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

No: NSD1326/2025

MARDY ROBERT JOHN TAYLOR
Applicant

TOYOTA MOTOR CORPORATION AUSTRALIA LIMITED (ACN 009 686 097)
Respondent

ORDER

JUDGE: JUSTICE LEE

DATE OF ORDER: 13 October 2026

WHERE MADE: Sydney

THE COURT NOTES THAT:

A Subject to Court approval, the parties have agreed to settle proceeding numbered NSD1210/2019 (Williams Proceeding) and proceeding numbered NSD1326/2025 (Taylor Proceeding) on the terms recorded in a settlement deed dated 22 September 2026 between:

(a) the applicants in the Williams Proceeding (**Williams Applicants**), on their own behalf and on behalf of the Group Members in the Williams Proceeding;

(b) Mr Taylor, on his own behalf and on behalf of the New Group Members in the Taylor Proceeding;

(c) the Respondent (**Toyota**);

(d) Balance Legal Capital I UK Ltd (**Funder**); and

(e) the solicitors for the Applicants (**Quinn Emanuel**),

a copy of which appears at pages 1 to 30 of Confidential Exhibit MM-1 to the affidavit of Matthew Mackenzie affirmed on 9 October 2026 (**Settlement Deed**).

B. The Williams Applicants and Mr Taylor anticipate shortly filing an application seeking Court approval of the settlement recorded in the Settlement Deed (**Settlement**) pursuant to section 33V of the *Federal Court of Australia **Act** 1976* (Cth) (**Settlement Approval Application**).

C. As part of the Settlement Approval Application, the parties intend to apply to the Court for an order which, if made, will have the effect of providing that any Group Member in the Williams Proceeding or New Group Member in the Taylor Proceeding who is not a Registered Group Member (as defined in order 2 made by the Court on 15 July 2026, subject to orders 2 and 3 below) will remain a Group Member or New Group Member for all purposes of the Williams Proceeding or Taylor Proceeding respectively, but shall not, without leave of the Court, be permitted to seek any benefit pursuant to the Settlement.

THE COURT ORDERS THAT:

Settlement Approval Hearing

1. The Settlement Approval Application is listed for hearing on 20 November 2026 (**Settlement Approval Hearing**).

Late Registrations

2 Pursuant to s 33ZF of the Act, any Group Member in the Williams Proceeding or New Group Member in the Taylor Proceeding who, between the Class Deadline (as defined in order 1 made on 15 July 2026) and 9.30 am (AEDT) on the date of these orders:

(a) submitted a "Registration Form" through the **Group Member Portal** hosted by Deloitte in relation to the Williams Proceeding and Taylor Proceeding (http://www.toyotaclassaction.deloitte.com.au); or

(b) provided Quinn Emanuel or Deloitte with the information required to submit a Registration Form on the Group Member's or New Group Member's behalf,

is taken to be a Registered Group Member within the meaning of order 2 made on 15 July 2026.

3 Pursuant to s 33ZF of the Act, failure by a Group Member or New Group Member to provide all the information requested on the Registration Form will not render the Group Member's or New Group Member's registration invalid provided the Group Member or New Group Member is identifiable as such based on the information provided.

4 By 20 October 2026, Quinn Emanuel shall deliver to Toyota's solicitors, in electronic form, a list of all Group Members in the Williams Proceeding and New Group Members in the Taylor Proceeding who are taken to be Registered Group Members pursuant to orders 2 and 3 above, which is to contain a unique identification number for each such Registered Group Member and all information collected by Quinn Emanuel or Deloitte at registration.

Notice to Group Members

5 Pursuant to section 33Y(2) of the Act, the form and content of the notice to Group Members in the Williams Proceeding and New Group Members in the Taylor Proceeding appearing at Annexure A to these orders (**Settlement Notice**) is approved.

6 Pursuant to section 33X(4) of the Act, the Settlement Notice is to be given to Group Members in the Williams Proceeding and New Group Members in the Taylor Proceeding according to the following procedure:

(a) on or before 22 October 2026, the applicants will cause a copy of the Settlement Notice to be sent to Group Members and New Group Members:

(i) if an email address is available, by email, with the subject line "*An important notice from the Federal Court of Australia about your Toyota diesel vehicle*"; and/or

(ii) if a mobile telephone number is available, by SMS message;

(b) on or before 2 November 2026, the applicants will cause a copy of the Settlement 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 or New Group Member (as applicable) for whom:

(i) no email address or mobile telephone number is available; or

(ii) any email and any SMS sent pursuant to order 6(a) above, both experience a delivery failure; and

(c) continuously from 22 October 2026:

(i) the applicants will cause copies of the Settlement Notice and these orders to be displayed on the website maintained by Quinn Emanuel in relation to the Williams Proceeding and Taylor Proceeding (https://www.toyotaclassaction.com.au/) and on the Group Member Portal;

(ii) the District Registrar of the New South Wales Registry of the Federal Court of Australia will cause a copy of the Settlement Notice to be posted on the class action page of the website of the Federal Court; and

(iii) until the Settlement Approval Hearing, Toyota will cause a copy of the Settlement Notice to be displayed on its website, together with a link to the Federal Court website referenced in order 6(c)(ii) above.

