

17 June 2020

By email

Private and Confidential

TO THE CLIENT AS ADDRESSED

Master ID: 349811

Dear Investor

Clime Capital Limited v UGL Pty Limited (VID 1390/2017)

1. I write regarding the finalisation of the Settlement Distribution Scheme (**Scheme**) established by the settlement of the UGL class action. I write to you in my capacity as Administrator of the Scheme.

Structure of Scheme

2. The Scheme was approved by the Hon Justice Anastassiou of the Federal Court on 17 December 2019, as part of the orders made that day approving the settlement of the class action (**Approval Orders**).
3. Under the Scheme, each registered group member received an estimate of their likely distribution (**Assessment Notice**). Each registered group member then had a period of time in which to seek the review of that Assessment Notice. Any registered group member who did so was then provided a further period of time to challenge the outcome of the review, by making application to the Court (at their own cost). A registered group member's assessment was completed and became final (**Final Assessment**) if, at any stage, the relevant period of time (to seek a review or to make application to the Court) expired before the registered group member took that step.
4. The Scheme provides that distributions can occur once all registered group member assessments have been completed, and once the time period for any registered group member to appeal the Approval Orders has expired.

Finalisation of Scheme

5. In accordance with the above, the administration of your claim has been completed and is now the subject of a Final Assessment. All other registered group members in the Scheme are now in the same position, in that their claims are also the subject of a Final Assessment. Further, the time period for any registered group member to appeal the Approval Orders has expired.

Your Distribution

6. Accordingly, the assessment of claims for the purpose of the Scheme is now complete, and distributions can now occur.

7. Annexed to this letter is a summary of your Final Assessment, being your distribution amount. The notice also includes important information about your distribution, including your pro-rata share of the interest which has accrued in respect of the settlement sum, the part of that interest payment that I have withheld for tax in accordance with Australian taxation law (if any), and your pro-rata share of the funding commission and legal costs incurred in the class action.

Payment

8. Thank you for providing your Australian account bank details. Payment of your distribution will be made to that account in 10 days from the date of this letter.

Your share of interest and tax withholding


9. Registered group members receive a pro-rata share of the interest which has accrued on the settlement sum. As we previously advised you by letter dated 15 April 2020, I have certain obligations under taxation law to withhold some of that interest, in some circumstances. In particular:
 - a. If you are an Australian tax resident and you did not provide your tax file number (TFN), then I am obliged to withhold 47% of that interest unless interest is less than \$120; and
 - b. If you are not a resident of Australia for tax purposes – I am obliged to withhold 10% of that interest in all circumstances.
10. Your pro-rata share of the accrued interest is set out in the annexed notice.
11. Based on your response to the letter dated 15 April 2020, you have been treated as an Australian tax resident. Since you provided an ABN or TFN, I confirm that no tax has been withheld in respect of your pro-rata share of interest.

Tax advice

12. Phi Finney McDonald is unable to provide taxation advice to registered group members. Further, once the Approval Orders were made, Phi Finney McDonald ceased to act as lawyers for the registered group members of the UGL class action.
13. Accordingly, I am not in a position to provide you with any taxation advice, and I have not done so. In this letter, I have merely described what I have done to discharge my own obligations as to withholding, under Australian taxation law. I encourage you to seek your own tax advice as to the appropriate treatment of the distribution from the settlement. This advice may include whether this payment has capital gains tax implications, whether your pro-rata share of interest is taxable, and/or whether you may seek a refund from the ATO of any tax that has been withheld. There may be other issues about this distribution and settlement in respect of which you may wish to seek taxation advice.
14. On behalf of Phi Finney McDonald, I thank you for your instructions and patience during this hard-fought and long-running case.

15. If you have any questions about the settlement, or this class action generally, please do not hesitate to contact Omni Bridgeway or Phi Finney McDonald.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. Zimet', with a horizontal line above it.

Jeremy Zimet
Administrator – UGL Settlement Scheme
Phi Finney McDonald

Annex.

ANNEXURE A

IMPORTANT NOTICE – UGL CLASS ACTION

FINAL ASSESSMENT NOTICE OF DISTRIBUTION FROM THE SETTLEMENT SUM

SUMMARY OF DISTRIBUTION

(see next page for details of final assessment)

Claimant ID:	Claimant Name:	Your Distribution:
349811	North Redlands Pty Ltd as trustee for Stieler Family Super Fund Account	\$1,575.39
	Total:	\$1,575.39

REGISTERED GROUP MEMBER FINAL ASSESSMENT OF DISTRIBUTION

KEY	
	Description
A	Your total weighted loss
B	Your proportion (your A divided by the aggregate of A across all registered group members, see note 1 below)
C	Your distribution (including interest) (B multiplied by the residual settlement sum, see note 2 below)
D	Your share of interest (B multiplied by total interest, see note 3 below)
E	Amount withheld for taxation reasons (if any) (refer to covering letter)
F	Your pro-rata share of the funding commission (B multiplied by total commission, see note 4 below)
G	Your pro-rata share of the legal costs (B multiplied by total costs, see note 5 below)
H	A transaction charge (or pro rata apportionment thereof) payable by the Administrator (for international transfers only)
I	Amount in hand (C minus E minus H)

ID	A	B	C	D	E	F	G	H	I
349811	\$4,246.35	0.00019781	\$1,575.39	\$12.17	\$0.00	\$801.13	\$1,196.22	\$0.00	\$1,575.39

NOTE	
1	The aggregate total weighted loss (i.e. figure A) across all registered group members is \$21,466,885.80
2	The residual settlement sum (including interest) is \$7,964,176.18
3	The total interest is \$61,512.22
4	The total commission is \$4,050,000.00
5	The total costs are \$6,047,336.04