

MEDIBANK SHAREHOLDER CLASS ACTION
ANSWERS TO FREQUENTLY ASKED QUESTIONS FOR GROUP MEMBERS

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1. Am I a group member?

A group member in the Medibank Shareholder Class Action is a person or entity who during the period from 1 July 2019 to 25 October 2022 (inclusive) (**Claim Period**) either:

- (a) acquired an interest in ordinary shares in Medibank Private Limited (ASX:MPL) (Medibank shares); or
- (b) acquired long exposure to Medibank shares by entering into equity swap confirmations in respect of Medibank shares,

and who is alleged to have suffered loss or damage by or resulting from Medibank's alleged misconduct.

However, certain persons and entities are not eligible to participate:

- (c) a related party, related body corporate, associated entity, or officer or close associate of Medibank;
- (d) a judge of the Supreme Court of Victoria or of the High Court of Australia;
- (e) various Commonwealth and State representatives and entities (as set out in section 33E of the *Supreme Court Act 1986* (Vic)); and
- (f) an officer or employee of, or other legal practitioners engaged by, **Quinn Emanuel Urquhart & Sullivan** or **Phi Finney McDonald (PFM)**.

If you are a current or former Medibank employee, you are a group member if you acquired Medibank shares during the Claim Period and you have not been, at any time from 1 July 2019:

- (a) a director or company secretary of Medibank;
- (b) a person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of Medibank, or who has the capacity to affect significantly Medibank's financial standing, or a person in accordance with whose instructions or wishes the directors of the Medibank are accustomed to act; or
- (c) a director or secretary of a related body corporate of Medibank.

Please note that the parties to the class action or their lawyers do not have a list of group members. You received the email from Medibank's share registry provider, Computershare, containing a link to the opt-out and registration notice because your email address was recorded on the share registry.

2. Am I eligible if I did not suffer any financial loss?

As the determination of loss or damage is a matter for expert evidence and the Court, group members do not need to establish loss or damage at this stage of the proceeding to participate.

If you acquired an interest in Medibank shares during the Claim Period, you should still register even if you believe you did not suffer any financial loss.

3. I have not sold my shares. Am I a group member?

Yes, if you acquired the shares during the Claim Period. You do not need to have sold your shares to be a group member.

4. I have sold my shares. Am I a group member?

Yes, if you acquired the shares during the Claim Period. You do not need to have retained your Medibank shares to be a group member.

For the purpose of loss assessments, shares sold during the Claim Period may be considered in the calculation. This will be a matter for expert evidence and the Court. That does not affect your status as a group member for present purposes.

5. Am I eligible if I received shares through a dividend reinvestment plan (DRP)?

You are still eligible if you received shares through a dividend reinvestment plan, so long as you acquired those shares during the Claim Period.

For the purpose of any assessment of recoverable loss, shares acquired under a DRP may be treated differently to other share acquisitions. This will be a matter for the Court to determine. That does not affect your status as a group member.

6. What do I do if the group member has passed away? / My late family member bought shares, do they have a claim?

The executor or administrator of the estate of the group member may elect to register on their behalf via the Group Member Registration Form available at <https://phifinney-mcdonald.com/action/medibank-shareholder-class-action/>

The registration form should be completed by the executor or administrator of the estate, or someone they appoint or delegate.

7. My shares were bequeathed to me. Am I a group member?

If your only interest in Medibank shares was because the shares were inherited or gifted to you, you are not a group member. This is because you did not pay money or other consideration in order to acquire or purchase the interest in those shares, and therefore cannot establish that you suffered loss or damage by paying too much for those shares.

However, if you were bequeathed or gifted some Medibank shares and you also separately acquired an interest in other Medibank shares during the Claim Period, including via a dividend reinvestment scheme (DRP) or a capital raising, then you are a group member as a result of the other acquisition(s) of shares.

