



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD1210/2019

**KENNETH JOHN WILLIAMS** and another named in the schedule  
Applicant

**TOYOTA MOTOR CORPORATION AUSTRALIA LIMITED (ACN 009 686 097)** and  
another named in the schedule  
Respondent

## ORDER

**JUDGE:** JUSTICE LEE

**DATE OF ORDER:** 15 July 2026

**WHERE MADE:** Sydney

### THE COURT ORDERS THAT:

#### *Registration*

1. Pursuant to s 33ZF of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**), 4.00 pm on 26 August 2026 is fixed as the date by which a Group Member (as defined in the Second Further Amended Statement of Claim) may register (**Class Deadline**).
2. Pursuant to s 33ZF of the FCA Act, any Group Member who wishes to register their claim may do so before the Class Deadline in accordance with Order 3 below, and Group Members who take such action are **Registered Group Members**.
3. Pursuant to s 33ZF of the FCA Act, Group Members who wish to register their claim must, subject to Order 5, before the Class Deadline:
  - (a) submit a “**Registration Form**” through the domain hosted by Deloitte at <http://www.toyotaclassaction.deloitte.com.au> (**Group Member Portal**); or
  - (b) in the event that the Group Member is unable to register online, provide the solicitors for the Group Members, **Quinn Emanuel**, or the class action administrator, **Deloitte**, with the information it requires in order to submit a Registration Form on the Group Member’s behalf.



4. Pursuant to s 33ZF of the FCA Act, failure by a Group Member to provide all the information requested on the Registration Form will not render the Group Member's registration invalid provided the Group Member is identifiable as such based on the information provided.
5. Pursuant to s 33ZF of the FCA Act, Group Members who have registered their claim (including those who have partially registered their claim) before the date of these orders (**Existing Registered Group Members**) are taken to be Registered Group Members.

### ***Notice of Registration***

6. Pursuant to s 33X(5) of the FCA Act, notice is to be given to Group Members (pursuant to the procedure set out in order 8 below) that, upon any settlement (subject to Court approval) of this proceeding, the parties intend to (in seeking Court approval of such settlement) seek an order which, if made, has the effect of providing that any Group Member who by the Class Deadline: (i) is not a Registered Group Member; and (ii) has not opted out, will remain a Group Member for all purposes of this proceeding but shall not, without leave of the Court, be permitted to seek any benefit pursuant to that settlement.
7. Pursuant to s 33X(5) and s 33Y of the FCA Act, the form and content of the following documents be approved:
  - (a) notice to Group Members, being Annexure A to these Orders (**Registration Notice**); and
  - (b) reminder notice to Group Members who have not already registered, being Annexure B to these Orders (**Reminder Notice**).
8. The notices and correspondence in order 7 above are to be given to Group Members according to the following procedure:
  - (a) on or before 24 July 2026, the applicants will cause:
    - (i) a copy of the Registration Notice to be sent by email, with the subject line "*An important notice from the Federal Court of Australia about your Toyota diesel vehicle*"; or



- (ii) if an email address is not available, but a mobile telephone number is available, a copy of the Registration Notice to be sent by SMS message,  
to Group Members;
- (b) on or before 29 July 2026, the applicants will cause a copy of the Registration Notice to be sent by prepaid ordinary post in an envelope marked “*This envelope contains an important notice from the Federal Court of Australia about your Toyota diesel vehicle*” to any Group Member for whom:
  - (i) no email address or mobile telephone number is available;
  - (ii) an email or SMS sent pursuant to order 8(a) experiences a delivery failure;
- (c) on or before 14 August 2026, the applicants will cause:
  - (i) a copy of the Reminder Notice, together with a copy of the Registration Notice to be sent by email, with the subject line “*An important notice from the Federal Court of Australia about your Toyota diesel vehicle*”; or
  - (ii) if an email address is not available, but a mobile telephone number is available, a copy of the Reminder Notice and Registration Notice to be sent by SMS message,  
to Group Members who have not already registered, or persons in respect of whom a ‘delivery failure’ notification was received during the distribution of the Registration Notices in accordance with order 8(a);
- (d) continuously from 24 July 2026 to the Class Deadline, the applicants shall cause a copy of the Registration Notice, together with copies of the Second Further Amended Statement of Claim, Defence to the Second Further Amended Statement of Claim, Reply and these orders to be displayed on the website maintained by Quinn Emanuel in relation to this Proceeding (<https://www.toyotaclaimaction.com.au/>) and on the Group Member Portal maintained by Deloitte;



- (e) continuously from 24 July 2026 to the Class Deadline, the District Registrar of the New South Wales Registry of the Federal Court of Australia will cause a copy of the Registration Notice to be posted on the class action page of the website of the Federal Court; and
  - (f) continuously from 24 July 2026 to the Class Deadline, the respondent will cause a copy of the Registration Notice to be displayed on the Respondent's website, together with a link to the Federal Court website referenced in order 8(e) above.
9. Pursuant to s 33Y(3)(d) of the FCA Act, the costs of distributing the Registration Notice and Reminder Notice are to be paid by the applicants and the respondent in equal shares, with such costs to form part of the respective party's costs in the cause.

