



14 November 2023

To the Creditor as Addressed

**Dixon Advisory & Superannuation Services Pty Ltd
(Subject to Deed of Company Arrangement) (“the Company” or “DASS”)
ACN 103 071 665**

We refer to previous correspondences regarding the Company, in particular our last correspondence dated 7 June 2023.

The purpose of this correspondence is to provide you with a further update on the status of the deed administration.

Class Action Proceedings

On 14 November 2023, a Deed of Settlement was entered into between the various parties with respect to the class action proceedings. While the settlement of the class action proceedings is still subject to Federal Court (**Court**) approval, the Deed of Settlement contemplates that the following amounts will be available for the benefit of the Company’s creditors upon receipt of such approval:

1. a payment of \$4m from E&P Financial Group Limited (which is the Tranche B payment required under the terms of the Deed of Company Arrangement (**DOCA**) executed on 16 December 2022); and
2. remaining insurance proceeds of not less than \$12m (we note these funds will be subject to payment of the class actions costs, which must be approved by the Court).

As outlined above, the settlement is contingent upon Court approval – which is likely to take 5-6 months, taking into account the 49-day appeal period (during which a person can seek to overturn the approval), and the upcoming holiday period during which the Courts are closed. This will also require an extension to the sunset date under the DOCA. The Deed Administrators are currently working through this with the relevant parties.

A further update on the settlement of the class action proceedings will be provided to creditors should Federal Court approval be obtained.

Update on the Deed Administration

As outlined in our previous correspondence, the key focus of the Deed Administrators is to formally determine the claims of creditors and distribute the funds available under the DOCA.

In addition to facilitating the settlement of the class action proceedings, we continue to progress the preparation of the complex application to the Court for directions on the following matters:

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PricewaterhouseCoopers, ABN 52 780 433 757
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GPO Box 1331, MELBOURNE VIC 3001
T: +61 3 8603 1000, F: +61 3 8603 1999, www.pwc.com.au

Liability limited by a scheme approved under Professional Standards Legislation.

- confirmation of the quantification of loss methodology used to calculate creditors' claims;
- the treatment of creditors who have either wound up their self-managed superannuation funds, or are in the process of doing so;
- the timeframe and proposed approach to the distribution; and
- use of the Creditor Portal to facilitate the distribution process.

It is expected that the application will be filed with the Court in the coming months. The Deed Administrators do not expect to be in a position to make a distribution to creditors of the Company until at least mid-2024.

We will keep creditors informed of any updates to this expected timeline.

Action required by creditors

Creditors should note that, at this juncture, **they are not required to take any action.**

Prior to the declaration and payment of any distribution, the Deed Administrators will undertake a formal proof of debt process. As part of this process, the Deed Administrators will liaise with the creditors to explain the proof of debt process and provide detailed instructions on how to submit a claim against the Company for distribution purposes.

Creditor contact details

To ensure all creditors continue to receive important and relevant communications from the Deed Administrators, please notify us of any change to your contact details (particularly email address) by email at **au_dass_queries@pwc.com**.

Creditor queries

If creditors have any questions regarding the deed administration of DASS, please refer to the Frequently Asked Questions document in the first instance, which can be found at <https://insolvency.pwc.com.au/>

Should creditors have any queries that aren't addressed in the Frequently Asked Questions document, please send your queries to au_dass_queries@pwc.com.

Yours sincerely



Stephen Longley, Craig Crosbie and Rebecca Gill
Joint & Several Deed Administrators