

**SUPREME COURT OF VICTORIA  
AT MELBOURNE  
COMMERCIAL COURT  
GROUP PROCEEDINGS LIST**

S ECI 2020 04505

BETWEEN

**NICHOLAS JOHN GEHRKE**

First plaintiff

**LESTER BUCH**

Second plaintiff

and

**NOUMI LIMITED (FORMERLY FREEDOM FOODS  
GROUP LIMITED (ACN 002 814 235))**

First defendant

**DELOITTE TOUCHE TOHMATSU (A Firm) (ABN 74 490 121 060)**

Second defendant

**ORDER**

**JUDGE:** The Honourable Justice Nichols  
**DATE MADE:** 28 September 2023  
**ORIGINATING PROCESS:** Writ filed 7 December 2020  
**HOW OBTAINED:** By consent  
**ATTENDANCE:** On the papers  
**OTHER MATTERS:** On 25 August 2023, the Honourable Associate Justice Steffensen made orders referring the matter to be mediated on 14 September 2023 (**25 August Orders**).

**THE COURT ORDERS BY CONSENT THAT:**

**Mediation**

1 The mediation listed before the Honourable Associate Justice Gobbo pursuant to order 1 of the 25 August Orders, be adjourned to **9 October 2023** and **4 December 2023**.

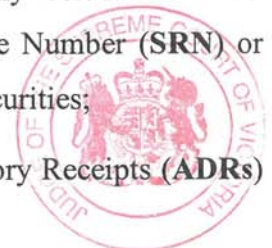


## Opting out

- 2 Pursuant to s 33J(1) of the *Supreme Court Act 1986* (Vic) (Act), **4.00pm AEDT on 15 November 2023** be fixed as the date by which group members may opt out of this proceeding (**Class Deadline**).
- 3 Pursuant to s 33J(2) of the Act, any group member who wishes to opt out of this proceeding must, before the Class Deadline, complete and deliver a signed opt out form by post or email to the Commercial Court Registry of the Supreme Court of Victoria.
- 4 If, on or before the Class Deadline, the solicitors for any party receive a notice purporting to be an opt out form referable to this proceeding, the solicitors must provide a copy of the written communication or document to the Commercial Court Registry of the Supreme Court of Victoria within seven days after receipt, and that shall be treated as an opt out form received by the Court at the time it was received by the solicitors.

## Claim registration

- 5 Pursuant to s 33ZG of the Act, any group member who wishes to obtain any benefit arising from any settlement (subject to Court approval) of the proceeding reached at the mediation occurring on 4 December 2023 (**Court Ordered Mediation**) or by 3 May 2024 must register their claim by the Class Deadline by:
  - (a) signing and returning a legal costs agreement with either Slater and Gordon Lawyers or Phi Finney McDonald in connection with this matter; and/or
  - (b) completing and submitting a Group Member Registration Form by post or email to Omni Bridgeway or via an online portal hosted by Omni Bridgeway at <https://portal.omnibridgeway.com/cases/register/freedom-foods-class-action> with the following information (to the extent possible):
    - (i) the group member's name and postal address and email address;
    - (ii) the full name of the registered owner and any relevant Holder Identification Number (**HIN**) or Security Reference Number (**SRN**) or equivalent reference number in respect of Noumi securities;
    - (iii) the number of Noumi securities, American Depository Receipts (**ADRs**)



and/or equity swap confirmations held by a group member at the close of trade on 6 December 2014 (even if that number is nil);

- (iv) details of the group member's acquisition(s) of Noumi securities, ADRs and/or equity swap confirmations during the Claim Period including, for each acquisition, the date of acquisition, quantity of securities acquired, and total amount paid (including brokerage where provided); and
- (v) details of the group member's sale(s) and/or disposal(s) of Noumi securities, ADRs and/or equity swap confirmations during the Claim Period including, for each sale or disposal, the date of sale or disposal, quantity of securities sold or disposed of, and total amount received (excluding brokerage).

