Settlement distribution in Australian class actions 2001-2022

1. The information provided below for the period 2001 – June 2020 was based on that compiled by members of the Class Actions Committee of the Law Council's Federal Litigation Section, Ben Slade[1] and Professor Vince Morabito of Monash University.[2] The information from July 2020 to the end of the 2022 calendar year was compiled by Ben Slade.

2. The table below is intended to provide a broad overview of class actions settlements in the 2001-2022 period. The author does not suggest that the table is completely accurate as some of the data is a result of estimates based on the best available information.

3. Class actions conducted by regulators (e.g. ASIC or ACCC) or unions are not included as the purpose of the analysis for the consideration of outcomes in privately funded, for profit, class actions and except where otherwise indicated, this table does not include payments made to lead applicants for their time and expenses in addition to any damages or compensation paid to them.[3]

Case	**Type of class action**	**Settlement amount**	**Legal Fees (% of settlement)[4]**	**Litigation Funding Fees (% of settlement)[5]**
2001-14[6]				
Johnson Tiles Pty Ltd v Esso Australia Ltd [2001] FCA 458	Gas explosion	$32.5m	$6m (18.5%)	No funder

[1] Barrister, William Forster Chambers, Northern Territory, Australia

[2] https://research.monash.edu/en/persons/vince-morabito. Some of the information is based on a review of published judgments and other sources, including in particular, Michael Legg and Ross McInnes, *Australian Annotated Class Actions Legislation* (LexisNexis Butterworths, 2nd ed, 2017) and on information on a number of class actions settlements since the publication of a similar table by the Australian Law Reform Commission: *Integrity, Fairness and Efficiency – An Inquiry into Class Action Proceedings and Third-Party Litigation Funders* (Report No 134, December 2018) Appendix E

[3] Unless otherwise stated, the settlement amounts include costs and amounts, if any, payable as a commission to a litigation funder

[4] The details provided are the best information available that the author can identify. Some settlement decisions, for example, reveal approved costs of administration while others do not.

[5] Calculated on the gross settlement sum, that is, compensation plus approved costs. In some instances, additional amounts may have been paid to a litigation funder by way of management expenses or fees.

[6] Discontinued actions are not included, such as *RK Doudney Pty Ltd, as Trustee for the RK Doudney Superannuation Fund v IOOF Holdings Ltd; Adams v Navra Group Pty Ltd* [2019] FCA 1157; *AUB19 v Commonwealth of Australia* [2019] FCA 1722; *Tate v Westpac Banking Corporation (No 2)* [2020] FCA 1374; *DBE17 v Commonwealth of Australia (No 3)* [2021] FCA 1584 or those for which information is not available such as *Rod Investments v Abeyratne* [2010] VSC 457; *Muswellbrook Shire Council v The Royal Bank of Scotland NV* [2017] FCA 414 or those with confidentiality orders that render the information too incomplete to be of value such as *Lifeplan Australia Friendly Society Ltd v S&P Global Inc* [2018] FCA 379 and *Gibson v Malaysian Airline System Berhad* [2019] FCA 1007; *Mid-Coast Council v Fitch Ratings Inc [2019] FCA 1261* and *Hawker v Powercor Australia Ltd* [2019] VSC 521; *Calinoiu v Qld Law Group – A New Direction Pty Ltd* [2019] FCA 2019 and those that settle for no costs such as *Sister Marie Brigid Arthur (Litigation Representative) v Northern Territory of Australia (No 2)* [2020] FCA 215 (the latter resolving on the basis of NT promise of various initiatives and policy revisions concerning the treatment of children in detention, with no order as to costs).

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
King v AG Australia Holdings Ltd (formerly GIO Australia Holdings Ltd) [2003] FCA 980	Shareholder	$112m	$15.8m (14%)	No funder
Ryan v Great Lakes Council & Till v Great Lakes Council November 2003[7]	Product liability: Oysters	$9.045m	$6.263m (69%)	No funder
Petrusevski v Bulldogs Rugby League Club Ltd [2004] FCA 1712	Misleading conduct in sporting competition	$200,000	$52,434.20 [8] (26%)	No funder
Reiffel v ACN 075 839 226 Pty Ltd (No 2) [2004] FCA 1128[9]	Investor	$7.46m	$1,863,550 (25%)	No funder
Lukey v Corporate Investments Australia Funds Management Pty Ltd [2005] FCA 298	Investor	$4.3m	$2.6m (60%)	No funder
Milfull v Terranora Lakes Country Club Ltd [2006] FCA 801	Minority shareholder rights	$1.8m[10]	$400,000 (22%)	No funder
Darwalla Milling Co Pty Ltd v F Hoffman-La Roche Ltd [2006] FCA 915	Price fixing cartel	$41.1m	$11.1m (27%)	No funder
Guglielmin v Trescowthick (No 5) [2006] FCA 1385	Shareholder	$3m	$1.55m (52%)	No funder

