

## ASX ANNOUNCEMENT

5 November 2021

### Shine Justice Ltd (SHJ) Ethicon/Johnson & Johnson Special Leave Application Refused by High Court

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Shine Justice Ltd announces that the application brought by Ethicon Sàrl, Ethicon, Inc. and Johnson & Johnson Medical Pty Limited (**Applicants**) for special leave to appeal against the decision of the Full Court of the Federal Court of Australia in favour of Kathryn Gill, Diane Dawson and Ann Sanders (**Respondents**) has been refused by the High Court of Australia.

The Respondents' claims were upheld by the Federal Court of Australia in November 2019 when the Applicants were found liable in negligence and for breaches of the *Trade Practices Act 1974* (Cth) and the *Competition and Consumer Act 2010* (Cth) and unanimously by the Full Court of the Federal Court of Australia in March 2021.

The High Court decision brings to an end all avenues of appeal in the matter and paves the way to secure damages for all group members represented by the Respondents in the coming months.

The class action, which was commenced in 2012, with a trial running from July 2017 until February 2018, was brought by Shine Lawyers Pty Ltd, a wholly-owned subsidiary of Shine Justice Ltd, on behalf of the Respondents and the group members they represent, who were surgically implanted with and suffered significant and sometimes severe and life-altering complications from, defective medical devices (including vaginal mesh and tape implants) manufactured and sold by the Applicants.

Shine Head of Class Actions, Jan Saddler, said "We welcome the High Court's decision to refuse this application. The decision will deliver justice for thousands of women who have been left with life altering complications. No amount of money can fully compensate them, but this outcome provides long-awaited accountability and vindication for their claims."

As a result of this decision, Shine will receive payment in respect of the balance of its unpaid fees. In addition, Shine will commence the group assessment phase of the matter, which is expected to run for several years.

The market will be updated with any further material information.

Authorised for release by the Board



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#### For more information

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