is the annexure marked "**JMS-4**" referred to in the Affidavit of Janice Mary Saddler sworn on 23 June 2017.

Before me:



**Melissa Maureen Deborah Obrist**

Solicitor

## Exhibit JMS4

## General Administration Costs: Breakdown by month and position

Date	Position	Time	Hourly Rate	Total	Description of Work
10 May 2016 to 31 May 2017	Partner/Principal				<ul style="list-style-type: none"> <li>Drafting, perusing and negotiating terms and documents relevant to the settlement of the proceedings.</li> <li>Numerous communications and telephone attendances upon Group Members and potential Group Members in relation to the settlement of the proceedings and issues arising from the settlement of the proceedings.</li> <li>Supervising and instructing paralegal team in relation to communications with Group Members and potential Group Members in relation to the settlement of the proceedings, approval hearing, issues arising from media and social media reporting and addressing any specific issues raised by Group Members and potential Group Members.</li> <li>Communications with Maurice Blackburn concerning terms of the settlement, documents in relation to the settlement, dealings with the respondents' solicitors, instructions to senior counsel and counsel and experts.</li> <li>Preparation of affidavit evidence in support of application seeking approval of the settlement of the proceedings including consideration of the way to implement the settlement scheme, Administration of the settlement scheme in the short, medium and long term.</li> </ul>
	Senior paralegal/paralegal				<ul style="list-style-type: none"> <li>Approximately 70% of time was spent on telephone attendances or email communications upon Group Members and potential Group Members in relation to the settlement of the proceedings.</li> <li>Requesting medical records of Group Members and potential Group Members for the purpose of determining whether they have implant the product the subject of the proceedings.</li> </ul>

1 June 2016 to 30 June 2016	Partner/Principal				<ul style="list-style-type: none"> <li>• Communications via telephone and email with MB in relation to terms and documents regarding the settlement of the proceedings.</li> <li>• Communications via email with the respondents' solicitor in relation to the terms and documents regarding the settlement of the proceedings.</li> <li>• Communications via telephone and email with Group Members and potential Group Members and in particular those enquiries that paralegal team have not been able to address.</li> <li>• Consideration of objections made by Group Members and potential Group Members to the settlement and considering approach and response in relation to the same.</li> <li>• Preparation, drafting and finalisation of affidavit material in support of application to approve the settlement of the proceedings.</li> <li>• Perusal of and consideration and further communications with all relevant parties in relation to Senior Counsel's opinion regarding the settlement of proceedings, expert opinion in relation to the costs of the proceedings, medical reports and evidence in relation to the settlement of the proceedings and actuarial advices in relation to the settlement of the proceedings.</li> <li>• Attendance at the Federal Court of Australia for hearing of approval of the settlement of the proceedings.</li> <li>• Consideration of the steps for implementation of the Settlement Scheme after approval of the settlement of the proceedings.</li> </ul>
	Law Clerks				<ul style="list-style-type: none"> <li>• Assisting partners and paralegals in managing Group Member and potential Group Member enquiries via telephone and email in advance of the settlement and after the settlement of the proceedings.</li> <li>• Attendance at Federal Court of Australia for hearing of the approval of the settlement of the proceedings to assist in the management and enquiries made by Group Members and potential Group members.</li> </ul>
	Senior paralegal/paralegal				<ul style="list-style-type: none"> <li>• Telephone attendances and email communications with Group Members and potential Group members in relation to the settlement of the proceedings.</li> <li>• Assisting partner in preparation of documents for approval of the settlement of the proceedings including collation of information in relation to Group Members, record gathering, information in relation to objections by Group Members and potential Group Members.</li> <li>• Attendance at Federal Court of Australia for hearing of the approval of the settlement of the proceedings to assist in the management and enquiries made by Group Members and potential Group members.</li> <li>• Obtaining records from hospitals and medical practitioners and specialists in relation to the implants of Group Members and potential Group member.</li> </ul>