[7] Data retrieved from court documents by Vince Morabito.
[8] Data retrieved from court documents by Vince Morabito.
[9] Data retrieved from court documents by Vince Morabito.
[10] Settlement proceeds received by group members would allow them to recoup some of their contributions to legal costs as the five class actions in question were funded by group members

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Taylor v Telstra Corporation Ltd [2007] FCA 2008	Shareholder	$5m	$1.25m (25%)	No funder
Dorajay Pty Ltd v Aristocrat Leisure Ltd [2009] FCA 19	Shareholder	$144.5m	$8.5m (6%)	$35m (24%)
Watson v AWB Limited (No 3) [2009] FCA 1174[11]	Shareholder	$39.5m	$11m (28%)	$9.875 (25%)
P Dawson Nominees Pty Ltd v Brookfield Multiplex Ltd (No 4) [2010] FCA 1029	Shareholder	$110m	$11m (10%)	38.5m (35%)
Hobbs Anderson Investments Pty Ltd v Oz Minerals Ltd [2011] FCA 801	Shareholder	$60m	$4.9m (8%)	$15m (25%)
Jarra Creek Central Packing Shed Pty Ltd v Amcor Ltd [2011] FCA 671	Price fixing cartel	$120m	$25m (21%)	No funder
Kirby v Centro Properties Ltd (No 6) [2012] FCA 650	Shareholder	$200m	$31.1m (16%)	$60m (40%)
Casey v DePuy International Ltd (No 2) [2012] FCA 1370	Product liability – hip implants	$20m	$1.12m (5.6%)	No funder
Pathway Investments Pty Ltd v National Australia Bank Ltd (No 3) [2012] VSC 625	Shareholder	$115m	$11.8m (10%)	34.5 (30%)

[11] The settlement approval decision was not published.

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Hadchiti v Nufarm Ltd [2012] FCA 1524	Shareholder	$46.6m	$4.5m (10%)	$2.2m (5%)
Earglow Pty Ltd v Sigma Pharmaceuticals Ltd [2012] FCA 1496	Shareholder	$57.5m	Unknown	Unknown
Konneh v State of NSW (No.3) [2013] NSWSC 1424	Human Rights	$4m	$2m (50%)	No funder
Wheelahan v City of Casey & Ors (No 3) [2013] VSC 316	Gas migration	$23.5m	$6.25m (27%)	No funder
Robbins v Grunenthal & Rowe v Grunenthal[12] [December 2013]	Product liability (morning sickness pills - Thalidomide)	$95.5m	$6.5m (7%)	No funder
Modtech Engineering Pty Ltd v GPT Management Holdings Ltd (No. 3) [2014] FCA 680.	Shareholder	$75m	$8.5m (11%)	18.75m (25%)
Wepar Nominees Pty Ltd v Schofield (No 2) [2014] FCA 225	Disclosure to market and in a prospectus	$3.25m	$1.04m (32%)	$1.08m (33%)
Inabu Pty Ltd v Leighton Holdings Ltd [2014] FCA 622	Shareholder	$69.45m	$3.9m (6%)	$19.5m (28%)
Matthews v AusNet Electricity Services Pty	Personal injury and property damage - bushfire	$494m	$60m (12%)	No funder

[12] See Julian Schimmel, Nina Abbey and Vince Morabito, 'Empirical and Practical Perspectives on Twenty-Seven Years of Product Liability Class Actions in Australia' in Brian T Fitzpatrick and Randall S Tomas (eds), *The Cambridge Handbook of Class Actions: An International Survey* (Cambridge University Press, 2021) 391, 398.