6 Any group member who has completed the registration process set out in order 5 above is a **Registered Group Member**. For the avoidance of doubt, failure by a group member to provide all the information requested on the Group Member Registration Form will not render the group member's registration invalid provided the group member is identifiable as such based on the information provided.

7 Pursuant to ss 33ZF and 33ZG of the Act, and subject to any further order of the Court, only Registered Group Members shall be entitled to any relief or payment arising from an agreement to settle reached at the Court Ordered Mediation or before 3 May 2024. Any group member who by the Class Deadline does not register or opt out of the proceeding will remain a group member for all purposes of this proceeding but shall not, without leave of the Court, be permitted to seek any benefit pursuant to any such settlement (subject to Court approval) of this proceeding (**Class Closure Order**).

8 Any group member wishing to seek a variation of orders 5, 6, 7 must provide written notice of the variation sought and a statement of the reasons for seeking the variation to the Court, Slater and Gordon Lawyers or Phi Finney McDonald by no later than the Class Deadline, and the plaintiffs' solicitors shall forthwith notify the defendants and the Court of any such notice they receive.

9 By **17 November 2023**, the plaintiffs must:

- (a) deliver to the solicitors for the defendants, on a de-identified basis, a list of the Registered Group Members, containing (if available):



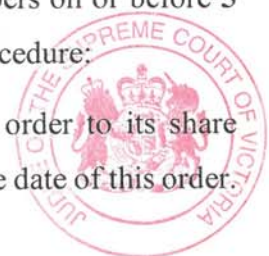
- (i) a unique identification number for each Registered Group Member;
  - (ii) the information listed at order 5(b)(iii) – 5(b)(v) for each Registered Group Member; and
  - (iii) any amendments to the information as notified to Phi Finney McDonald, Slater and Gordon Lawyers or Omni Bridgeway by that date;
- (b) file, in a sealed envelope marked “*Confidential List of Group Members Not to be Opened without leave of the Court or a Judge*”, a list of Registered Group Members which shall contain (if available):
- (i) a unique identification number for each Registered Group Member;
  - (ii) the information listed at order 5(b)(i) – 5(b)(v) for each Registered Group Member; and
  - (iii) any amendments to the information as notified to Phi Finney McDonald, Slater and Gordon Lawyers or Omni Bridgeway by that date.
- 10 The list of Registered Group Members provided in accordance with order 9(a) and any information contained therein, is to be kept confidential to:
- (a) the defendants’ legal advisors (being external counsel, and partners and employees of Arnold Bloch Leibler and Corrs Chambers Westgarth);
  - (b) those officers and employees of the defendants who have the conduct of this proceeding on behalf of the defendants;
  - (c) Noumi’s insurers (and their legal advisors); and
  - (d) experts retained by the defendants in the proceeding.

**Notice and distribution**

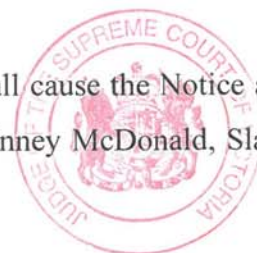
11 Pursuant to ss 33X(1)(a) and (5) of the Act, the form and content of the opt out and claim registration notice set out at Annexure A to these orders (**Notice**) are approved.

12 Pursuant to s 33Y of the Act, the Notice be given to group members on or before **5 October 2023 (Notice Date)** in accordance with the following procedure:

- (a) The first defendant (**Noumi**) shall provide a copy of this order to its share registry provider Link Market Services Limited (**Link**) on the date of this order.



