

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 29/12/2016 9:09:00 AM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Originating Application Starting a Representative Proceeding under Part IVA Federal Court of Australia Act 1976 - Form 19 - Rule 9.32
File Number:	VID1494/2016
File Title:	TPT Patrol Pty Ltd as trustee for Amies Superannuation Fund v Myer Holdings Limited
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink, reading "Warwick Soden".

Dated: 30/12/2016 10:03:41 AM AEDT

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



**Originating application starting a representative proceeding under
Part IVA of the Federal Court of Australia Act 1976**

No. _____ of 2016

Federal Court of Australia

District Registry: Victoria

Division: Commercial and Corporations NPA

TPT PATROL PTY LTD as trustee for Amies Superannuation Fund

Applicant

MYER HOLDINGS LIMITED

Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place: Owen Dixon Commonwealth Law Courts Building, 305 William Street, Melbourne VIC 3000

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Date:

Signed by an officer acting with the authority
of the District Registrar

Filed on behalf of (name & role of party) TPT Patrol Pty Ltd atf Amies Superannuation Fund - Applicant

Prepared by (name of person/lawyer) Anthony Zita, Solicitor

Law firm (if applicable) Portfolio Law Pty Ltd

Tel (03) 9600 2888

Fax _____

Email tony.zita@portfoliolaw.com.au

Address for service Level 3, 362 Collins Street, Melbourne VIC 3000
(include state and postcode)



Details of claim

On the grounds stated in the statement of claim, accompanying affidavit or other document prescribed by the Rules, the Applicant claims on its own behalf and on behalf of Group Members (as defined below):

1. Declaration that the Respondent has contravened s 1041H of the *Corporations Act 2001* (Cth).
2. Compensation pursuant to s 1041I, s 1317HA and s 1325 in respect of the Respondent's contraventions of s 674(2) and s 1041H of the *Corporations Act 2001* (Cth).
3. Interest pursuant to statute.
4. Costs.
5. Such further or other relief as the Court considers just.

Questions common to claims of group members

The questions of law or fact common to the claims of the group members are:

1. The content and scope of the Respondent's obligations under ss 674(2) and 1041H of the Act.
2. Whether and in what respects the Respondent breached any of its obligations under ss 674(2) or s 1041H of the Act.
3. The facts and the legal principles which are applicable in respect of the issue of causation in this case.
4. The facts and the legal principles which are applicable to the assessment of loss and damage in this case.
5. The application of any laws relating to the apportionment of liability between the Respondent and any other person who may be added as a Respondent or third or subsequent party.
6. Any cross-claims which are made by any such parties against other parties.

Representative action

The Applicant brings this application as a representative party under Part IVA of the *Federal Court of Australia Act 1976*.

The group members to whom this proceeding relates are all persons who acquired ordinary shares in the Respondent on or after 11 September 2014 and who were at the commencement of trading on 19 March 2015 holders of any of those shares (**Group Members**).

**Applicant's address**

The Applicant's address for service is:

Place: C/- Portfolio Law Pty Ltd, Level 3, 362 Little Collins Street, Melbourne, Victoria, 3000.

Email: tony.zita@portfoliolaw.com.au

The Applicant's address is Unit 2, 25 Viewland Drive, Noosa Heads, Queensland, 4567.

Service on the Respondent

It is intended to serve this application on all Respondents.

Date: 29 December 2016

A handwritten signature in black ink, appearing to be 'A. Zita', is written over a horizontal line.

Signed by Anthony Zita
Lawyer for the Applicant