1 July 2016 to 31 July 2016	Partner/Principal				<ul style="list-style-type: none"> <li>• Drafting amendments to Settlement Protocol and all necessary attendances upon MB in relation to the same.</li> <li>• Attendances upon Group Members and potential Group Members in relation to the settlement of proceedings and in particular attending upon those GMs who paralegals were unable to assist.</li> <li>• Attendance upon MB to discuss the framework for implementation of the Settlement Scheme.</li> <li>• Internal attendances upon Special Counsel and paralegals in relation to the implementation of the Settlement Scheme.</li> <li>• Email communications with MB in relation to matters arising from the settlement of the proceedings including specific aspects of the process for eg, eligibility determination.</li> <li>• Attendance at weekly team meeting to discuss the progress of the implementation of the settlement scheme.</li> <li>• Attendance upon partners and special counsel to discuss the terms of the Settlement Protocol, Group Member questionnaire and draft guidance documents/templates for settlement scheme.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>• Attendances upon Group Members and potential Group Members in relation to the settlement of proceedings and in particular attending upon those GMs who paralegals were unable to assist.</li> <li>• Drafting amendments to Settlement Protocol.</li> <li>• Drafting precedent documents/checklists for implementing procedures under the Settlement Scheme including eligibility checklist, notice of eligibility, questionnaire.</li> <li>• Attendance upon partners to discuss the terms of the Settlement Protocol, Group Member questionnaire and draft guidance documents/templates for settlement scheme.</li> <li>• Assisting paralegals in relation to matters that they cannot address in relation to lien holders, GM issues, matters arising from the implementation of settlement scheme.</li> </ul>
	Senior paralegal and paralegals				<ul style="list-style-type: none"> <li>• Preparation for and attendance to Notice of Settlement distribution via email and post.</li> <li>• Telephone attendances and email communications with Group Members and potential Group members in relation to the settlement of the proceedings, registration process, receipt of Notice of Settlement and other matters for eg, upcoming surgery, availability/unavailability, current health status, power of attorney, deceased GMs.</li> </ul>



				<ul style="list-style-type: none"> <li>• Telephone attendances and email communications with persons who are not eligible to participate in settlement as no ASR implant but checking if covered.</li> <li>• Creation of Eligibility database for tracking of stages of eligibility determination and updating of same with Group Member details.</li> <li>• Attendance upon special counsel to resolve difficult issues arising from GM enquiries concerning eligibility, registration and other related matters.</li> <li>• Obtaining records from hospitals and medical practitioners and specialists in relation to the implants of Group Members and potential Group members.</li> <li>• Email communications and telephone attendances upon lien holders in relation to the settlement of matter generally.</li> </ul>
1 August 2016 to 31 August 2016	Partner/Principal			<ul style="list-style-type: none"> <li>• Communications via telephone and email with MB in relation to various matters concerning the settlement of the proceedings and scheme including communications with Justice Wigney's Associate, amendments to settlement scheme, amendments to documents implementing settlement scheme, questionnaires, expert appointments for settlement scheme processes, management of funds under investment and committee meetings.</li> <li>• Communications via email with respondents' solicitors in relation to various matters concerning the settlement of the proceedings including finalisation of orders and payment of settlement funds.</li> <li>• Amendments to draft precedent documents/protocols for the settlement scheme.</li> </ul>
	Special Counsel			<ul style="list-style-type: none"> <li>• Attendances upon partner to discuss matters arising from implementation of settlement scheme including deemed revision cases where no revision surgery, matters arising from precedent/protocol documents when implemented.</li> <li>• Establishing processes and procedures for dealing with respondents' solicitors concerning relevant confirmations required concerning GMs under the settlement scheme.</li> <li>• Attendance upon paralegals assisting in relation to difficult issues they are unable to resolve in relation to GM enquiries, matters arising from the settlement scheme.</li> </ul>
	Senior paralegal and paralegals			<ul style="list-style-type: none"> <li>• Telephone attendances and email communications with Group Members and potential Group members in relation to the settlement of the proceedings, registration process and confirmation that registration received, receipt of Notice of Settlement, general process of settlement, receipt of settlement funds and payment to GMs.</li> <li>• Perusal of settlement scheme documents and meeting with special counsel to understand the scheme and implementation of the process.</li> </ul>