- (b) Noumi shall instruct Link to send the Notice to all persons who were recorded on the Noumi share register as having acquired an interest in securities in Noumi Limited (formerly known as Freedom Foods Group Limited) between 7 December 2014 and 24 June 2020 inclusive (**Claim Period**), including those persons who no longer hold any Noumi Limited securities or whose qualifying transactions were recorded on the register within the two-day settlement window following 24 June 2020, such Notices to be sent by email where an email address is recorded on the share register, or failing that, by prepaid ordinary post to the address recorded for that person on the share register.
- (c) Should Noumi become aware of any actual or potential non-compliance with order 12(b) Noumi shall notify the plaintiffs within two business days of so becoming aware.
- (d) Where Link receives notice that any email sent to a security holder referred to in order 12(b) above experiences a delivery failure, Noumi shall cause the Notice to be sent by prepaid ordinary post to that security holder at the address recorded for that person on the share register within five business days of receiving notice of the delivery failure.
- (e) By the Notice Date, the plaintiffs shall cause a copy of the Notice to be sent by email to each person who has, at the date of these orders, identified themselves to the plaintiffs' solicitors or Omni Bridgeway Limited (**Omni Bridgeway**) as a potential group member, and for whom the plaintiffs' solicitors or Omni Bridgeway hold a current email address.
- (f) Whenever a Notice is sent by email in fulfilment of order 12(b) or (e), the subject line of the email shall be: "Court Notice regarding Noumi and Deloitte Class Action (S ECI 2020 04505)".
- (g) By the Notice Date, the Commercial Court Registry of the Supreme Court of Victoria shall cause the Notice to be posted on the website of the Supreme Court of Victoria and made available for inspection at the Commercial Court Registry of the Supreme Court of Victoria.
- (h) By the Notice Date, the solicitors for the plaintiffs shall cause the Notice and these orders to be displayed on the websites of Phi Finney McDonald, Slater



and Gordon Lawyers and Omni Bridgeway, and to be displayed until the Class Deadline.

- (i) The Notice may be amended by agreement between the parties before it is published in order to correct any typographical error, or any postal, website or email address or telephone number.

### **Costs**

- 13 The costs of and incidental to the distribution of the Notice, including the costs charged by Noumi's share registry provider in connection with distributing the Notice in accordance with order 12 above shall be split between the parties (25 percent to be paid by each of the four parties).

### **Other matters**

- 14 The solicitors for the parties be granted leave to inspect the Court file and to copy any opt out forms filed by group members.
- 15 Liberty to apply.

**DATE AUTHENTICATED: 28 September 2023**

  
  
**The Honourable Justice Nichols**

ANNEXURE A



**THIS NOTICE IS SENT BY ORDER OF  
THE SUPREME COURT OF VICTORIA**

**NOTICE TO GROUP MEMBERS: OPT OUT OR REGISTRATION**

**FREEDOM FOODS CLASS ACTION**

Proceeding No. S ECI 2020 04505

**Nicholas John Gehrke and Lester Buch v Noumi Limited (formerly  
Freedom Foods Group Ltd) and Deloitte Touche Tohmatsu**

The Supreme Court of Victoria has ordered that you receive this notice because you may be a group member in the Freedom Foods Class Action.

If you are a group member:

- (a) You **must** register by **15 November 2023** in order to be eligible to receive any compensation if there is a settlement before trial reached at the mediation on 4 December 2023 or before 3 May 2024. To participate in any pre-trial settlement, you must register your interest before the deadline.
- (b) If you do not want your rights determined by the class action, you may opt out by **15 November 2023**. If you opt out, your claim will not be resolved as part of the Freedom Foods Class Action but you may pursue such rights as you may have independently.
- (c) If you do nothing, you will remain a group member in the class action but, subject to further order of the Court, you **will not** be permitted to participate in any settlement reached at mediation or that occurs by 3 May 2024.

If there is anything in this Notice that you do not understand, you should use the contact information at Section 7 below to make enquiries or seek independent legal advice.