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Ltd [2014] VSC 663				
A v Dr Mark Schulberg (No 2) [2014] VSC 258	Personal injury	$13.75m	$3.2m (23%)	No funder
Giles v Commonwealth of Australia [2014] NSWSC 83	Human Rights	$24m	$4.1m (17.3%)	No funder
2015-16				
Downie v Spiral Foods Pty Ltd [2015] VSC 190	Product liability	$69.45m	$3.9m (5.6%)	No funder
Camilleri v The Trust Co (Nominees) Ltd [2015] FCA 1468	Shareholder	$25m	$4.9m (19.6%)	No funder
Rowe v AusNet Electricity Services Pty Ltd [2015] VSC 232	Personal injury and property damage - bushfire	$300m	20m (7%)	No funder
Newstart 123 Pty Ltd v Billabong International Ltd [2016] FCA 1194	Shareholder	$45m	$6.2m (14%)	Not disclosed
Hopkins v AECOM Australia Pty Ltd (No 8) [2016] FCA 1096	Investors in tunnel	$121m	$19m (16%)	$31.8m (26%)
Earglow Pty Ltd v Newcrest Mining Ltd [2016] FCA 1433	Shareholder	$36m	$10.3m (29%)	$6.78m (19%)
Clasul Pty Ltd v Commonwealth [2016] FCA 1119	Equine influenza outbreak	No compensation	Each party bore its own costs	Funded at commencement but funder withdrew
Stanford v DePuy International Ltd	Product liability - hip implants	$250m	$36m (14%)	No funder

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
(No 6) [2016] FCA 1452				
Duval-Comrie v Commonwealth of Australia [2016] FCA 1523	Disability discrimination	$100m	$390,000 (.39%)	No funder
Camping Warehouse v Downer EDI [2016] VSC 784	Shareholder	$11.1m[13]	$2.85m (26%)	$825,000 (7%)
2017				
Blairgowrie Trading Ltd v Allco Finance Group Ltd (recs & mgrs apptd) (in liq) (No 3) [2017] FCA 330	Shareholder	$40m	$10.5m (26%)	$8.85m (22%)
Kelly v Willmott Forests Ltd (in liq) (No 5) [2017] FCA 689	Financial product	No compensation but reduction in outstanding loans repayment obligation	$8.6 m	No funder
McAlister v New South Wales (No 2) [2017] FCA 93; *McAlister v New South Wales (No 3)* [2018] FCA 636	Human rights	$11m	$6.95m[14] (63%)	No funder
Mitic v OZ Minerals Ltd (No 2) [2017] FCA 409	Shareholder	$32.5m	$12.6m (39%)	$8.9m (27%)
HFPS Pty Ltd (Trustee) v Tamaya Resources ltd (in Liq) (No 3) [2017] FCA 650	Shareholder	$6.75m	$3.42m (51%)	$1.2m (17%)

[13] Order was $8.25m plus costs of $2.85m
[14] Costs agreed to be paid by State separate to compensation and after $4.05m compensation distributed to 50 class members.

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Hardy v Reckitt Benckiser (Australia) Pty Ltd (No 3) [2017] FCA 1165	Consumer	$5.5m	$1.5m[15] (27%)	No funder
Lee v Westpac Banking Corporation [2017] FCA 1553	Financial product	$7.5m	$2.5m (33%)	No funder
Jones v Treasury Wine Estates Ltd (No 2) [2017] FCA 296	Shareholder	$49m	$11.5m (24%)	$11.7m (24%)
Kamasaee v Commonwealth [2017] VSC 537; Kamasaee v Commonwealth [2018] VSC 138	Human rights – asylum seekers	$90m	$20m (22%)	No funder
2018				
Dillon v RBS Group (Australia) Pty Ltd (No 2) [2018] FCA 395	Financial product	$12.58m	$4.5m (36%)	No funder
Clarke v Sandhurst Trustees Ltd (No 2) [2018] FCA 511	Financial product	$16.85m	$5m (30%)	$5.055m (30%)
Caason Investments Pty Ltd v Cao (No 2) [2018] FCA 527	Shareholder	$19.25m	$7.5m (39%)	5.75m (30%)
Wotton v State of Queensland (No 10) [2018] FCA 915	Human rights	$30m	$7.1m (23%)	No funder
Money Max Int Pty Ltd (Trustee) v QBE Insurance Group Ltd [2018] FCA 1030	Shareholder	$132.5m	$21.8m (16.5%)	$30.75m (23.2%)

[15] Costs agreed to be paid separate to compensation.