					<ul style="list-style-type: none"> <li>• Reviewing registration database to cross reference existing GMs associated with Shine properly allocated.</li> <li>• Communicating with new GMs allocated to Shine.</li> <li>• Attendance upon special counsel to resolve difficult issues arising from GM enquiries concerning eligibility, registration, no revision surgery, payment of settlement sums, completion of the eligibility determination.</li> </ul>
1 September 2016 to 30 September 2016	Partner/Principal				<ul style="list-style-type: none"> <li>• Communications via telephone and email with MB in relation to various matters concerning the settlement of the proceedings and scheme including communications with Justice Wigney's Associate, amendments to settlement scheme, amendments to documents implementing settlement scheme, questionnaires, expert appointments for settlement scheme processes, management of funds under investment and committee meetings.</li> <li>• Communications via email with respondents' solicitors in relation to various matters concerning the settlement of the proceedings including finalisation of orders and payment of settlement funds.</li> <li>• Amendments to draft precedent documents/protocols for the settlement scheme.</li> <li>• Communications with MBs in relation to specific issues arising from particular GMs and eligibility determination.</li> <li>• Consideration of issues arising in relation to unrevived registered GMs.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>• Attendances upon paralegals to assist in responding to GM enquiries that paralegals are unable to address.</li> <li>• Preparation of script for paralegals in relation to specific concerns of GMs. For eg, difference between US and Australian settlement amounts, time for payment from settlement to them.</li> <li>• Communications with MBs in relation to various matters arising from implementation of settlement scheme including GM allocation, draft eligibility notices and committee meetings.</li> <li>• Communications with GMs via email and telephone in relation to concerns that paralegals cannot address.</li> <li>• Reviewing eligibility books for determining eligibility of GM.</li> <li>• Identifying and implementing more streamlined processes following implementation of settlement scheme.</li> </ul>
	Senior paralegal and paralegals				<ul style="list-style-type: none"> <li>• Telephone attendances and email communications with Group Members and potential Group members in relation to the settlement of the proceedings, being provided with updated information by GMs, general update sought by GMs.</li> </ul>

					<ul style="list-style-type: none"> <li>• Telephone attendances upon potential Group Members and discussing settlement scheme and processes.</li> <li>• Communications with unregistered GMs reminding them of deadline for registration.</li> <li>• Attendance to deceased GM files to allocate new processes specific to these claims.</li> <li>• Attendance upon special counsel to discuss the information and processes for compiling the eligibility books and other matters associate with eligibility determination.</li> </ul>
1 October 2016 to 31 October 2016	Partner/ Principal				<ul style="list-style-type: none"> <li>• Communications with Lampiere Abbot Macleod in relation to GM registration</li> <li>• Communications with MBs in relation to settlement scheme implementation issues including resolution of liens</li> <li>• Communications with respondents' solicitors in relation to the process for resolution of liens.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>• Making eligibility determinations of GMs.</li> <li>• Communications with MBs in relation to various matters arising from implementation of settlement scheme including committee meetings, committee audit lists, resolution of liens.</li> <li>• Drafting documents including Notice of Fast Track Assessment/Resolution.</li> <li>• Communications with Lampiere Abbot Macleod in relation to GM issues, settlement scheme implementation</li> <li>• Communications with respondents' solicitors in relation to the process for resolution of liens.</li> <li>• Communications with GMs when paralegals are unable to address the concerns raised by the GMs.</li> </ul>
	Senior paralegal and paralegals				<ul style="list-style-type: none"> <li>• Telephone attendances and email communications with Group Members and potential Group members in relation to the settlement of the proceedings, being provided with updated information by GMs, general update sought by GMs.</li> <li>• Communications with unregistered GMs reminding them of deadline for registration.</li> <li>• Communications with unregistered GMs in relation to registration process.</li> <li>• Communications with MBs in relation to registration database allocation and cross referencing with information already available.</li> <li>• Initial communications with new allocated group members in relation to processes associated with the settlement scheme.</li> <li>• Requesting and obtaining medical records of newly allocated group members.</li> </ul>