**IT IS IMPORTANT THAT YOU READ THIS NOTICE CAREFULLY  
BECAUSE IT MAY AFFECT YOUR LEGAL RIGHTS**

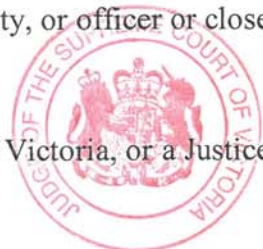


## 1 WHAT IS A CLASS ACTION?

- 1.1 A class action is a legal case in which one or more plaintiffs make a claim for themselves and on behalf of other people. The people make a claim together because their claims arise out of the same, similar, or related circumstances. The group of people are referred to as 'group members'.
- 1.2 Group members in a class action **are not** individually responsible for the legal costs associated with bringing the class action. In a class action, only the plaintiff is responsible for the costs. Further information regarding the funding of the class action is contained in Section 3 below.
- 1.3 If a class action is resolved — either by the Court delivering a judgment, or by an agreed settlement that is approved by the Court — the resolution binds all persons who are group members unless they have opted out of the class action. Once the Freedom Foods Class Action is resolved, group members will not be able to pursue the same claims against Noumi or Deloitte in other legal proceedings and may not be able to pursue similar or related claims.
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## 2 WHY HAVE YOU RECEIVED THIS NOTICE?

- 2.1 You have been sent this Notice because you have been identified as someone who may be a group member in the Freedom Foods Class Action.
- 2.2 You are a group member in the Freedom Foods Class Action if:
- (a) you acquired an interest in fully paid ordinary shares in Noumi, an interest in American Depository Receipts that represent Noumi Shares and/or a long exposure to Noumi shares by entering into equity swap confirmations in respect of ordinary shares in Noumi, between 7 December 2014 and 24 June 2020 (inclusive) (**Claim Period**);
  - (b) you have suffered loss or damage by reason of the conduct of Noumi and Deloitte alleged in the Statement of Claim; and
  - (c) you are not:
    - (i) a related party, related body corporate, associated entity, or officer or close associate of Noumi or Deloitte; or
    - (ii) a Justice or the Chief Justice of the Supreme Court of Victoria, or a Justice or the Chief Justice of the High Court of Australia.

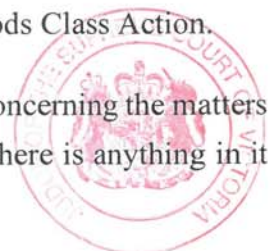




- 2.3 If you believe that you meet the above description of group member, you should read this Notice carefully as it will affect your rights. If you are unsure whether you are a group member, you should seek your own legal advice without delay.
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### 3 INFORMATION ABOUT THE FREEDOM FOODS CLASS ACTION

- 3.1 The Freedom Foods Class Action has two lead plaintiffs, Nicholas John Gehrke and Lester Buch. The class action is brought against Noumi Limited (**Noumi**) (formerly Freedom Foods Group Limited) and Deloitte Touche Tohmatsu (**Deloitte**) in the Supreme Court of Victoria on behalf of all persons who acquired an interest in fully paid ordinary shares in Noumi, an interest in American Depository Receipts that represent Noumi shares and/or a long exposure to Noumi shares by entering into equity swap confirmations in respect of ordinary shares in Noumi during the Claim Period. The plaintiffs in a class action do not need to seek the consent of group members to commence a class action on their behalf or to identify a specific group member.
- 3.2 The Freedom Foods Class Action relates to allegations that Noumi and Deloitte made misleading representations and further, that Noumi failed to comply with its continuous disclosure obligations as an ASX-listed company, breaching relevant provisions of the *Corporations Act 2001* (Cth) and *Australian Securities and Investments Commission Act 2001* (Cth).
- 3.3 The class action alleges that because of this conduct, group members paid more for shares in Noumi than would have been the case had Noumi and/or Deloitte complied with their respective obligations. Alternatively, the class action alleges that some group members would not have purchased shares in Noumi had the alleged wrongdoing not occurred. Noumi and Deloitte deny the claims made against them by the plaintiffs.
- 3.4 Slater and Gordon Lawyers and Phi Finney McDonald (together, the **plaintiffs' lawyers**) are acting jointly for the group members in the Freedom Foods Class Action. Each law firm conducts approximately 50% of the work resulting in an approximate 50% split of the fees, disbursements and other costs in the proceeding.
- 3.5 The Supreme Court of Victoria has ordered that this Notice be distributed for the information of persons who may be affected by the Freedom Foods Class Action.
- 3.6 You should read this Notice carefully. Any questions you have concerning the matters contained in this Notice should not be directed to the Court. If there is anything in it that you do not understand, you should seek legal advice.