***Registration information***

- 10. By 4:00 pm on 21 July 2026, the solicitors for the applicants must deliver to the solicitors for the respondent, in electronic form, a list of Existing Registered Group Members, which is to contain a unique identification number for each Registered Group Member and all information collected by Quinn Emanuel or Deloitte at registration.
- 11. By 4:00 pm on 31 August 2026, the solicitors for the applicants must deliver to the solicitors for the respondent, in electronic form, a list of all additional Registered Group Members (excluding Existing Registered Group Members), which is to contain a unique identification number for each Registered Group Member and all information collected by Quinn Emanuel or Deloitte at registration.
- 12. The lists of Registered Group Members provided in accordance with orders 10 and 11, and any information contained therein, is to be kept confidential, is only to be used for the purpose of these orders and is subject to the usual implied undertaking.



**THE COURT NOTES THAT:**

- A. Pursuant to order 8 of the Orders dated 26 June 2020 and order 5 of the Orders dated 23 October 2020, the last date and time on or before which a Group Member could have opted out was 4:00 pm on 22 January 2021.
- B. In the event that the Proceedings settle (subject to Court approval), the parties intend to apply to the Court for an order which, if made, has the effect of providing that any Group Member who: (i) is not a Registered Group Member; and (ii) has not opted out, will remain a Group Member for all purposes of this proceeding but shall not, without leave of the Court, be permitted to seek any benefit pursuant to such settlement.

Date orders authenticated: 15 July 2026

*Sia Lagos*  
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



**Schedule**

No: NSD1210/2019

Federal Court of Australia

District Registry: New South Wales Registry

Division: General

|                  |                                                      |
|------------------|------------------------------------------------------|
| Second Applicant | DIRECT CLAIM SERVICES QLD PTY LTD ACN 167 519<br>968 |
|------------------|------------------------------------------------------|

|            |                   |
|------------|-------------------|
| Respondent | ASHURST AUSTRALIA |
|------------|-------------------|



## ANNEXURE A

### REGISTRATION NOTICE

**This is an important notice issued to you by the Federal Court of Australia.**

**It concerns a class action relating to certain Toyota Hilux, Prado and Fortuner**

You are receiving this notice because records show that you may have purchased a Toyota Hilux, Prado and Fortuner vehicle with a 1GD-FTV or 2GD-FTV diesel engine between 1 October 2015 and 23 April 2020.

If you did, you are likely to be a Group Member in a class action in the Federal Court of Australia (**Williams DPF Class Action**), unless you have already opted out of this class action.

As explained below, you may do **one** of two things in response to this notice:

- 1 **Register by 26 August 2026 if you wish to be eligible to receive money from any settlement of the class action; or**
- 2 **Do nothing and remain a Group Member, but risk losing the opportunity to receive**

**diesel vehicles.**

#### A. UPDATE ON WILLIAMS DPF CLASS ACTION

- 1 In this class action, the Court has previously found that:
  - (a) Toyota Hilux, Prado and Fortuner vehicles with a 1GD-FTV or 2GD-FTV diesel engine acquired between 1 October 2015 and 23 April 2020 (**Relevant Vehicles**) were not of acceptable quality at the time they were initially supplied because they were fitted with a defective diesel particulate filter (**DPF**) system;
  - (b) the value of the Relevant Vehicles at the time they were initially supplied was reduced because of their defective DPF systems; and
  - (c) Group Members may be entitled to receive money to compensate them for this reduction in value (provided they still own their vehicle) and/or for any consequential losses they have suffered (even if they do not still own their vehicle).
- 2 This means that if you purchased a Relevant Vehicle between 1 October 2015 and 23 April 2020, **you may be entitled to receive money for the reduction in value and/or consequential losses resulting from its defective DPF system.**



- 3 The applicants and Toyota are currently engaged in confidential settlement discussions to try to reach agreement about the amount of money payable to Group Members and will soon attend a mediation for this purpose.

4 **Group Members are likely to receive money if the parties reach a settlement.**

**B. YOUR OPTIONS**

**Option 1 – Register to receive money from any settlement**

- 5 **If you wish to be eligible to receive money from any settlement of the class action, you must register by 26 August 2026.** If you have previously registered your details, you do not need to register again.

- 6 **To register**, complete the form at this website: <http://www.toyotaclassaction.deloitte.com.au/>.

- 7 Alternatively, if you are unable to complete this form, you can contact:

- (a) the class action administrator, Deloitte, at [www.TCAquery.deloitte.com.au](http://www.TCAquery.deloitte.com.au) or on 1800 324 984; or
- (b) the law firm conducting the class action, Quinn Emanuel, by emailing [qe-toyota@quinnemanuel.com](mailto:qe-toyota@quinnemanuel.com).