1 November 2016 to 30 November 2016	Partner/Principal				<ul style="list-style-type: none"> <li>• Communications with MBs in relation to settlement scheme implementation issues including finance matters and investment of funds, audit of eligibility determinations.</li> <li>• Making eligibility determinations of GMs.</li> <li>• Communications with GMs in relation to the settlement scheme generally in circumstances where the paralegals are unable to assist the GMs.</li> <li>• Attendance at committee meeting via telephone with MB.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>• Making eligibility determinations of GMs.</li> <li>• Finalising and issuing Notice of Fast Track Assessment.</li> <li>• Communications with Lamphere Abbot Macleod in relation to GM issues, settlement scheme implementation.</li> <li>• Communications with MBs in relation to various matters arising from implementation of settlement scheme including committee meetings, committee audit lists, resolution of liens.</li> <li>• Assisting paralegals in relation to difficult issues arising from preparation of the eligibility books, lien resolutions, for eg, bilateral where revision on only one hip.</li> <li>• Auditing MBs Group member eligibility determinations.</li> <li>• Attendance at committee meeting via telephone with MB.</li> </ul>
	Senior paralegal and paralegals				<ul style="list-style-type: none"> <li>• Initial communications with new allocated group members in relation to processes associated with the settlement scheme.</li> <li>• Requesting and obtaining medical records of newly allocated group members.</li> </ul>
1 December 2016 to 31 December 2016	Partner/Principal				<ul style="list-style-type: none"> <li>• Consideration of deemed revisions for discussion at Committee meeting.</li> <li>• Communications with MBs in relation to settlement scheme implementation issues including finance matters and investment of funds, audit of eligibility determinations.</li> <li>• Making eligibility determinations of GMs.</li> <li>• Attendance at two committee meetings via telephone with MB.</li> <li>• Considering application for financial hardship by GM.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>• Making eligibility determinations of GMs.</li> <li>• Finalising and issuing Notice of Fast Track Assessment.</li> <li>• Communications with Lamphere Abbot Macleod in relation to GM issues, settlement scheme implementation</li> <li>• Communications with MBs in relation to various matters arising from implementation of settlement scheme including committee meetings, committee audit lists, resolution of liens, amending minutes of committee meeting.</li> </ul>

					<ul style="list-style-type: none"> <li>Assisting paralegals in relation to difficult issues arising from preparation of the eligibility books, lien resolutions, for eg. impending death of group member following enquiry by family member, out of time claims for registration.</li> <li>Auditing MBs Group member eligibility determinations.</li> <li>Attendance at two committee meetings via telephone with MB.</li> </ul>
	Senior paralegal and paralegals				<ul style="list-style-type: none"> <li>Initial communications with new allocated group members in relation to processes associated with the settlement scheme.</li> <li>Requesting and obtaining medical records of newly allocated group members.</li> <li>Responding to queries from unregistered group members.</li> </ul>
1 January 2017 to 31 January 2017	Partner/Principal				<ul style="list-style-type: none"> <li>Attendance to finalising matters outstanding from Committee meetings in December 2016.</li> <li>Discussions with special counsel in relation to specific GM issues.</li> <li>Amending precedent documents in relation to individual assessment.</li> <li>Considering application for financial hardship by GM.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>Making eligibility determinations of GMs.</li> <li>Finalising and issuing Notice of Fast Track Assessment.</li> <li>Communications with GMs in relation to hardship interim payments.</li> <li>Communications with GMs in relation to matters that paralegals are unable to assist with. For eg. timeframe for finalisation of settlement, receipt of settlement sums, commencement of individual assessment.</li> <li>Drafting precedent documents for assessors of individual claim processes.</li> <li>Communications with MBs in relation to various matters arising from implementation of settlement scheme including payment processes for paying GM compensations payments, hardship interim payments, committee meetings, committee audit lists, resolution of liens, amending minutes of committee meeting.</li> <li>Assisting paralegals in relation to difficult issues arising from preparation of the eligibility books, lien resolutions, and additional medical evidence required GMs under a legal disability for eg. impending death of group member following enquiry by family member, out of time claims for registration.</li> <li>Auditing MBs Group member eligibility determinations.</li> </ul>
	Senior paralegal/paralegal				<ul style="list-style-type: none"> <li>Communications with certain Public Hospitals in order to streamline request for medical records.</li> <li>Initial communications with new allocated group members in relation to processes associated with the settlement scheme.</li> <li>Requesting and obtaining medical records of newly allocated group members.</li> <li>Responding to queries from unregistered group members.</li> </ul>