## 4 YOUR OPTIONS

4.1 You have the following options that you may elect to take in response to this Notice.

### **OPTION 1 – REGISTER YOUR INTEREST TO RECEIVE COMPENSATION**

4.2 You must register if you wish to be eligible to claim money from any settlement of the Freedom Foods Class Action monies resulting from a settlement at the December 2023 Court Ordered Mediation or by 3 May 2024.

#### **What is registration?**

4.3 You may register your claim by either:

- (a) completing the Group Member Registration Form hosted by Omni Bridgeway at: <https://portal.omnibridgeway.com/cases/register/freedom-foods-class-action>; or
- (b) completing an “**OPTION 1: REGISTRATION FORM**” at Schedule 1 to this Notice and returning it to Omni Bridgeway:

(i) by post to:

Omni Bridgeway

[Address]

[Address]

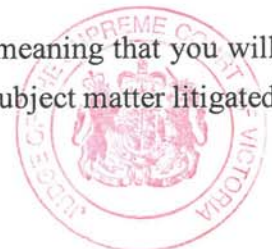
[Address]

(ii) or by email to [freedomfoods@omnibridgeway.com](mailto:freedomfoods@omnibridgeway.com)

4.4 You must register your claim by **4.00pm AEDT on 15 November 2023** to be eligible to participate in any pre-trial settlement.

4.5 If you register for the Freedom Foods Class Action:

- (a) You may be eligible to receive compensation as part of any settlement that occurs at the Court Ordered Mediation or by 3 May 2024 (provided that it is approved by the Court and you satisfy any eligibility requirements); and
- (b) you will be bound by any resolution of the class action (meaning that you will not be permitted to bring any future claims related to the subject matter litigated in the Freedom Foods Class Action).



- 4.6 If you register, you will not under any circumstances be liable to pay any “out of pocket” costs to Phi Finney McDonald, Slater and Gordon Lawyers, and/or Omni Bridgeway simply by registering for the Freedom Foods Class Action.
- 4.7 If you previously completed and returned a legal costs agreement with Phi Finney McDonald or Slater and Gordon Lawyers in the Freedom Foods Class Action (and have provided details of your trading of Noumi shares), you do not have to take any further steps to register your claim. This is because you have already taken the steps necessary to register your claim.
- 4.8 If you have any difficulty registering, please contact Omni Bridgeway at [freedomfoods@omnibridgeway.com](mailto:freedomfoods@omnibridgeway.com), or by telephone at 1800 016 464.

**OPTION 2 – OPT OUT AND CEASE BEING A GROUP MEMBER**

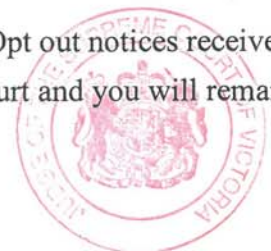
- 4.9 If you do not want to remain a group member in the Freedom Foods Class Action, you must opt out.

**What is opting out?**

- 4.10 A group member can opt out by completing an “**OPTION 2: OPT OUT FORM**” at Schedule 2 to this Notice. Each group member seeking to opt out should fill out a separate opt out form. Opt out forms must be returned directly to the Commercial Court Registry of the Supreme Court of Victoria:

- by post to:  
Commercial Court Registry  
Supreme Court of Victoria  
210 William Street  
Melbourne VIC 3000
- or by email to [freedomfoodsclassaction@supcourt.vic.gov.au](mailto:freedomfoodsclassaction@supcourt.vic.gov.au)

- 4.11 If you are opting out on behalf of a company or business, please provide your name, the name of the company or business and your position within the company or business (e.g. director or partner).
- 4.12 You must opt out by **4.00pm AEDT on 15 November 2023**. Opt out notices received after the deadline will not be accepted without leave of the Court and you will remain a group member (see Section 5 below).



