

AMCOR/VISY CLASS ACTION (CARDBOARD BOX CARTEL)

NOTICE OF PROPOSED SETTLEMENT

If you wish to make a claim for money in a proposed settlement of this class action you must comply with this notice. If you are a Group Member and you do not do so, your rights to claim compensation or damages against the Amcor Companies and the Visy Companies will be lost.

The Federal Court of Australia has ordered that this notice be published for the information of persons who might have claims affected by the class action.

The consequence of not meeting the deadline of 4 May 2011 in this notice is that you will not be entitled to participate in the proposed settlement of this class action (if approved).

Background and who is affected

In 2006 a class action was commenced in the Federal Court regarding alleged conduct of a price-fixing and market-sharing cartel in the corrugated fibreboard packaging (CFP) industry.

The class action was brought by Jarra Creek Central Packing Shed Pty Limited ('the Applicant') on its own behalf and on behalf of 'Group Members' who are persons (including companies) who purchased and paid more than \$100,000 (including GST) for CFP in Australia between 1 May 2000 and 1 May 2005, from one or more of the Respondents or their related bodies corporate.

The Respondents to the class action are Amcor Ltd, Amcor Packaging (Australia) Pty Ltd, Fibre Containers (Queensland) Pty Ltd (together 'the Amcor Companies'), Visy Board Pty Limited, Visy Industries Holdings Pty Ltd and Visy Industries Australia Pty Ltd (together 'the Visy Companies').

Proposed settlement

On 10 March 2011 the parties announced agreed terms for the settlement of the class action, subject to Court approval. The terms provide that the claims of the Applicant and Group Members will be settled for the payment of \$95 million to the Applicant and Group Members and \$25 million for the Applicant's legal costs. The legal costs are subject to verification by an independent costs assessor and Court approval. Of those legal costs, it is proposed that approximately \$16 million be paid to Maurice Blackburn for fees and interest and \$9 million is used to meet disbursements and expenses.

If approved, the settlement amount will be distributed in proportion to the claim of each Group Member who participates in the settlement. The detail of the process by which the settlement amount is proposed to be distributed is outlined in a Settlement Distribution Scheme which can be viewed at www.mauriceblackburn.com.au/amcorvisysettlement

Court approval

The settlement and the Settlement Distribution Scheme will not take effect unless and until approved by the Court. The Applicant will seek the Court's approval at a hearing in Sydney on 29 April 2011. Group Members may attend this hearing.

If approved, the settlement will bind all Group Members. This means that no Group Member, whether they make a claim in the settlement or not, will be able to take any further action in respect of the matters the subject of the proceeding. If the settlement is not approved the class action will return to Court where it will continue to be defended by the Respondents.

If you wish to claim money in the settlement

The Court has ordered that Group Members who wish to make a claim for money under the proposed settlement **must** notify their intention to participate in the settlement on or before 4 May 2011. To do so, you or your agent must complete and submit a Notice of Intention to Claim in

Settlement online at www.mauriceblackburn.com.au/amcorvisysettlement/participate. If you do not do so on or before 4 May 2011, you will lose the right to participate in the settlement.

If you do not wish to claim money in the settlement

You do not need to do anything. However, if you are a Group Member, any rights you have to claim compensation or damages against the Amcor Companies and the Visy Companies will be lost whether you claim money in the settlement or not.

If you wish to oppose the settlement

If you wish to make submissions on why the Court should not approve the settlement, you must provide to the Court and Maurice Blackburn, by no later than 22 April 2011, a written outline of the grounds upon which you oppose the proposed settlement along with any affidavit evidence you wish to rely on.

You will then need to attend the hearing and make submissions to the Court on 29 April 2011.

The address for the Court is:	The address for Maurice Blackburn is:
Amcor/Visy Class Action NSD 702 of 2006 NSW District Registry Federal Court of Australia Level 16, Law Courts Building Queens Square Sydney NSW 2000	Amcor/Visy Class Action Maurice Blackburn Level 20, 201 Elizabeth Street Sydney NSW 2000

Further Information

Please consider the above matters carefully. If there is anything of which you are unsure, you can contact Maurice Blackburn at amcorvisysettlement@mauriceblackburn.com.au or on (02) 92611488 or seek your own legal advice.

Copies of the Statement of Claim, the Settlement Deed and the Settlement Scheme are available at www.mauriceblackburn.com.au/amcorvisysettlement