1 February 2017 to 28 February 2017	Partner/Principal				<ul style="list-style-type: none"> <li>• Attendances upon lead applicant Jamie Dunsmore in relation to matters concerning Centrelink payments and health issues generally.</li> <li>• Attendance at committee meeting.</li> <li>• Attendances in relation to matters arising from lien resolution processes.</li> <li>• Attendances upon MBs in relation to individual assessment processes, procedures and protocols.</li> <li>• Attendances upon Special Counsel in relation to issues arising concerning estate claims and processes to be followed.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>• Assisting paralegals in relation to difficult issues arising from preparation of the eligibility books, lien resolutions, identifying the assumed liens component of Private Insurers and Department of Veterans' Affairs refunds, Medicare information requested in relation to certain group members not associated with liens resolution.</li> <li>• Making eligibility determinations of GMs.</li> <li>• Finalising and issuing Notice of Fast Track Assessment.</li> <li>• Communications with GMs in relation to hardship interim payments</li> <li>• Auditing MBs Group member eligibility determinations.</li> <li>• Communications with MBs in relation to audits of eligible GMs, outstanding audits.</li> <li>• Issues arising from worker's compensation claims and impact upon GM claims generally.</li> <li>• Communications with Lampiere Abbot Macleod in relation to interim hardship payments and eligibility determination of LAM GMs.</li> </ul>
	Senior paralegal/paralegal				<ul style="list-style-type: none"> <li>• Prepare notice of fast track assessment to group members.</li> <li>• Communications with potential group members in relation to settlement scheme and processes and registration.</li> <li>• Numerous communications with group members has to the process and reasons for delay and time being taken to process claims and make payments.</li> <li>• Requesting medical records for recently allocated group members.</li> <li>• Initial communications with new allocated group members in relation to processes associated with the settlement scheme.</li> <li>• Responding to queries from unregistered group members.</li> </ul>
1 March 2017 to 30 March 2107	Partner/Principal				<ul style="list-style-type: none"> <li>• Attendance at 2 committee meetings.</li> <li>• Telephone attendances and email communications with Group Members in relation to various issues including time taken to process claims/eligibility, interim payments, additional interim payments, ,</li> <li>• Attendances in relation to matters arising from lien resolution processes.</li> </ul>

					<ul style="list-style-type: none"> <li>• Telephone attendances upon MBs in relation to large liens claimed, application for reporting to Court on progress, Attendances upon MBs in relation to individual assessment processes, procedures and protocols.</li> <li>• Drawing additions to brochures and other precedent material prepared by MBs concerning individual assessment process and estate claims. Attendances upon Special Counsel in relation to issues arising concerning estate claims and processes to be followed.</li> </ul>
	Special Counsel				<ul style="list-style-type: none"> <li>• Communications with GMs in relation to matters that paralegals are unable to address including delay in payments, timeframes for payments,</li> <li>• Making eligibility determinations of GMs.</li> <li>• Finalising and issuing Notice of Fast Track Assessment.</li> <li>• Communications with GMs in relation to hardship interim payments.</li> <li>• Attendance at 2 committee meetings and attending to issues arising.</li> <li>• Consideration of issues arising in relation to GM deemed revisions.</li> <li>• Undertaking audit of MB eligibility determinations.</li> <li>• Communications with Lampiere Abbot Macleod in relation to interim hardship payments and eligibility determination of LAM GMs.</li> <li>• Assisting paralegals in relation to difficult issues arising from eligibility book preparation including deemed revisions, adequacy of medical material.</li> </ul>
	Senior paralegal/paralegal				<ul style="list-style-type: none"> <li>• Prepare notice of fast track assessment to group members.</li> <li>• Communications with respondents' solicitors in relation to confirmation of matters associated with the group member eligibility.</li> <li>• Communications with group members in relation interim payments.</li> <li>• Communications with MB in relation to the payment of Fast Track Resolutions.</li> <li>• Initial communications with new allocated group members in relation to processes associated with the settlement scheme.</li> <li>• Requesting and obtaining medical records of newly allocated group members.</li> <li>• Responding to queries from unregistered group members.</li> </ul>