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Hodges v Sandhurst Trustees Ltd [2018] FCA 1346	Financial product	$78.16m	$11.23m (14%)	$22.4m (29%)
Liverpool City Council v McGraw-Hill Financial Inc (now known as S&P Global Inc) [2018] FCA 1289	Financial product	$215m	$20m (9%)	$92m (43%)
Santa Trade Concerns Pty Ltd v Robinson (No 2) [2018] FCA 1491	Shareholder	$3m	$1.5m (50%)	$500,000 (16%)
Petersen Superannuation Fund Pty Ltd v Bank of Queensland Ltd (No 3) [2018] FCA 1842	Financial product	$12m	$1.75m (14.5%)	$5.98m (50%)
Hopkins as Trustee of the David Hopkins Super Fund v Macmahon Holdings Ltd [2018] FCA 2061	Shareholder	$6.7m	$3m (45%)	$1.295m (19%)
Hall v Slater & Gordon Ltd [2018] FCA 2071	Shareholder	$36.5m	$5.4m (15%)	$8m (22%)
Smith v Australian Executor Trustees Ltd; Creighton v Australian Executor Trustees Ltd (No 4) [2018] NSWSC 1584	Financial product	$28.5m	$12.8m (45%)	$4.3m (15%)
2019				
McKenzie v Cash Converters International Ltd	Consumer claims arising out of 'pay-day' loan agreements	$16.5m	$5.8m (35%)	No funder

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
(No 4) [2019] FCA 166				
Bradgate (Trustee) v Ashley Services Group Ltd (No 2) [2019] FCA 1210	Shareholder	$14.6m	$3.57m (24%)	$4.84m (33%)
Kuterba v Sirtex Medical Ltd (No 3) [2019] FCA 1374	Shareholder	$40m	$9.3m (23%)	$10.2m (25%)
Bolitho v Banksia Securities Ltd (No 6) [2019] VSC 653	Investor class action	$64m	$5m (8%)	$13.3m (21%)[16]
Murillo v SKM Services Pty Ltd [2019] VSC 663	Fire at a re-cycling plant	$1.2m	$725,000 (60%)	No funder
Perazzoli v Bank SA, a division of Westpac Banking Corporation Ltd [2019] FCA 1707	Ponzi scheme	$13.25m	$4m (30%)	$4m (30%)
Endeavour River Pty Ltd v MG Responsible Entity Ltd [2019] FCA 1719	Investors in Unit Trusts	$42m	$2.66m (6%)	$13.47m (32%)
Andrews v Australia & New Zealand Banking Group Ltd [2019] FCA 2216	Exception fees	$4.464m[17]	$3.7m (82%)	$500,000 (11%)[18]
Rushleigh Services Pty Ltd v Forge Group Ltd (in liq) [2019] FCA 2113	Shareholder	$16.5m	$4.2 million (25%)	$3.95m (24%)
Simpson v Thorn Australia Pty Ltd	Consumer – credit contracts	$29m	$9.16m (32%)	No funder

[16] $22m is being held in pending resolution of ongoing dispute as to costs and commission.
[17] $763,901 in compensation with $3.7m in costs on top of compensation
[18] On one view the commission could be seen as 66% of the $763,901 in compensation

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
trading as Radio Rentals (No 5) [2019] FCA 2196				
2020				
Pearson v State of Queensland (No 2) [2020] FCA 619	Stolen wages for Aboriginal and Torres Strait islanders	$190m	$13.6 (7%)	$38m (20%)
Clime Capital Ltd v UGL Pty Ltd [2020] FCA 66	Shareholder	$18m	$5.95m (33%)	$4.05m (23%)
Lenehan v Powercor Australia Ltd [2020] VSC 82[19]	Bushfire	$17.5 m	$3.68 (21%)	No funder
McKay Super Solutions Pty Ltd (Trustee) v Bellamy's Australia Ltd (No 3) [2020] FCA 461	Shareholder	$49.7m	$7.5m (15%)	$14.4m (29%)
Lynch v Cash Converters Personal Finance Pty Ltd (No 5) [2020] FCA 389	Consumer claims arising out of 'pay-day' loan agreements	$67.4m	$12.44m (19%)	No funder
Cantor v Audi Australia Pty Ltd (No 5) [2020] FCA 637	Consumer *diesel-gate* claims	$171m	$51m[20] (30%)	No funder[21]
Inabu Pty Ltd as trustee for the Alidas Superannuation Fund v CIMIC Group Ltd [2020] FCA 510	Shareholder	$32.4m	$10.8m (33.3%)	$8.4 (25.8%)

[19] Costs confirmed in *Lenehan v Powercor Australia Ltd (No 2)* [2020] VSC 159

[20] Costs determined after agreement on compensation amount

[21] Application for a common fund order by funder of 2 small claims rejected; funder only entitled to recover from the relatively small number of class members who signed funding agreements. The remaining 3 claims on a no win no fee basis without a funder