### What are the consequences of opting out?

4.13 If you opt out of the class action:

- (a) you cease to be a group member in the Freedom Foods Class Action and you will not be affected by, or entitled to the benefit of, any order, judgment, or settlement in the Freedom Foods Class Action;
- (b) you will not be entitled to share in any compensation from any damages award or settlement secured by the plaintiffs in the Freedom Foods Class Action; and
- (c) you will be able to commence separate proceedings against Noumi or Deloitte on your own behalf outside of the Freedom Foods Class Action, provided you issue those proceedings within the time limit applicable to your claim.

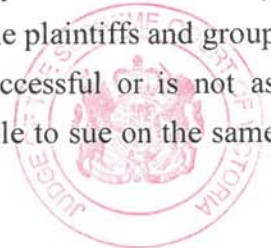
4.14 If you are unsure how opting out will affect your rights or the applicable time limit prior to opting out, you should seek independent legal advice.

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## 5 WHAT IF I DO NOTHING?

5.1 If you do nothing following receipt of this Notice (i.e. neither opt out or register), and you have not previously completed a legal costs agreement with the plaintiffs' lawyers:

- (a) You will remain an **unregistered** group member in the Freedom Foods Class Action.
- (b) **If an in-principle settlement is reached** between the plaintiffs and the defendants at the Court Ordered Mediation or by 3 May 2024, you **will not** be entitled to participate in that settlement. Further, you will be bound by the terms of the settlement including any releases (despite not being eligible to participate in the settlement). This means that your right to bring a claim against Noumi or Deloitte (and potentially its related entities and officers) for matters related to those canvassed in the Freedom Foods Class Action will be extinguished;
- (c) **If there is no settlement** at the Court Ordered Mediation or by 3 May 2024, you will be bound by the final judgment, and you will be entitled to obtain compensation and/or damages (if you satisfy the eligibility criteria set down by the Court) in the event that the Court finds in favour of the plaintiffs and group members. If the Freedom Foods Class Action is unsuccessful or is not as successful as you might have wished, you will not be able to sue on the same claim in any other proceedings;



(d) It is open to the plaintiffs and the defendants to apply to the Court for a further Court Ordered Mediation to extend the period during which only registered group members are permitted to seek any benefit pursuant to any subsequent settlement. It is unknown whether this will occur, and unknown what further notice, if any, the Court may order to be provided to group members at that point. Accordingly, it is possible that if you remain an unregistered group member, you will not, without leave of the Court, be permitted to seek any benefit pursuant to any settlement of the Freedom Foods Class Action even if that settlement occurs after 3 May 2024.

5.2 If you do not want to risk missing out on the option to participate in any settlement of the Freedom Foods Class Action, you should register your claim as per Option 1 above.

**What if I object to the above procedures?**

5.3 If you object to making one of the choices described above and the potential consequences of those choices, or you seek a variation of them, you must send a written notice to the Commercial Court Registry of the Supreme Court of Victoria (at the postal or email address at paragraph 4.10 above) by 4.00pm AEDT on 15 November 2023.

5.4 The written notice should set out the challenge you will make or the variation you seek and the reasons for that challenge/variation. You may then be required to attend the Supreme Court of Victoria at a later date to have your challenge / application for a variation of the arrangements heard.

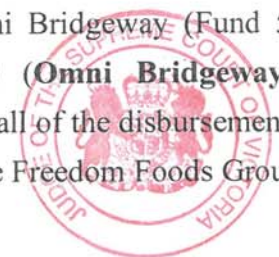
5.5 Any notice challenging the orders of the Supreme Court of Victoria received after 15 November 2023 will not be accepted.

