

NOTICE TO GROUP MEMBERS

GLENMORE PARK CLASS ACTION

King v Mulpha Norwest Pty Limited & Anor – Federal Court of Australia Proceedings

THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE GLENMORE PARK CLASS ACTION.

PLEASE READ IT CAREFULLY, AS IT MAY AFFECT YOUR LEGAL RIGHTS.

Why you are receiving this Notice

You are receiving this notice because you may be a Group Member in the Federal Court of Australia Proceedings known as King v Mulpha Norwest Pty Limited & Anor (NSD1862/2024).

What is happening

The Applicant has applied to the Federal Court for leave to discontinue this proceeding insofar as it is brought on behalf of Stigma Only Group Members (**Application**). A Stigma Only Group Member is a Group Member whose claim is limited to alleged stigmatisation or diminution in the value of property that the Group Member owns or owned within the Mulgoa Rise Area and does not include a claim for physical building damage.

If the Court grants that leave, the Stigma Only Group Members will cease to be Group Members in this proceeding and will cease to prosecute any claim as part of this proceeding.

Stigmatisation is currently alleged to arise as a consequence of it allegedly becoming public knowledge that parts of the Mulgoa Rise Area are not suitable for the construction of a residential house other than using particular types of slabs and footing systems such that all properties in the Mulgoa Rise Area have become and are likely to remain, injuriously affected in value. The Respondents deny this allegation and the legal representatives for the Applicant no longer intend to press that allegation.

Why this is being proposed

The Applicant, the Applicant's legal representatives and its litigation funder no longer consider it appropriate to continue running the proceeding on behalf of Stigma Only Group Members because the evidence presently available does not justify the continued prosecution of those claims.

What this does NOT affect

All other claims made on behalf of all other Group Members are **NOT** affected by the Application. Importantly, the proceedings will still continue on behalf of all Group Members who are not Stigma Only Group Members.

Effect on limitation periods — PLEASE READ CAREFULLY

While you are a Group Member, the running of any limitation period applicable to your individual claim is suspended by operation of legislation. If the Court orders discontinuance of the proceeding as it relates to you as a Stigma Only Group Member only, time will begin to run again, which could affect your ability to bring an individual claim in future.

Your options

The application to decide whether to allow the proposed discontinuance of the claims of Stigma Only Group Members will be heard by the Court on **16 October 2026 at 2.15pm** at the Federal Court in Sydney (Law Courts Building, Queens Square, 184 Phillip Street, Sydney). You have the following options:

Option 1: Object to the proposed discontinuance:

If you do not agree with the proposed discontinuance, you may object to it. You may do so by writing to Mayweathers by email at classactions@mayweathers.com.au by **5pm** on **12 October 2026**, to explain your position and object to the proposed discontinuance. Your objection should also note whether you wish to attend the hearing on 16 October 2026 to make your argument.

Option 2: Appear at the hearing

If you wish to object to the proposed discontinuance, but do not write to Mayweathers, you can still appear at the hearing to make your objection. You do not need to attend unless you wish to object or make submissions.

Option 3 – Take no action:

You may take no action. If you do so, the Court will determine the application in your absence and you will be bound by the outcome. You should consider carefully the consequences of taking no action, including any applicable limitation periods.

If the court decides to allow the proposed discontinuance, and you are Stigma Only Group Member, you will cease to be a Group Member in this proceeding, and your claim will not be prosecuted as part of this proceeding.

You may wish to obtain independent legal advice from a solicitor of your choice about your circumstances and your legal rights.

Contact Mayweathers:

If you have questions about this notice or about the proposed discontinuance and the process, you may contact Mayweathers. Mayweathers can explain the procedural position and the steps being proposed, but you should obtain independent legal advice if you require advice about your individual rights.

FURTHER INFORMATION

- 1 If there is anything that you do not understand or if you have any questions, you should contact Mayweathers by email at classactions@mayweathers.com.au or on (02) 8551 2776, or seek your own legal advice. Please direct initial enquiries to Mayweathers.
- 2 Any questions you have concerning the matters contained in this Notice should **NOT** be directed to the Court. If there is anything you do not understand or if you have any questions, you should contact Mayweathers, or seek your own legal advice.