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Fisher (trustee for the Tramik Super Fund Trust) v Vocus Group Ltd (No 2) [2020] FCA 579	Shareholder	$35m	$2.4m (6.8%)	$3.9 (11.1%)
Clark v National Australia Bank Ltd (No 2) [2020] FCA 652	Consumer credit insurance	$49.5 million	$3.8m (7.6%)	No funder
Uren v RMBL Investments Ltd (No 2) [2020] FCA 647	Investor MIS	$3m	$950,000 (32%)	$750,000 (25%)
Schmid v Skimming & Ors [2020] VSC 493	Negligence Bushfire	$10.5m	$3m (28.6%)	No funder
Kenquist Nominees Pty Limited v Campbell (No 6) [2020] FCA 1388	Shareholder	$7m	$3.77m[22] (54%)	$834,000[23]
Court v Spotless Group Holdings Limited [2020] FCA 1730	Shareholder	$95m	$8m[24] (8.5%)	$19.84m[25] (20%)
Asirifi-Otchere v Swann Insurance (Aust) Pty Ltd (No 3) [2020] FCA 1885	Junk insurance	$138m	$13.8m[26] (10%)	$34.5m (25%)
Burke v Ash Sounds Pty Ltd (No 5) [2020] VSC 772	Personal injuries at music festival	$6.975m	$3.37m (48%)	No funder
Bywater v Appco Group Australia	Employment	$2.05m	$75,000 (4%)	$512,500 (25%)

[22] Includes administration costs
[23] Only ATE premium, no commission
[24] Includes administration costs
[25] Includes $340,000 "project costs"
[26] The costs sum payable from the settlement was not disclosed and this is an estimate only

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Pty Ltd [2020] FCA 1877				
Bartlett v Commonwealth (NSD1388/2018);	Toxic foam property damage	$92.5m	$12.4m (13%)	$23.13m (25%)
Hudson v Commonwealth (NSD1155/2017);		$34m	$7.93m (23%)	$8.45m (24%)
Smith v Commonwealth (Department of Defence) (NSD1908/2016)		$86m	$9.04m (11%)	$21.5m (25%)
2021[27]				
Evans v Davantage Group Pty Ltd (Np 3) [2021] FCA 70	Consumer – motor vehicle warranties	$9.5m	$2.6m (27%)	$3.33m[28] (28.8%)
TW McConnell Pty Ltd v SurfStitch Group Ltd (No 4) [2021] NSWSC 121	Shareholder	$20.31m	$5.23m (26%)	$1.21m (6%)
Findlay v DSHE Holdings Lid; Mastoris v DSHE Holding Ltd; Mastoris v Allianz Australia Insurance Ltd [2021] NSWSC 249 (17 March)	Investor (Dick Smith)	$25m	$19.91m (80%)	$0[29]
Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority trading as Seqwater (No 28) [2021] NSWSC 467	Common law negligence in dam management	$440m	Not available	Not available

[27] A $2m grant to an Aboriginal Community was paid by the respondent to settle *Dawson v Commonwealth of Australia* [2021] FCA 1354 in 2021. It is not known what costs were paid on top of this amount
[28] Commission of $2.73m plus $608,000 in costs incurred by the funder (including ATE premium)
[29] The funders recovered the costs paid by it but did not earn commission

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Wetdal Pty Ltd v Estia Health Limited [2001] FCA 475	Shareholder	$38.4m	$5.787m[30] (15%)	$10m[31] (26%)
Prygodicz v Commonwealth of Australia (No 2) [2021] FCA 634	Social security (Robodebt)	$112m[32]	$9.677m (8.6%)[33]	No funder
Whittenbury v Vocation Limited (in liquidation) [2021] FCA 829	Tuition fees	$50m	$12.9m[34] (26%)	$10.9m[35] (22%)
Lenthall v Westpac Banking Corporation (No 3) [2021] FCA 1004	Consumer – life insurance	$30m[36]	$9m (30%)	$0[37]
Jenkings v Northern Territory of Australia (No 5) [2021] FCA 1585	Human Rights	$35m	$9.4m (27%)	No funder
2022[38]				
Hall v Arnold Bloch Leibler (a firm) (No 2) [2022] FCA 163	Shareholder	$28m	$4.76m (17%)	$7.84m (28%)
Creese v Life for All Creatures Limited [2022] VSC 153	Personal injury	$600,000	$400,000 (67%)	No funder