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**6 FUNDING OF THE FREEDOM FOODS CLASS ACTION**

6.1 Group members are not and will not be required to pay any “out of pocket” expenses by participating in the class action.

6.2 Mr Buch is financed in part by a third-party funder, Omni Bridgeway (Fund 5) Australian Inv. Pty Limited (ABN 91 635 083 984) (**Omni Bridgeway**). Omni Bridgeway will pay part of the legal costs charged and all of the disbursements incurred by Phi Finney McDonald pursuant to the terms of the Freedom Foods Group Litigation Funding Scheme.



6.3 The Court has made a Group Costs Order (**GCO**) in the proceeding at a rate of 22% inclusive of GST, subject to further order. A GCO is an order that the Court can make permitting legal costs payable to the plaintiffs' lawyers to be calculated as a percentage of any damages award or settlement sum if the class action is successful – that is, if money is paid by the defendants to resolve the claims of the plaintiffs and group members in the case. This can happen either through a judgment after the case is heard by the Court in a trial, or otherwise if the plaintiffs and defendants settle the case in principle and the Court approves the settlement.

6.4 **If the class action is successful:**

- (a) The plaintiffs' lawyers will be paid 22% (inclusive of GST) of any damages awarded or any settlement sum approved by the Court, prior to those damages or that settlement sum being distributed to group members.
- (b) The Court will assess whether the costs proposed to be deducted from any settlement sum are fair and reasonable. You will be given a notice at that time informing you of the amount which it is proposed to be deducted and given an opportunity to tell the Court if you agree or disagree with what is proposed.

6.5 **If the class action is unsuccessful:**

- (a) Group members will not pay any costs.
- (b) An adverse costs order will not be made against you as a group member. In litigation, the Court will typically order the losing party to pay a proportion of the legal costs of the successful party. In class actions, only the plaintiff faces the risk of an adverse costs order if the action fails. The effect of the GCO is that, if the Freedom Foods Class Action is unsuccessful, the plaintiffs' lawyers will be liable to pay any costs payable to the defendants in the proceeding and will not be entitled to recover from the plaintiffs or group members any legal costs or disbursements incurred or paid on their behalf in relation to the class action.

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7 **FURTHER QUESTIONS ABOUT THE FREEDOM FOODS CLASS ACTION**

7.1 Please consider the above matters carefully.

7.2 If there is anything of which you are unsure, or you have any questions or comments about the Notice, in the first instance you should contact Omni Bridgeway by emailing [freedomfoods@omnibridgeway.com](mailto:freedomfoods@omnibridgeway.com), or alternatively by telephone on 1800 016 464.

7.3 You may also seek your own legal advice. You should not delay in making your decision.



## SCHEDULE 1

FREEDOM FOODS CLASS ACTION – Proceeding No. S ECI 2020 04505

**Nicholas John Gehrke and Lester Buch v Noumi Limited (formerly Freedom Foods Group Ltd) and Deloitte Touche Tohmatsu**

### **OPTION 1: GROUP MEMBER REGISTRATION FORM**

If you would like to **REGISTER** for the Freedom Foods Class Action please return this form to Omni Bridgeway by email or post at the below addresses by **4.00pm AEDT on 15 November 2023**. Alternatively, you may complete an online version of this registration form at: <https://portal.omnibridgeway.com/cases/register/freedom-foods-class-action>

By post: Omni Bridgeway

[Address Line 1]

[Address Line 2]

[Address Line 3]

By email: [freedomfoods@omnibridgeway.com](mailto:freedomfoods@omnibridgeway.com)

The below-named group member registers as a group member entitled to participate in any settlement of the proceeding.

