

## NOTICE OF FILING

### Details of Filing

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A handwritten signature in blue ink, reading "Sia Lagos".

Registrar

### Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

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Form 59

Rule 29.02(1)

## Affidavit

No. VID312 of 2021

Federal Court of Australia

District Registry: Victoria

Division: General

**MINNIE MCDONALD**

Applicant

**COMMONWEALTH OF AUSTRALIA**

Respondent

Affidavit of: Craig Richard Allsopp

Address: 6/299 Elizabeth Street, Sydney NSW 2000

Occupation: Solicitor/Joint Head of Class Actions, Shine Lawyers

Date: 2 June 2025

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Filed on behalf of (name & role of party) Minnie McDonald

Prepared by (name of person/lawyer) Craig Richard Allsopp

Law firm (if applicable) Shine Lawyers

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**Address for service** 6/299 Elizabeth Street, Sydney NSW 2000

(include state and postcode)

Version 3 form approved 02/05/2019

I, Craig Richard Allsopp, of 6/299 Elizabeth Street, Sydney, New South Wales, say on oath:

1. I am a legal practitioner and Joint Head of Class Actions employed by Shine Lawyers Pty Ltd trading as Shine Lawyers (**Shine**), the legal representatives of the Applicant in these proceedings.
2. Except where otherwise indicated, this affidavit is based on my own knowledge. To the extent that my evidence is based on information provided to me by others or on my review of documents, I believe that information to be true.
3. I make this affidavit in support of the application filed by the Applicant on 6 May 2025 (**the Application**), seeking the material listed in Annexure A of the Application to remain confidential and not be published or disclosed to persons identified therein, for the purposes of preventing prejudice to the proper administration of justice.
4. The purpose of this Affidavit is to set out Shine's position in relation to the Applicant's claim for suppression orders relating to any documents created prior to the Applicant signing the conditional costs agreement and costs disclosure statement with Shine dated 10 May 2021 (**Applicant's Costs Agreement**). The Applicant's Costs Agreement is set out in section M2.3 of the Affidavit of Vicky Antzoulatos dated 25 October 2024 (**First Antzoulatos Affidavit**), and a copy is contained as an exhibit to the First Antzoulatos Affidavit and marked "VA-4: Tab 2".

**A. Claims of Legal Professional Privilege**

5. Prior to the execution of the Applicant's Costs Agreement and filing of the proceedings on 10 June 2021, Shine took a number of steps for the purposes of investigating the legal prospects of bringing these proceedings, including various research tasks and obtaining preliminary prospects advices from counsel (**the Investigation Work**).
6. The preliminary legal work that Shine undertook or procured counsel to undertake as part of the Investigation Work included:
  - a) a memorandum of advice prepared by Shine dated 6 July 2020;
  - b) an advice dated 6 August 2020 prepared by Mr William Edwards (now KC), Mr Joshua Creamer and Mr Alexander Edwards;
  - c) an advice dated 10 November 2020 prepared by Mr Bret Walker SC and Mr Joshua Creamer;
  - d) an advice dated 10 December 2020 prepared by Ms Chris Ronalds SC;
  - e) an advice dated 11 December 2020 prepared by Mr Joshua Creamer;



- f) a memorandum of advice dated 30 March 2021 prepared by Shine;
  - g) an advice dated 4 May 2021 prepared by Mr William Edwards (now KC) and Mr Alexander Edwards; and
  - h) an advice dated 5 May 2021 prepared by Mr William Edwards (now KC) and Mr James Mack.
7. Much, if not all, of this work was shared with the funder, LLS Fund Services Pty Ltd A.B.N. 51 627 975 213 as Trustee for Litigation Lending Fund 1 (**LLS**). LLS was, at that time, considering whether to fund these proceedings and much, if not all, of the legal work identified above was considered by LLS for that purpose.
  8. After Ms McDonald retained Shine in May 2021, some or all of the memoranda and advices identified in paragraph 6 was made available for the purposes of advancing her and the group members' claims.
  9. Excerpts and summaries of some of the memoranda and advices identified in paragraph 6 appears in the funder's Affidavit of Stephen James Conrad dated 29 October 2024 (**First Conrad Affidavit**).
  10. The Applicant asserts a claim of legal professional privilege over summaries or excerpts of these various legal advices contained in the First Conrad Affidavit and its exhibit, being items 7 to 30 of the Application, as well as the summary of counsel's opinion appearing as Ex. SC1.12-16 to the First Conrad Affidavit.
  11. For the avoidance of doubt, Shine also claims privilege in the same materials and does not waive any privilege which it holds over the materials which have been excerpted or referenced in the First Conrad Affidavit. Shine supports the Applicant's claims for suppression orders, including in relation to this material in the Application.



Sworn by the deponent )  
at Sydney in )  
New South Wales )  
On 2 June 2025 )  
electronically before me: )



Signature of deponent



Signature of witness

**Harry Michael Tilse**  
**Solicitor**

Level 13, 160 Ann Street, Brisbane Qld 4000

And as a witness, I certify the following matters concerning the person who made this affidavit  
(the **deponent**):

1. I saw the face of the deponent.
2. I have known the deponent for at least 12 months
3. This document was signed and witnessed over audio visual link in accordance with section 14G of the *Electronic Transactions Act 2000* (NSW).