**Annexure E  
(Unfunded Group Member Cover Letter)**

Dear Sir/Madam,

**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 notice because we have identified you as a potential group member in the Katherine Class Action.

Please see enclosed a notice which the Court has approved and directed be sent to all group members in the Katherine Class Action. It is important that you read the enclosed notice carefully as it relates to your rights and ongoing participation in the class action, and the funding of the class action.

1. **The funding arrangements for the class action** – at some point in the future the Applicants intend to ask the Court to make an order that group members who have not already signed funding agreements with IMF Bentham should be bound to contribute to the costs of the class action and pay commission to IMF Bentham from any judgment or settlement sum (more detail is set out in part 5 of the notice); and

2. **Your ongoing involvement in the class action** – the steps you need to take if you do not want to be bound by the outcome of the class action, and the matters about which you should seek independent legal advice (more detail is set out in part 7 of the notice).

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

If you decide to stay in the class action, you may wish to register your participation in the class action to better facilitate your inclusion in any settlement of the class action. This can be done by contacting IMF Bentham ([403619@imf.com.au](mailto:403619@imf.com.au); 1800 016 464). In order to register, you do not have to sign a funding agreement with IMF Bentham or a retainer with Shine Lawyers, but you may wish to do so if you want to. Please note that there is no requirement for you to register to be part of the class action.

If there is anything of which you are unsure, you should seek independent legal advice.

Kind Regards,

Shine Lawyers