[30] Includes $287,000 for settlement administration
[31] The funders received between $8.75m and $9m commission plus $1.1m for project costs, the bulk of which was for an ATE insurance premium.
[32] The Commonwealth had already refunded $707.9m to class members
[33] The original settlement approved $8.4m in costs and on 23 March 2022, a sum of $1,277,000 was approved for settlement administration
[34] Slater and Gordon's costs $5,349,439; Maurice Blackburn: $7,567,385.66
[35] Omni Bridgeway: $6,505,760; LLF: $4,413,588
[36] Westpac agreed to pay 50 cents in the dollar for eligible claims capped to $21m
[37] $3.05m was paid by Westpac to the funder for ATE insurance premium. No commission was paid from the settlement
[38] Some matters are left off the list due to there being unresolved issues, such as in *Davis v Quintis* [2022] FCA 806 in which a $4.7m settlement was approved on 1 July 2022 but costs and funding commissions are yet to be resolved. Another settlement of two investor class actions was approved but without any details: *Pan v Royal National Capital Alliance Ltd* [2020] FCA 1834. In other matters the author has estimated the amounts for costs and commission when there is sufficient information available to do so.

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
Davaria v 7 Eleven Stores Pty Ltd (No 11) [2022] FCA 331[39]	Franchise	$98m	$17.3m (18%)	$12.005m (25%)
Francis (Trustee) v Oculus Accounting Pty Ltd (no 3) [2022] FCA 363	Investor	$155,000	$0	No funder
Haselhurst v Toyota Australia Ltd [2022] NSWSC 1076	Product liability (airbags)	$52m	$16.1m + $2.5m admin = $18.6m (36%)	$13m (25%)
Zantran Pty Ltd v Crown Resorts Limited (No 4) [2022] FCA 500	Shareholder	$125m	$12m[40] (9.6%)	$30.2m (24%)
Jack v CoreStaff NT Pty Ltd [2022] FCA 1005	Employment	$6.4m	$1.5m (23%)	$2.24m (35%)
Thomas v Romeo Lockleys Asset Partnership [2022] FCA 1106[41]	Employment	$1.55m	$560,000 (36%)	No funder
Coatman v Colonial First State Investments Limited VID1139/2019	Superannuation	$56.3m	$14.5 (25.8%)	No funder
Wills v Woolworths Group Ltd [2022] FCA 1545	Shareholder	$44.5m	$15.33m[42] (35%)	$4.73m (10.6%)
Schoneweiss v The Fourth Force Pty Ltd [2022]	Employment	$2.045m	$461,000[43] (22.5%)	No funder

[39] Final approval decision was handed down on 14 February 2023: *Davaria v 7 Eleven Stores Pty Ltd (No 13)* [2023] FCA 84. An appeal is likely.
[40] $11,521,954.55 for costs plus $440,606 for administration = $11,962,560
[41] Settlement of two employment class actions, including also, Shina v Romeo
[42] Including $750,000 for administration costs
[43] Includes administration costs

Case	Type of class action	Settlement amount	Legal Fees (% of settlement)[4]	Litigation Funding Fees (% of settlement)[5]
FCA 1236 and [2022] FCA 1489				
Batey-Smith v Vasco Trustees Limited [2022] FCA 1203	Investor	$5.6m	$1,676m[44] (30%)	No funder
Hall v Pitcher Partners (a firm) [2022] FCA 1524	Shareholder	$41m	$12.2m (29.8%)	$11.48m (28%)
Quirk v Suncorp Portfolio Services Ltd [2022] NSWSC 1457	Breach of trust	$33m	$9.1m[45] (27.6%)	[46]$9.55m (29%)
Williamson v Sydney Olympic Park Authority & Ors [2022] NSWSC 1618	Opal Tower defective building	$52.8[47]m	$6.471m (12.26%)	$13.2m (25%)
Somers & Ors v Box Hill institute [2022] VSC 730	Tuition fees	$33m	$7.87m[48] (23.8%)	No funder
Bradshaw v BSA Limited (No 2) [2022] FCA 1440	Employment	$20m	$2.6m (13%)	$3.7m (18.5%)
Amory v RMS Engineering & Construction Pty Ltd [2022] FCA 1505	Employment	$130,000	$66,700 (51%)	No funder
Eckhardt v Sims Metal Management Ltd NSD220/2019	Shareholder	$29.5m	$8.5m (28.9%)	$6.24m[49] (21%)

[44] Includes administration costs
[45] Includes costs, disbursements, deferred fees and administration costs
[46] $8.25m + $1.3m (ATE)
[47] Estimate as sum is not disclosed
[48] $4.62m + $3.25m for administration
[49] Including ATE premium of $800,000