**Annexure D  
(Funded Group Member Cover Letter)**

Dear Client,

**Katherine Class Action (NSD1388/2018 – Bartlett & Anor v The Commonwealth of Australia)**

A class action has been commenced against the Commonwealth seeking compensation for damages to property values as a result of contamination of groundwater, surface water, soil and biota in Katherine by per- and polyfluoroalkyl substances (**PFAS**) from the use of Aqueous Film Forming Foam (**AFFF**) by the Commonwealth at RAAF Base Tindal. The class action previously also sought compensation on behalf of persons who were business owners but not landowners in respect of damage to business values, but no longer intends to make those allegations.

You are receiving this letter because you are a group member in the Katherine Class Action and you have already signed a funding agreement with IMB Bentham and retainer with Shine Lawyers in respect of the Katherine Class Action.

Please see enclosed a notice which the Court has approved and directed to be sent to all group members in the Katherine Class Action who have already registered with Shine Lawyers and IMF Bentham. It is important that you read the enclosed notice carefully as it relates to your decision whether to continue your participation in the class action, and the funding of the class action.

You need to decide whether to opt out of this class action by **19 JULY 2019.**

If you do opt out, you may need to obtain independent legal advice as to the effect of the Funding Agreement you have signed (see part 7 of the notice).

If you have a claim only as a business owner in this class action, your claim will cease to be part of the class action from **19 JULY 2019.** You should obtain independent legal advice about the impact of the decision to remove claims for alleged business losses from the class action. More detail is set out in part 6 of the notice.

If there is anything of which you are unsure, you should contact Shine Lawyers ([KatherineContamination@shine.com.au](mailto:KatherineContamination@shine.com.au); 1800 066 105) or IMF Bentham ([403619@imf.com.au](mailto:403619@imf.com.au); 1800 016 464) or seek independent legal advice.

Kind Regards,

Shine Lawyers