

KPMG SETTLEMENT
CUDECO CLASS ACTION VID176/2022

- 1 This notice is sent to you by order of the Federal Court of Australia (**Court**).
- 2 This notice relates to the **Class Action** brought by Leo Toner (**Applicant**) on his own behalf and on behalf of persons who acquired an interest in fully paid ordinary shares in CuDeco Limited during the period between 11 April 2016 and 13 March 2018 (**CuDeco Class Action**).
- 3 The purpose of this notice is to inform you that:
 - 3.1 Pursuant to orders dated 22 December 2025, the Federal Court of Australia:
 - (a) approved the settlement of the proceeding as against the Fourth Respondent (**KPMG**) in the CuDeco Class Action;
 - (b) dismissed the proceeding as against KPMG on and from the payment of the settlement sum by KPMG (**KPMG Settlement Sum**), being 16 January 2026;
 - 3.2 Pursuant to orders dated 16 March 2026, the Federal Court of Australia approved the KPMG Settlement Sum to be applied as follows:
 - (a) payment to the Applicant for the Applicant's costs and expenses as approved by the Court in the sum of \$2,125;
 - (b) payment to Equite Capital No. 4 Pte Ltd (**EquiteCap4**) for Ms Rosati's costs in preparing her three costs referee reports;
 - (c) payment to EquiteCap4 in reimbursement of its payment of the Applicant's legal costs as approved by the Court;
 - (d) payment to EquiteCap4 by way of remuneration for the assistance given and the risks taken in providing litigation funding for the Applicant in the proceeding, being 30% of the balance of the KPMG Settlement Sum remaining after the deductions in (a) to (c);
 - (e) after the payments in (a) to (d), the balance of the KPMG Settlement Sum be held by the Solicitor for the Applicant in an interest-bearing controlled monies account pending further order of the Court.
- 4 You have received this notice as you are considered to be a "**Participating Group Member**" because you registered as a participating Group Member by completing the online registration process on the website of Banton Group by 27 November 2025.
- 5 Please contact Banton Group at CuDeco@bantongroup.com if you have any questions.

Privacy and confidentiality

- 6 The privacy and confidentiality of our clients and group members is very important to Banton Group. For the current version of our Privacy Policy please go to <https://bantongroup.com/privacy-policy/>.