7 Pursuant to section 33Y(3)(d) of the Act, the costs of distributing the Settlement Notice are to be paid by the applicants in the first instance, on the basis that those costs will subsequently be costs in the proceeding.

Objections

8 Any Group Member or New Group Member who wishes to object to the Settlement (**Objecting Group Member**) must, by 10 November 2026, complete a Notice of Objection in the form annexed to the Settlement Notice and provide it, together with any evidence or submissions on which the Objecting Group Member wishes to rely at the Settlement Approval Hearing, to Quinn Emanuel either by:

(a) emailing it to qe-toyota@quinnemanual.com; or

(b) posting it to:

Quinn Emanuel Urquhart & Sullivan
Attention: Toyota Class Action team
Level 25, 85 Castlereagh Street
Sydney NSW 2000

9 Quinn Emanuel is to provide a copy of any Notices of Objection and any evidence or submissions received from any Objecting Group Member to the Court and Toyota's solicitors, by 12 November 2026.

10 Any Objecting Group Member is granted leave to intervene in the Settlement Approval Application and to appear at the Settlement Approval Hearing.

Supplementary Costs Reference

11 The Costs Referee appointed pursuant to order 9 made on 7 November 2019 is to inquire into and report to the Court in writing in respect of the reasonableness of the costs incurred (or to be incurred) by the Williams Applicants and Mr Taylor between 17 May 2022 and the date of the Settlement Approval Hearing (**Supplementary Costs Reference**).

12 The Costs Referee shall perform the Supplementary Costs Reference having regard to the following guidelines:

(a) the Costs Referee is to ensure that the Supplementary Costs Reference is conducted in a manner which is proportionate to the costs incurred and proposed to be incurred;

(b) the Costs Referee is to consider and implement the Supplementary Costs Reference without undue formality or delay so as to enable a just, efficient and cost-effective resolution of the Supplementary Costs Reference; and

(c) the Costs Referee is to make such directions as the Costs Referee considers appropriate to facilitate the just, efficient and cost-effective resolution of the Supplementary Costs Reference, including for the attendance of any person, the production of documents and records relevant to legal costs, and/or the provision of submissions.

13 By 17 November 2026, the Costs Referee shall:

(a) submit the report referred to in order 11 above to the Court in accordance with FCR 28.66 (**Supplementary Costs Report**); and

(b) provide a copy of the Supplementary Costs Report to the parties' solicitors.

14 The Costs Referee's reasonable costs of conducting the Supplementary Costs Reference shall be paid by the applicants in the first instance, on the basis that these costs will subsequently be costs in the proceeding.

Settlement Approval Timetable

15 The Funder is granted leave to intervene in the Settlement Approval Application and to appear at the Settlement Approval Hearing.

16 By 9 November 2026:

(a) the Parties are to file and serve any material on which they intend to rely at the Settlement Approval Hearing, other than in relation to any objections submitted pursuant to order 8 above, the Supplementary Costs Reference or

the deductions proposed to be paid prior to distribution of the Settlement Sum to Registered Group Members;

(b) the Funder is to file and serve any material on which it intends to rely at the Settlement Approval Hearing, other than any material addressing any objections submitted pursuant to order 8 above or the Supplementary Costs Reference.

17 By 19 November 2026, the Parties and the Funder are to file and serve any material on which they intend to rely at the Settlement Approval Hearing addressing any objections submitted pursuant to order 8 above, the Supplementary Costs Reference or any matters raised in the material filed in response to order 16 above.

Date orders authenticated: 14 October 2026

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 167 519 968
Respondent	ASHURST AUSTRALIA

ANNEXURE A

NOTICE OF PROPOSED SETTLEMENT

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**, in which case you are likely to be a Group Member in the **Williams DPF Class Action** (unless you have already opted out of this class action);

  or

- **between 24 April 2020 and 31 July 2025**, by way of **private sale**, from a person who purchased the vehicle new between 1 October 2015 and 23 April 2020, in which case you are likely to be a Group Member in the **Taylor DPF Class Action** (unless you already opted out of this class action).

Together, the Williams DPF Class Action and Taylor DPF Class Action are referred to in this notice as the **Toyota DPF Class Actions**.

