

FILE NO :	2025/60605
PARTIES :	Andreas SKLAVOS v University of Newcastle
ORDERS MADE BY:	Garling J on 14.8.25

GARLING J MAKES THE FOLLOWING ORDERS:

- 1 The following orders are to take effect subject to the Plaintiff's compliance with Order 1 made on 1 August 2025.

Public Notice and Opt Out Form

- 2 Pursuant to section 162(1) of the *Civil Procedure Act 2005* (NSW) (**Act**), 4:00pm on 17 October 2025 is fixed as the date and time by which a Group Member (as defined at paragraph 2 of the Statement of Claim filed 14 February 2025) may opt out of this proceeding (**Opt Out Deadline**).
- 3 Pursuant to sections 175 and 176 of the Act, the form and content of the important public notice attached as **Annexure A** to this order is approved (**Public Notice**).
- 4 By 29 August 2025, for each individual who was enrolled in the Bachelor of Medical Engineering (**BME**) from 1 November 2017 to 31 July 2019, the Plaintiff is to send the Public Notice to:
 - a. their last known residential address;
 - b. their last known mobile number; and
 - c. their last known email;
 under cover of the communication set out in **Annexure B** to this order.
- 5 The Plaintiff and his solicitors are only permitted to use the information to be provided by the Defendant under order 4 of the orders made by the Honourable Justice Garling on 1 August 2025 for the purpose of distributing the Public Notice, as required pursuant to order 4 or, if they are directly contacted by a Group Member in response to the Public Notice, they may use the contact details of that Group Member for any other purpose related to the proceedings.
- 6 Where the Public Notice is sent by email in fulfilment of order 4(c):
 - a. the subject line of the email will be: "Court Notice regarding Class Action against the University of Newcastle – Sklavos v University of Newcastle (2025/60605); and
 - b. the email will be sent from the email address nominated by the Plaintiff's solicitors.
- 7 The Public Notice may be amended before it is emailed, posted, displayed, or published to correct any website, email address, telephone number or other non-substantive error.
- 8 On or before the Opt Out Deadline, any Group Member who wishes to opt out of the proceeding must file a form approved under r 58.2 of the *Uniform Civil Procedure Rules 2005* (NSW) (**UCPR**) (as appearing in the Schedule to the Public Notice) (being **Form 115**) to the Sydney Registry of the Supreme Court of New South Wales (**Court Registry**) and serve a copy on the solicitors for the Plaintiff (being Australian Law Partners).

- 9 If, on or before the Opt Out Deadline, the solicitors for the Plaintiff or Defendant receive a notice purporting to be a Form 115 referable to this proceeding, the solicitors shall file that notice with the Court Registry within three (3) business days after receipt, and the notice shall be treated as received by the Court at the time it was received by the solicitors.
- 10 The solicitors for the parties have leave to inspect and copy any Form 115 filed with the Court Registry in relation to this proceeding.
- 11 By 31 October 2025, the solicitors for the Plaintiff are to serve on the Defendant a list of persons who have opted out of the proceeding including their filed Form 115.
- 12 The costs of, and incidental to, the procedure set out in orders 2 to 12 (including, without limitation, costs incurred in addressing enquiries by group members and members of the public in relation to the Public Notice), shall be paid in the first instance by the Plaintiff but shall be costs in the cause.

Disclosure Prior to Mediation

- 13 Pursuant to rule 21.2 of the UCPR, by no later than 26 September 2025, the Defendant give discovery to the Plaintiff of a list of all persons who enrolled in the BME from 1 November 2017 to 31 July 2019, together with:
 - a. the date each person commenced the BME;
 - b. the date each person completed the BME;
 - c. whether the person completed a combined degree with the BME, and if so:
 - i. the name of the combined degree;
 - ii. the date they commenced the combined degree; and
 - d. the cost of each unit of study completed by the person as part of:
 - i. the BME; and/or
 - ii. the combined degree.

Further Directions

- 14 The matter is listed for further directions on 6 February 2026.
- 15 Liberty to apply.