Further, if the shares that were bequeathed to you were acquired during the Claim Period, the executor of the estate may register a claim for the estate of the deceased. We are not able to advise on whether any recovery by the estate would be passed on to you.

8. I am a current or former Medibank or ahm customer. Am I a group member?

If you are a current or former Medibank or ahm customer but did not acquire an interest in Medibank ordinary shares during the Claim Period, you are not eligible to participate in the Medibank Shareholder Class Action.

You may, however, be eligible to participate in the Medibank Data Breach Class Action. Further details about that class action can be found at <https://portal.omnibridgeway.com/cases/register/medibank-data-breach-class-action-overview>.

9. Why do I need to register?

If you wish to obtain any benefit arising from any settlement reached between the parties at the Court-ordered Mediation (to take place by 31 March 2025) or within three months after the first day of that mediation, you must register your participation in the Medibank Shareholder Class Action.

This is because, if an in-principle settlement is reached at the Court-ordered Mediation or within three months after the first day of that mediation, the Court has ordered that, subject to any further order of

the Court, group members who neither opted out nor registered (i.e. those that chose to “do nothing”) by the Class Deadline of **4:00pm AEDT on 1 November 2024** will be bound by the settlement reached between the parties and will not be permitted to seek any benefit under that settlement without leave of the Court.

The Group Member Registration Form is available at <https://phifinneymcdonald.com/action/medibank-shareholder-class-action/>

Alternatively, you can register by completing and submitting the Registration Form in the form of Schedule 1 to the Notice by email to medibankshareholders@phifinneymcdonald.com or by post to Phi Finney McDonald, Level 3, 325 Flinders Lane, Melbourne, Victoria 3000.

If you previously registered your interest with Phi Finney McDonald or Quinn Emanuel, you do not need to register again, but you may be contacted by one of our lawyers to ensure that we have received all the information needed to complete your registration.

10. What is the Registration Deadline?

You must register your participation in the Medibank Shareholder Class Action by **4:00 pm AEDT on 1 November 2024**.

11. How do I register?

To register your participation in the Medibank Shareholder Class Action, please complete the Group Member Registration Form available at <https://phifinneymcdonald.com/action/medibank-shareholder-class-action/> .

Alternatively, you can register by completing and submitting the Registration Form in the form of Schedule 1 to the Notice by email to medibankshareholders@phifinneymcdonald.com or by post to Phi Finney McDonald, Level 3, 325 Flinders Lane, Melbourne, Victoria 3000.

Medibank Equity Swaps

An equity swap is a derivative contract where two parties exchange the return on an underlying equity asset, like a stock or stock index, for the return on another asset, usually a fixed or floating interest rate.

If you are a holder of Medibank Equity Swaps, when returning the Registration Form (via post or email) please also provide:

- (a) copies of the instruments and documents for each equity swap and related transaction (including any back-to-back transaction);
- (b) details of all other arrangements entered into in connection with each equity swap; and
- (c) details of any other trading in, or other transactions relating to, Medibank Shares that affect or may affect the calculation of loss under each equity swap.

12. How can I confirm registration?

Once you have completed and submitted the Group Member Registration Form, a message should appear in your browser confirming that the submission has been accepted. If you do not see the confirmation, please re-submit the information.

13. I need to register multiple claims on behalf of several claimants. What should I do?

If you are authorised to act on behalf of more than one Medibank security holder or person with a beneficial interest, please complete and submit the Group Member Registration Form separately for each. You should receive a separate confirmation of submission for each claim registered (see question 11 above).

14. Does it cost anything to register and to participate in the Medibank Shareholder Class Action?

It does not cost anything to register and you will not end up out-of-pocket by registering to participate in the Medibank Shareholder Class Action.

If the class action does not result in a judgment or settlement payable by Medibank, you will not be liable to pay any amount.

If the class action does result in a judgment or settlement payable by Medibank, then under the terms of the Group Costs Order approved by Attiwill J, the lawyers in the proceeding will receive 27.5% of any judgment or settlement. The Court has the power to vary this percentage at any time to ensure that justice is done in the Medibank Shareholder Class Action.

