



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD183/2023

DEBRAH JACKSON

Applicant

CARNIVAL PLC T/AS P&O CRUISES AUSTRALIA (ABN 23 107 998 443)

Respondent

ORDER

JUDGE: Justice Derrington

DATE OF ORDER: 1 November 2024

WHERE MADE: Brisbane

THE COURT ORDERS THAT:

Notice of Proposed Settlement

1. The form and content of the Notice of Proposed Settlement as attached hereto and marked "Annexure A" be approved.
2. Copies of:
 - (a) the Notice of Proposed Settlement;
 - (b) the Settlement Deed and the Settlement Distribution Scheme in the form attached to the affidavit of Peter Carter filed 31 October 2024;are to be:
 - (c) sent:
 - (i) by email to each group Member for whom an email address is held by the applicant's solicitors;
 - (ii) by email to the nominated contact person for passengers identified in exhibited KNM-01 to the affidavit of Kayla Natalie Milana sworn 21 June 2024;
 - (iii) by post to each group member for whom the applicant does not have an email address;



- (d) made available for access by members of the public on the website at www.pacificariaaction.com.au.
3. By 14 November 2024 the applicant's solicitors are to cause to be advertised in the Courier Mail two advertisements in the form and manner, or substantially in the form and manner, as attached hereto and marked "Annexure B".
4. Save for leave by the Court:
- (a) any further affidavit material in support of the approval of the settlement is to be filed by the applicant by a date which is two weeks prior to the hearing of the settlement application;
- (b) written submissions by the applicant are to be filed by a date which is 5 days prior to the settlement application, with copies provided to the respondents and the Associate to Derrington J;
- (c) written submissions by the respondents are to be filed by two days prior to the settlement application with copies provided to the applicant and the Associate to Derrington J.
5. The applicant is to file an affidavit exhibiting any objections to the proposed settlement which the applicant may have received by the day prior to the settlement application.
6. A copy of this Application, all supporting material (including written submissions but excluding confidential material) and any order made on 01 November 2024, is to be placed by the Applicant on the P&O Pacific Aria Class Action website at www.pacificariaaction.com.au so that it is available for access by group members.
7. A referee be appointed to report on the reasonableness or otherwise of the costs sought by the applicant, with the identity of the referee and the terms of the appointment to be settled by the Registrar of the Court.

Approval of Settlement

8. The Application for approval of the proposed settlement is to be heard at 10:15 am on 6 February 2025 before Justice Derrington.



Costs

9. Costs are in the proceeding.

Date orders authenticated: 1 November 2024

Sia Lagos
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.