

FILE NO:	2017/279308	
PARTIES:	Amy RICKHUSS v The Cosmetic Institute Ltd	
DIVISION :	Common Law	
DATES :	14.5.23	
CORAM :	Weinstein J J	

Orders

I made the orders in the Short Minutes of Order filed in Court on 14 May 2024 as follows:-

1. The plaintiffs have leave to file and serve the Eighth Further Amended Statement of Claim in the form which is annexed and marked "A".
2. Pursuant to s 173 of the *Civil Procedure Act 2005* (NSW), the settlement is approved on the terms set out in the executed Parties' Deed of Settlement and Release which appears at pages 6-32 of Exhibit TLG-1 to the Affidavit of Terence Goldberg sworn 10 May 2024.
3. Pursuant to s 173 of the *Civil Procedure Act 2005* (NSW):-
 1. the proposed Settlement Scheme, the form of which appears at exhibit "TLG-1" pages 33 to 66 to the Affidavit to Terence Goldberg sworn 10 May 2024 be approved.
 2. Turner Freeman Lawyers be appointed the Scheme Administrator.
 3. Deductions from the Settlement Fund for payment of the Scheme Administrator's costs of administering the scheme, in the manner set out at 13.1 of the Scheme, be approved.
4. Pursuant to section 179 of the *Civil Procedure Act 2005* (NSW), the persons affected and bound by the settlement on the terms set out in the Parties' Deed of Settlement and Release are the plaintiffs, the defendants, and the Group Members in the Eighth Further Amended Statement of Claim.

5. The plaintiffs' and Group Members' claims as against the defendants are dismissed with no order as to costs of the proceedings.
6. All cross-claims are dismissed with no order as to the costs of the cross-claims.
7. All prior costs orders as between the parties are vacated (excluding costs orders made in the Court of Appeal proceedings), save as to the orders that the parties' share as to 1/6 the costs of the facilitators, and the Law In Order costs of the Court Book.
8. Pursuant to section 7 of the *Court Suppression and Non-Publication Orders Act 2010* (NSW):-
 1. the Parties' Deed of Settlement and Release is to be kept confidential and is not to be disclosed to any person until further order on the grounds that the order is necessary to prevent prejudice to the proper administration of justice.
 2. The Confidential Opinion of Counsel is to be kept confidential and is not to be disclosed to any person until further order on the grounds that the order is necessary to prevent prejudice to the proper administration of justice.
 3. The Affidavit of Armando Gardiman sworn 6 May 2024 in its unredacted form is to be kept confidential and is not to be disclosed to any person until further order on the grounds that the order is necessary to prevent prejudice to the proper administration of justice, save that the affidavit may be published in the redacted form which appears at Annexure "B" to these orders.
 4. The Affidavit of Terence Goldberg sworn 10 May 2024 in its unredacted form is to be kept confidential and is not to be disclosed to any person until further order on the grounds that the order is necessary to prevent prejudice to the proper administration of justice, save that the affidavit may be published in the redacted form which appears at Annexure "C" to these orders.

9. Pursuant to sections 173(2) and 183 of the *Civil Procedure Act 2005* (NSW), the following deductions be approved and paid:-
 1. Payments to the plaintiffs (in the individual sums set out at 89 of the Affidavit of Terence Goldberg sworn 10 May 2024) in the sum of \$2,810,000;
 2. A payment to Turner Freeman Lawyers of \$8,900,000 inclusive of GST representing costs of the proceedings.