15. What are the legal implications of registering?

If you register for the Medibank Shareholder Class Action, you may be eligible to receive compensation as part of any settlement prior to judgment (provided that it is approved by the Court and you satisfy any eligibility requirements).

You will be bound by any resolution of the class action. Therefore, you will not be permitted to bring any future claims related to the subject matter litigated in the Medibank Shareholder Class Action.

16. What happens if I do not respond to the Opt-Out and Registration Notice?

If you do not register, and do not opt out of the class action, you will remain an unregistered group member and you will not be entitled to participate in any in-principle settlement reached between the parties at the Court-ordered Mediation or within three months of the first day of that mediation.

Further, even if you do not recover any money because you did not register by the Registration Deadline, you will be bound by the terms of the settlement including any releases. This means that your right to bring a claim against Medibank (and potentially its related entities and officers) for matters related to those canvassed in Medibank Shareholder Class Action will be extinguished.

If there is no settlement prior to a final judgment being made by the Court, you will be bound by that final judgment. You will be entitled to obtain compensation ordered by the Court in the event that the Court finds in favour of the Plaintiffs and Group members and you satisfy any eligibility criteria for compensation determined by the Court.

If the Medibank Shareholder Class Action is unsuccessful, or it is not as successful as you might have wished, you will not be able to sue on the same claim in any other proceeding unless you choose to opt out of this proceeding prior to the deadline of **4:00pm AEDT on 1 November 2024**.

If you do not want to risk missing out on the option to participate in any settlement of the Medibank Shareholder Class Action, you should register your participation by completing the Group Member Registration Form available at <https://phifinney-mcdonald.com/action/medibank-shareholder-class-action/>

Alternatively, you can register by completing and submitting the Registration Form in the form of Schedule 1 to the Notice by email to medibankshareholders@phifinneymcdonald.com or by post to Phi Finney McDonald, Level 3, 325 Flinders Lane, Melbourne, Victoria 3000.

17. What happens if you opt out?

If you choose to opt out of the class action, then, after the Class Deadline:

- (a) you will no longer be a group member in the Medibank Shareholder Class Action;
- (b) you will not be entitled to any benefit that ultimately is obtained on behalf of group members in the **Medibank Shareholder Class Action**, whether by way of settlement or Court judgment; and
- (c) you will preserve your right to pursue a separate claim against Medibank in relation to the matters the subject of the **Medibank Shareholder Class Action**, if you so choose; however
- (d) because there are time limits in which to commence proceedings to recover any loss and damage you may have suffered, if you wish to pursue a separate claim against Medibank, you should seek legal advice as soon as possible regarding the amount of time available to you in which to commence a proceeding.

18. Will I be entitled to compensation, and if so how much?

It is too early to answer this question. If the class action results in a judgment against Medibank, your entitlement to compensation will be determined by the Court. If the class action is settled, your entitlement will be determined as part of the settlement.

19. I want to change the details I gave when I registered, how can I update my records?

Please send an email to medibankshareholders@phifinneymcdonald.com detailing the required changes to your registration information. Please ensure the name of the claimant is included in the subject line of the email.

20. I can't meet the Registration Deadline

If you do not register your interest prior to the Class Deadline of **4:00pm AEDT on 1 November 2024** you risk missing out on the option to participate in any settlement of the Medibank Shareholder Class Action.

21. What kind of supporting documents do you require?

During the online registration process, you will be asked to provide information about your Medibank share trading history. Details requested will include:

- the full name of the registered owner and any relevant Holder Identification Number (**HIN**) or Security Reference Number (**SRN**) or equivalent reference number in respect of Medibank securities;
- the number of Medibank securities held at the close of trade on 25 October 2022 (AEDT) (or in the case of equity swaps, the number of Medibank securities to which the equity swap relates);

- details of the acquisition(s) of Medibank securities from 1 July 2019 to 25 October 2022 (inclusive), including date of acquisition(s), quantity acquired and the price at each acquisition; and
- details of the sale(s) and/or disposal(s) of Medibank securities from 1 July 2019 to 25 October 2022 (inclusive), including date of sale(s)/disposal(s), quantity sold/disposed and the price at each sale/disposal.