CONTACT DETAILS	
Salutation (Mr/Ms/Miss/Mrs/Dr):	
First name:	
Last name:	
Address:	
Email address:	
Telephone number:	
SECURITY HOLDER DETAILS	
Name of security holder(s):	
HIN/SRN/Reference number:	
Number of Noumi securities, ADRs and/or equity swap confirmations held at the close of trade on 6 December 2014:	
ACQUISITION DETAILS (list details of further acquisition events on the reverse side of form)	
Date of acquisition:	
Quantity of securities acquired:	
Total amount paid (including any brokerage):	
DISPOSAL DETAILS (list details of further disposal events on the reverse side of form)	
Date of sale or disposal:	
Quantity of securities disposed:	
Total amount received (excluding any brokerage):	

Dated: .....

Signed: ..... Name: .....



**DETAILS OF FURTHER ACQUISITION EVENTS (OPTIONAL):**

ACQUISITION DETAILS (list details of further acquisition events on the reverse side of form)	
Date of acquisition:	
Quantity of securities acquired:	
Total amount paid (including any brokerage):	

ACQUISITION DETAILS (list details of further acquisition events on the reverse side of form)	
Date of acquisition:	
Quantity of securities acquired:	
Total amount paid (including any brokerage):	

ACQUISITION DETAILS (list details of further acquisition events on the reverse side of form)	
Date of acquisition:	
Quantity of securities acquired:	
Total amount paid (including any brokerage):	

ACQUISITION DETAILS (list details of further acquisition events on the reverse side of form)	
Date of acquisition:	
Quantity of securities acquired:	
Total amount paid (including any brokerage):	

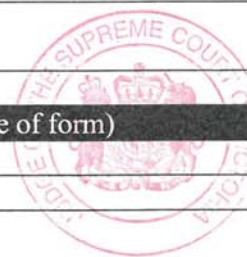
**DETAILS OF FURTHER DISPOSAL EVENTS (OPTIONAL):**

DISPOSAL DETAILS (list details of further disposal events on the reverse side of form)	
Date of sale or disposal:	
Quantity of securities disposed:	
Total amount received (excluding any brokerage):	

DISPOSAL DETAILS (list details of further disposal events on the reverse side of form)	
Date of sale or disposal:	
Quantity of securities disposed:	
Total amount received (excluding any brokerage):	

DISPOSAL DETAILS (list details of further disposal events on the reverse side of form)	
Date of sale or disposal:	
Quantity of securities disposed:	
Total amount received (excluding any brokerage):	

DISPOSAL DETAILS (list details of further disposal events on the reverse side of form)	
Date of sale or disposal:	
Quantity of securities disposed:	
Total amount received (excluding any brokerage):	





**SCHEDULE 2**

**FREEDOM FOODS CLASS ACTION – Proceeding No. S ECI 2020 04505**

**Nicholas John Gehrke and Lester Buch v Noumi Limited (formerly Freedom Foods Group Ltd) and Deloitte Touche Tohmatsu**

**OPTION 2: NOTICE OF OPTING OUT BY GROUP MEMBER**

ONLY RETURN THIS FORM IF YOU WISH TO OPT OUT OF THE FREEDOM FOODS CLASS ACTION. IF YOU OPT OUT, YOU WILL NO LONGER BE A GROUP MEMBER.

IF YOU WISH TO REGISTER TO PARTICIPATE YOU MUST COMPLETE THE OPTION 1 FORM.

To: Commercial Court Registry  
Supreme Court of Victoria  
210 William Street  
Melbourne Victoria 3000  
[freedomfoodsclassaction@supcourt.vic.gov.au](mailto:freedomfoodsclassaction@supcourt.vic.gov.au)

I, *[print name]*.....  
am a group member in the above group proceeding.

**OR**  
am a director of *[company name]* .....  
who is a group member in the above group proceeding.

I give notice under s 33J(2) of the *Supreme Court Act 1986* (Vic) that I am **opting out** of this proceeding.

Dated:	
Signature of group member or the group member's solicitor:	
Address of group member:	
Email address of group member:	

If you would like to **OPT OUT** of the Freedom Foods Class Action please return this form to the Commercial Court Registry of the Supreme Court of Victoria by email or post at the above addresses by **4.00pm AEDT on 15 November 2023.**