- 8 **If you do not register**, you will remain a Group Member (see Option 2 below) but **you may not receive any money if a settlement is reached.**

**Option 2 – Do nothing and risk not receiving money**

- 9 If a settlement is reached, the parties intend to ask the Court for an order that **Group Members who did not register by 26 August 2026:**

- (a) **are not eligible to receive any money from the settlement, unless the Court makes an order permitting them to do so;** and
- (b) **are bound by the terms of the settlement.**

- 10 This means that, if you have not previously registered in this class action and you do not register by 26 August 2026, and a settlement agreement is reached, an order may be made that prevents you from receiving any money from the settlement. The terms of the settlement may prevent you from making any subsequent claim against Toyota in respect of the subject matter of this class action.

- 11 If you have not previously registered in the Williams DPF Class Action and want to be able to receive money from any settlement of the class action, **the safest course is to register as per Option 1 above by 26 August 2026.**



### C. FURTHER INFORMATION

- 12 The Williams DPF Class Action is being funded by a company called Balance Legal Capital (**Balance**). This means that Balance has agreed to pay the costs of bringing the Williams DPF Class Action in return for repayment of those costs, plus a funding commission, if money is recovered from Toyota.
- 13 There will be no “out of pocket” costs for Group Members (whether you register per Option 1 above or not).
- 14 If no money is recovered from Toyota, Group Members will not have to pay anything.
- 15 If money is recovered from Toyota, Balance will ask the Court to deduct an amount from the money to be paid to all eligible Group Members. The Court will determine whether a deduction can be made and the amount of any deduction. Group Members have a right to raise with the Court any issues they have in respect of a deduction. Any deduction will be made before money is paid to eligible Group Members.
- 16 **This is not a scam.** You can check that the Williams DPF Class Action is a genuine class action proceeding (and get further information) by:
  - (a) visiting the website of the Federal Court of Australia where the Williams DPF Class Action is registered at <https://www.fedcourt.gov.au/law-and-practice/class-actions/class-actions>;
  - (b) visiting the website for Group Members in the Williams DPF Class Action at <https://www.toyotaclassaction.com.au/>; or
  - (c) contacting Quinn Emanuel (the law firm conducting the Williams DPF Class Action) by emailing [qe-toyota@quinnemanuel.com](mailto:qe-toyota@quinnemanuel.com).



## ANNEXURE B

### REGISTRATION REMINDER NOTICE

**This is an important notice issued to you by the Federal Court of Australia.**

**It concerns a class action relating to certain Toyota Hilux, Prado and Fortuner**

You are receiving this notice because you are likely to be a Group Member in the Williams DPF Class Action and have not yet registered for the class action in response to a previous Registration Notice [[insert hyperlink to previous notice](#)].

As explained below, you may do **one** of two things in response to this notice:

- 1 **Register by 26 August 2026 if you wish to be eligible to receive money from any settlement of the class action; or**
- 2 **Do nothing and remain a Group Member, but risk losing the opportunity to receive money from any settlement of the class action.**

**diesel vehicles.**

- 1 The applicants and Toyota are currently engaged in confidential settlement discussions to try to reach agreement about the amount of money payable to Group Members in the Williams DPF Class Action and will soon attend a mediation for this purpose.

- 2 **Group Members are likely to receive money if the parties reach a settlement.**

#### **Option 1 – Register to receive money from any settlement**

- 3 **If you wish to be eligible to receive money from any settlement of the class action, you must register by 26 August 2026.** If you have previously registered your details, you do not need to register again.

- 4 **To register,** complete the form at this website: <http://www.toyotaaction.deloitte.com.au/>

- 5 Alternatively, if you are unable to complete this form, you can contact:

- (a) the class action administrator, Deloitte, at [www.TCAquery.deloitte.com.au](http://www.TCAquery.deloitte.com.au) or on 1800 324 984; or
- (b) the law firm conducting the class action, Quinn Emanuel, by emailing [qe-toyota@quinnemanuel.com](mailto:qe-toyota@quinnemanuel.com).

- 6 **If you do not register,** you will remain a Group Member (see Option 2 below) but **you may not receive any money if a settlement is reached.**



**Option 2 – Do nothing and risk not receiving money**

- 7 If a settlement is reached, the parties intend to seek an order that **Group Members who did not register:**
- (a) **are not eligible to receive any money from the settlement, unless the Court makes an order permitting them to do so;** and
  - (b) **are bound by the terms of the settlement.**
- 8 This means that, if you have not previously registered in this class action and you do not register by 26 August 2026, and a settlement agreement is reached, an order may be made by the Court that prevents you from receiving any money from the settlement. The terms of the settlement may prevent you from making any subsequent claim against Toyota in respect of the subject matter of this class action.
- 9 If you have not previously registered in the Williams DPF Class Action and want to be able to receive money from any settlement in this class action, **the safest course is to register as per Option 1 above by 26 August 2026.**