We recommend that you have with you a Transaction History Statement (or similar document) while completing the online registration.

You will be prompted to upload supporting documents (for example trade confirmations and contract notes) evidencing your share transactions in Medibank when completing the Group Member Registration Form. For this reason, we recommend that you collate electronic files of your supporting documents so that the files are ready to upload prior to commencing the Group Member Registration Form.

Please make sure these supporting documents are legible, and clearly show your (or the claimant's) name. Screenshots and photos of supporting documents are acceptable.

22. What is my HIN Number?

A Holder Identification Number (HIN) is a unique number that identifies you as a CHESS sponsored shareholder with a broker. A HIN usually starts with the letter "X" followed by ten numbers (e.g. X0001234567).

You can find the HIN/SRN number on your trade confirmation statement. It will either be 10 or 11 characters in length. If it is 11 characters in length, the HIN or SRN begins with the letter i, n or x. The remaining 10 characters are numbers. For example, i0012345678, n0012345678, x0012345678.

If you have not retained your holding statement(s), you can request this number from your financial advisor, stockbroker, CHESS Sponsor, Issuer Sponsor, or Medibank's share registry which is managed by Computershare Investor Services Pty Limited.¹

23. How do I upload my supporting documents?

You will be prompted to upload your supporting documents when completing the Group Member Registration Form.

If you encounter any difficulties in uploading your documents, please email the documents to medibankshareholders@phifinney-mcdonald.com ensuring the name of the claimant is included in the subject line of the email.

24. What are my options if I can't find my contract notes?

You can request confirmation of your holdings from Medibank's share registry, Computershare Investor Services Pty Limited. To do this, go to <https://www-au.computershare.com/Investor/#Home>.

Please ensure you have your supporting documentation evidencing your share transactions in Medibank before you complete and submit the Group Member Registration Form.

¹ <https://www.medibank.com.au/about/investor-centre/manage-your-shareholding/>.

25. I am experiencing issues registering/uploading documents.

If you are experiencing issues with your registration, please email medibankshareholders@phifinney-mcdonald.com so we can arrange further assistance for you.

26. I wish to opt out.

If you do not want to remain a group member in the Medibank Shareholder Class Action, you can opt out by the Class Deadline, which is **4:00pm AEDT on 1 November 2024**.

You can opt out of the proceeding by completing the Opt Out form at the end of the Notice that you will have received, or by filling in an Online Opt Out form.

If you choose to opt out, Opt Out forms must be returned directly to the Commercial Court Registry of the Supreme Court of Victoria:

(a) by post to:

Commercial Court Registry
Supreme Court of Victoria
210 William Street
Melbourne VIC 3000; or

(b) by email at medibankclassaction@support.vic.gov.au; or

(c) by completing an "Online Opt Out" through the Supreme Court of Victoria's website at <https://www.supremecourt.vic.gov.au/areas/group-proceedings/medibank-private/opting-out>.

Further information regarding completion of the Opt Out form and ways to opt out can be found in the Registration & Opt Out Notice.

27. How did you get my details to send me the Notice?

Please note that neither the plaintiffs in the class action nor their lawyers have a list of group members or addresses. You received the Registration & Opt Out Notice by post or email from Computershare, the share registry for Medibank Private Limited, containing a link to the opt-out and registration notice because your mailing or email address was recorded on the share register.

28. My question has not been answered. Can I speak to a lawyer?

Because of the large number of shareholders who would have received the Registration & Opt Out Notice, we cannot guarantee a timely response to a telephone enquiry. If you have a question that is not addressed above, please email medibankshareholders@phifinney-mcdonald.com.