Please read this notice carefully. It contains important information about the **Proposed Settlement** of the Toyota DPF Class Actions.

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

A PROPOSED SETTLEMENT OF THE TOYOTA DPF CLASS ACTIONS

1 The parties have agreed to settle the Toyota DPF Class Actions (**Proposed Settlement**).

2 Under the Proposed Settlement, Toyota has agreed to pay a total **Settlement Sum** of **$750 million**, inclusive of costs and any payments made to the Funder (see Section F below).

3 Payment of the Settlement Sum is in full and final satisfaction of the Claims brought by the applicants on their own behalf and on behalf of Group Members in the Toyota DPF Class Actions.

B COURT APPROVAL

4 The Proposed Settlement is subject to Court approval.

5 The Court will only approve the Proposed Settlement if it is satisfied that the Proposed Settlement is fair and reasonable having regard to the interests of Group Members as a whole.

6 If the Court approves the Proposed Settlement, the Settlement Sum (less any costs and payments to the Funder approved by the Court, as described in Section F below) will be distributed to "**Registered Group Members**" (as defined in Section D below).

7 The Court will decide whether to approve the Proposed Settlement at a hearing commencing at 10:15 am on 20 November 2026 (**Settlement Approval Hearing**).

C ESTIMATED PAYMENTS TO REGISTERED GROUP MEMBERS

8 The Settlement Sum (less any costs and payments to the Funder approved by the Court) will be distributed to Registered Group Members in accordance with a **Settlement Distribution Scheme** approved by the Court at the Settlement Approval Hearing.

9 It is estimated that, on average, and **before** accounting for any Court approved deductions for costs and payments to the Funder (see Section F below), Registered Group Members will receive approximately:

(a) $9,600 to $11,600 if they acquired their vehicle new and still own it;

(b) $2,860 to $5,900 if they acquired their vehicle used and still own it;

(c) $1,800 to $1,900 if they acquired their vehicle new and no longer own it; and

(d) $300 to $780 if they acquired their vehicle used and no longer own it.

10 The exact amounts which Registered Group Members will receive will depend on their individual circumstances, including when they acquired their vehicle, how much they paid for their vehicle and whether Toyota has effectively repaired the DPF in their vehicle.

11 Toyota has promised that it will **not** refuse to repair the DPF system in any Relevant Vehicle free of charge on account of the vehicle's owner having received a share of the Settlement Sum pursuant to the Settlement Distribution Scheme (or having registered to do so).

D ELIGIBILITY TO RECEIVE MONEY IN THE PROPOSED SETTLEMENT

12 At the Settlement Approval Hearing, the parties intend to apply to the Court for an order that only Group Members who registered their interest to receive money in the

Toyota DPF Class Actions by 9.30 am (AEDT) on 13 October 2026 (**Registered Group Members**) will be entitled to receive money from the Proposed Settlement.

13 If this order is made, Group Members who are not Registered Group Members will not be eligible to receive money from the Proposed Settlement without leave of the Court. You should seek independent legal advice if you previously opted-out of the Toyota DPF Class Actions or are not a Registered Group Member and wish to seek leave from the Court to receive money from the Proposed Settlement.

E WHAT REGISTERED GROUP MEMBERS NEED TO DO

14 If you are a Registered Group Member and have already completed **and** submitted your registration form, you do not need to do anything further at this time. You will be contacted in due course. **However**, if you are a Registered Group Member and have **not** yet completed **and** submitted your registration form, **you should proceed immediately to provide any missing details**, so that the amount of money you may be entitled to receive from the Proposed Settlement can be calculated. You can do this at: http://www.toyotaclassaction.deloitte.com.au/

F DEDUCTIONS FROM THE SETTLEMENT SUM

15 The costs of conducting the Toyota DPF Class Actions on behalf of Group Members were funded by a company called Balance Legal Capital (**Funder**). In funding the Toyota DPF Class Actions, the Funder took on the risk that the class action would not be successful, in which case the Funder would not have received any return from funding the class action and would instead have been required to pay Toyota's costs of defending the class action (in addition to the applicants' costs). The Funder has provided funding in excess of $35 million for the applicants since the commencement of the Toyota DPF Class Actions, including to fund the applicants during two appeals.

16 At the Settlement Approval Hearing, the applicants and/or the Funder will seek the Court's approval to deduct from the Settlement Sum prior to its distribution to Registered Group Members:

(a) the applicants' reasonable costs of conducting the Toyota DPF Class Actions on behalf of Group Members which have not already been paid by Toyota (including deferred and uplift fees);

(b) the reasonable costs of administering the Settlement Distribution Scheme;

(c) payments to the applicants and sample group members appointed by the Court, to reimburse them for their time and efforts in representing the Group Members; and

(d) a payment to the Funder of 32.5% of the Settlement Sum, in recognition of its financial support for the Toyota DPF Class Actions and the risks it took on in providing this financial support over the course of the Toyota DPF Class Actions and related appeals.

17 These deductions will only be made to the extent that the Court considers them to be fair and reasonable.

18 If these deductions for costs and payments to the Funder are approved by the Court, it is estimated that, on average, and **after** accounting for these deductions, Registered Group Members would receive approximately:

(a) $6,100 to $7,370 if they acquired their vehicle new and still own it;

(b) $1,820 to $3,750 if they acquired their vehicle used and still own it;

(c) $1,140 to $1,210 if they acquired their vehicle new and no longer own it; and

(d) $190 to $495 if they acquired their vehicle used and no longer own it.

G OBJECTIONS TO THE PROPOSED SETTLEMENT

19 If you are a Group Member and wish to object to the Court approving the Proposed Settlement, you should send a completed copy of the Notice of Objection annexed to this notice by **4:00 pm** on **10 November 2026**:

By email to: **qe-toyota@quinnemanuel.com**

OR

By post to: **Toyota DPF Class Actions Team**
Quinn Emanuel
Level 25, 85 Castlereagh Street
Sydney NSW 2000

20 The Court will consider any objections submitted by Group Members at the Settlement Approval Hearing. You, or your representative, may appear at the Settlement Approval Hearing and make oral submissions in support of any objections. If you do not appear, your objections will be considered in your absence.

21 Information about how to attend the Settlement Approval Hearing will be available on the Court's website, and may include options to attend online or by telephone.

H FURTHER INFORMATION

22 Copies of documents filed and orders made in the Toyota DPF Class Actions can be accessed here: https://www.toyotaclassaction.com.au/williams/williams-court-documents/ (Williams DPF Class Action documents) and https://www.toyotaclassaction.com.au/taylor/taylor-court-documents/ (Taylor DPF Class Action documents)

23 **This is not a scam.** You can check that the Toyota DPF Class Actions are genuine class action proceedings (and get further information) by:

(a) visiting the website of the Federal Court of Australia where the Toyota DPF Class Actions are registered at https://www.fedcourt.gov.au/law-and-practice/classactions/class-actions;

(b) visiting the website for Group Members in the Toyota DPF Class Actions at https://www.toyotaclassaction.com.au/; or

(c) contacting the Applicants' lawyers, Quinn Emanuel, by emailing qe-toyota@quinnemanuel.com.

ANNEXURE

FEDERAL COURT OF AUSTRALIA

DISTRICT REGISTRY: NSW

DIVISION: GENERAL

No. NSD1210 of 2019

KENNETH JOHN WILLIAMS & ANOR V TOYOTA MOTOR CORPORATION AUSTRALIA LIMITED

No. NSD1326 of 2025

MARDY ROBERT JOHN TAYLOR V TOYOTA MOTOR CORPORATION AUSTRALIA LIMITED

NOTICE OF OBJECTION TO PROPOSED SETTLEMENT

TOYOTA DPF CLASS ACTIONS

Complete this form if you wish to object to the Proposed Settlement.

Your Notice of Objection will be considered by the Court when it is determining whether or not to approve the Proposed Settlement.

If you wish to object to the Proposed Settlement, your Notice of Objection must be submitted by 4.00pm on 10 November 2026.

Any objection received after this time may not be accepted.

If you do NOT wish to object to the proposed settlement, you do NOT need to return this form.

To: Toyota DPF Class Actions Team, Quinn Emanuel

By email to: qe-toyota@quinnemanuel.com

OR

By post to: Toyota DPF Class Actions Team
Quinn Emanuel
Level 25, 85 Castlereagh Street
Sydney NSW 2000

The person identified below gives notice that they object to the proposed settlement of the abovementioned proceeding.

A. DETAILS OF OBJECTOR

Name of group member	
Full name of person completing this form (print):	
Authority of person completing form (e.g. company director, lawyer)	
Relevant Vehicle Model Year(s) and Model Line(s)	
Vehicle Identification Number(s)	
Telephone contact	
Postal address	

Please enclose any documentary evidence of purchase and ownership of a Relevant Vehicle.

B. GROUND(S) OF OBJECTION

I object to the Proposed Settlement on the following grounds. Please enclose any additional pages setting out any grounds of objection.

The Settlement Approval Hearing is listed before Justice Lee at 10.15 am on 20 November 2026 in Sydney. You may appear at the Settlement Approval Hearing and object to the proposed settlement. If you do not appear at that hearing, your objection will be considered in your absence.

Date:

Signed:

Name: