Annexure A

NOTICE TO GROUP MEMBERS – OPT OUT AND CLAIM REGISTRATION

LOVISA CLASS ACTION – OLIVIA IOB & ORS v LOVISA PTY LIMITED

THIS NOTICE IS IMPORTANT.
PLEASE READ IT CAREFULLY, AS IT MAY AFFECT YOUR LEGAL RIGHTS

A class action has been commenced in the Federal Court of Australia against Lovisa Pty Ltd (Lovisa).

The class action relates to allegations that Lovisa failed to pay staff in accordance with the Lovisa Enterprise Agreement 2014 and/or the Lovisa Enterprise Agreement 2022, which contravened the civil penalty provisions of the Fair Work Act 2009 (Cth).

This notice has been sent to you because the Court considers you might be a Group Member.

As explained further below, you have three options in response to this notice:

1. ***Opt out of the class action before* 11:59pm on 30 January 2026 (AEDT) –** ***meaning you will no longer be a part of the class action. If you opt out you will not receive any compensation from the class action if compensation is awarded by the Court, or if a settlement is agreed between the parties.***

2. ***Register for the class action and provide details so that we may receive your employee records and your individual claim can be more specifically considered during any settlement negotiations. If there is a settlement or compensation awarded by the Court, your claim will be considered as a part of the settlement/compensation distribution process.***

3. ***Do nothing – meaning you will remain part of the class action and be bound by any judgment or settlement. However, it is likely that at some point, you will need to register your interest to participate in this matter, either to receive compensation (money) from any settlement sum or (if there is no settlement) to take further steps to bring your claim forward following the initial trial of common issues.***

SECTION 1 – INFORMATION ABOUT THE CLASS ACTION

Why have you received this Notice?

1. A class action has been commenced in the Federal Court of Australia by Ms Iob, Ms Kelso and Ms Wesley (collectively the **Applicants)** on behalf of certain persons who were employed by Lovisa.

2. The class action covers individuals who were engaged on a full-time or part-time basis by Lovisa in stores across Australia between 23 January 2019 and 23 January 2025 in the following positions:

   (a) 'Team Member';

   (b) 'Store Supervisor';

   (c) 'Assistant Store Manager';

   (d) 'Store Manager C';

   (e) 'Store Manager B';

   (f) 'Store Manager A'; and/or

   (g) 'Store Manager A+',

   (the **Lovisa Class Action**).

3. The Federal Court of Australia has ordered that this notice be published for the information of persons who might be members of the class on whose behalf the action is brought and may be affected by the class action. **You should read this notice carefully. Any questions you have concerning the matters contained in this notice should <u>not</u> be directed to the Court**. If there is anything in this notice that you don't understand then you should seek legal advice.

What is a Class Action?

4. A class action is also called a 'representative proceeding'. It is a case brought by one party (**Applicant(s)**) on their own behalf and on behalf of a class of people (**Group Members**) against another person or entity (**Respondent(s)**) where the Applicant and the Group Members have similar claims against the Respondent.

5. The Applicant in a class action does not need to seek the consent of Group Members to commence a class action on their behalf or to identify a specific Group Member. However, Group Members can cease to be Group Members by "opting out" of the class action.

6. Group Members are "bound" by the outcome in the class action, unless they have opted out of the proceeding. A binding outcome can happen in one of two ways:

   (a). a *judgment* following a trial; or

   (b). a *settlement* at any time that is approved by the Court.

7. If there is a judgment or a settlement of a class action, Group Members will not be able to separately pursue the same claims and may not be able to separately pursue similar or related claims against the Respondent in other legal proceedings. Group Members should note that:

   (a) in a *settlement* of a class action, where the settlement provides for compensation to Group Members, the settlement is likely to extinguish all rights to compensation which a Group Member might have against the Respondent which arise in any way out of the events or transactions which are the subject-matter of the class action. Any settlement in the Lovisa Class Action may include releases that are commonly sought in relation to the settlements of class actions, which include releases of the Respondent, their related entities, and their current and former directors, officers, employees, contractors and agents, in respect of:

      (i) all claims made by Group Members against Lovisa in the class action; and

      (ii) any claims Group Members may have against Lovisa, which;

         (A) are raised in the Lovisa Class Action;

         (B) were at any time the subject of the Lovisa Class Action or any part of

the class action; or

(C) relate to the matters or issues the subject of the Lovisa Class Action or any part of the class action, whether arising at common law, equity or under statute.

(b) in a *judgm*ent following trial, the Court will decide various common factual and legal issues in respect of the claims made by the Applicants and Group Members. Group Members are bound by those findings, whether or not they are favourable to them (unless they are successfully appealed). Importantly, if there are other proceedings between a Group Member and Lovisa, neither of them will be permitted to raise arguments in that proceeding which are inconsistent with a factual or legal issue decided in the trial of common issues in the class action. This means that if the issues are decided against the Applicants, Group Members will be unable to pursue claims they have which are the same as the Applicants' claims, and will not be able to pursue other claims which are dependent upon common issues which have been decided against the Applicants.

8. If you consider you have a claim or claims against Lovisa based on your individual circumstances or are otherwise additional to the claims described in the class action, then it is important that you seek independent legal advice about the potential binding effects of the class action before the deadline for opting out (see below).

What is the Lovisa Class Action?

9. The Applicants bring the claim on their own behalf and on behalf of all other persons who were:

(a) employed by Lovisa Pty Ltd at any time between 23 January 2019 and 23 January 2025 (the **Relevant Period**);

(b) On a full-time or part-time basis (but not a casual); and

(c) in the positions of 'Team Member', 'Store Supervisor', 'Assistant Store Manager', 'Store Manager C', 'Store Manager B', 'Store Manager A' or 'Store Manager A+'

10. If you meet all these criteria, you are a Group Member.

11. As part of the Lovisa Class Action, the Applicants seek orders from the Court, for the benefit of themselves and Group Members, awarding compensation and imposing penalties upon Lovisa for the alleged underpayments under the enterprise agreements and other contraventions of the *Fair Work Act* 2009 (Cth).

12. The allegations made by the Applicants against Lovisa are set out in the Applicants' Amended Statement of Claim, copies of which are available at: https://www.aderolaw.com.au/class-action/retail/lovisa/

13. Lovisa is defending the claims brought by the Applicants and filed a Defence in the proceeding. A copy of the Lovisa Defence is available at: https://www.aderolaw.com.au/class-action/retail/lovisa/

Will Group Members be liable for legal costs?

14. In the event that the Lovisa Class Action is successful (that is, if money compensation is recovered), the Court will be asked to distribute the legal costs incurred by the Applicants in pursuing that class action from the money recovered, fairly among all persons who have benefitted from the class action. The effect of any such order, if made, may be that all Group Members who benefit will contribute to the legal costs of running the class action. This ensures that all Group Members are treated equally.

15. In the event that the class action is unsuccessful, Group Members have no liability to pay any legal and/or funding costs.

16. You may seek to resolve any individual claim of underpayment directly (and informally) with Lovisa at no cost to you. You may do so without affecting your ability to participate in the Lovisa Class Action. However, any deeds of release offered by Lovisa in exchange for resolving your underpayment directly with Lovisa will likely limit your ability to obtain payment if the Lovisa Class Action is successful.

What do Group Members need to do?

17. You have three options:

    (a) Opt out of the Lovisa Class Action if you no longer want to remain a part of the

Lovisa Class Action;

(b) Register for the Lovisa Class Action and provide details of your employment with Lovisa so that your individual claim can be taken into account by the parties in any settlement discussions if you have not already done so; or

(c) Do nothing.

18. It is important to note that if you do not register by the Deadline of **11:59pm on 30 January 2026 (AEDT)** or if you do nothing, Lovisa and the Applicants will be unable to consider and take your claim into account in any settlement discussions. This could affect any amount that you may receive from a settlement including the possibility that you may not receive anything from a settlement.

19. There are different consequences depending on which option you choose. Further details are provided in section 2 below.

20. For Group Members who **register**, account can be taken of your individual claim in any settlement discussions.

21. For Group Members who **opt out** of the Lovisa Class Action, you will no longer be a Group Member. If you want to bring your own claim, you will need to do that separately with your own legal representation should you choose and at your own cost. You will not receive any payment from any settlement or judgment in the Lovisa Class Action if it succeeds.

22. For Group Members who **do nothing** you will remain a Group Member in the Lovisa Class Action subject to the matters in paragraph 3838 to 41 below.

23. If you wish to **opt out** of the Lovisa Class Action, you **must** do so by the Deadline, being **11:59pm on 30 January 2026 (AEDT)**;

24. Further information about each of the options set out above is contained in Section 2 below. **Please read the information about your options carefully.**

Where can I get more information?

25. For more information about the Lovisa Class Action, you can visit the website of Adero at https://www.aderolaw.com.au/class-action/retail/lovisa/ or contact Adero via email at lovisaclassaction@aderolaw.com.au or by calling 02 6189 1022.

26. If you are unsure of what to do, you should seek independent legal advice.

SECTION 2 – YOUR OPTIONS

Option 1: Opt out

27. If you opt out of the Lovisa Class Action, you will no longer be a Group Member. This means you will:

    (a) not be affected by any orders made in the Lovisa Class Action;

    (b) not be entitled to receive any distribution arising from any damages awarded or settlement sum paid in relation to any section of the Lovisa Class Action;

    (c) not be bound by any settlement or judgment in the Lovisa Class Action; and

    (d) be able to commence separate proceedings against Lovisa on your own behalf if you so wish (if your claim is within the limitation period, which is 6 years from when an amount became due and payable to you). You will need to arrange your own legal representation and funding for your claim.

28. If you wish to opt out of the Lovisa Class Action, you must complete the 'Opt Out Notice' attached at Schedule A below and submit it to the Court by the Deadline. As noted above, the Deadline is **11:59pm on 30 January 2026 (AEDT)**. The Opt Out Notice must be submitted to the Victorian District Registry of the Federal Court of Australia by post or email at the following addresses:

    (a) vicreg@fedcourt.gov.au with the email subject line: 'Opt Out Notice VID66/2025; or

    (b) Federal Court of Australia Registry, 305 William Street, Melbourne VIC 3000.

Option 2: Register for the Lovisa Class Action (if you have not already completed an

expression of interest form in the Lovisa Class Action with Adero or signed an Authority to Act form with Adero)

29. Registering for the Lovisa Class Action involves providing details about you and your claim to Adero.

30. You do not have to register to remain a Group Member. However, registering for the Lovisa Class Action allows Adero and Lovisa to consider and take into account your claim in any settlement discussions. If you register by **11:59 pm on 30 January 2026 (AEDT)**, Adero will be able to take your claim into account in any settlement reached thereafter. Any settlement will still be subject to Court approval, but you will not need to do more to participate in any settlement sum negotiated on your behalf.

31. Further, registration is a way of providing current contact details, which will facilitate the distribution of further notices to you in future with information about the progress of the Lovisa Class Action (including after any settlement, or after any judgment following the trial of common issues).

32. If you have already completed an expression of interest form in the Lovisa Class Action with Adero or signed an Authority to Act form with Adero, you do not need to register again, and no further action is required other than providing Adero with information about your employment with the Respondent if you have not already done so. If necessary, Adero may contact you requesting further information.

33. If you have NOT already completed an expression of interest form in the Lovisa Class Action with Adero or signed an Authority to Act form with Adero, you can register for the Lovisa Class Action by completing the Lovisa Class Action 'Group Member Registration' form online at web address https://www.aderolaw.com.au/class-action/retail/lovisa/ (**Registration Form**) by the Deadline. As noted above, if you wish to ensure that your individual claim can be taken into account in any settlement reached, you should register prior to **11:59 pm on 30 January 2026 (AEDT)**.

34. If you are considering becoming a **Registered Group Member**, you should read this Notice carefully and if you do not understand everything, you should get independent legal advice. If you want to register and ensure your individual claim is taken into account at any settlement discussions, you must provide (or take reasonable steps to provide) the information requested in the Registration Form by the Deadline of **11:59 pm on 30**

January 2026 (AEDT). Registrations received after the Deadline may not be accepted, with the result being that you will be treated as having not responded to this Notice unless you have completed and submitted an Opt Out Notice in accordance with Option 1 above. As noted above, if you do not register by the Deadline of **11:59 pm on 30 January 2026 (AEDT)**, the Applicants and Lovisa will be unable to consider and take your claim into account during any settlement discussions.

Option 3: Do nothing

35. If you do not register for, or opt out of, the Lovisa Class Action by the Deadline (and you have not already completed an expression of interest form in the Lovisa Class Action with Adero or signed an Authority to Act form with Adero), you will be an **Unregistered Group Member**. You will remain a Group Member in the proceedings and await the outcome.

36. If the parties agree to settle the Lovisa Class Action, your individual claims may not have been taken into account. If a settlement is reached, the parties will then seek the Court's approval of any settlement agreement.

37. As a Group Member you will be bound by any settlement approved by the Court that affects you or by any judgment given in the Lovisa Class Action after the trial of common issues.

38. If the parties do not agree to settle the Lovisa Class Action before the commencement of the trial on common issues, you will remain a Group Member and be bound by the Court's judgment in respect of them. You may have your claim considered as part of any settlement that may take place at some later time if you choose to take steps to be included in the Lovisa Class Action at a later point in time.

SCHEDULE B

GROUP MEMBER REGISTRATION FORM

COMPLETE THIS FORM IF YOU WISH TO REGISTER TO PARTICIPATE IN THE LOVISA CLASS ACTION

If you do not complete this form by the Deadline of 11:59pm on 30 January 2026 (AEDT) or if you do nothing, Lovisa and the Applicants will be unable to consider and take your claim into account in any settlement discussions that may occur shortly after. This could affect any amount that you may receive from any settlement reached.

You will be bound by the terms of any settlement, which may include releases of Lovisa, its related entities and their current and former directors, officers, employees, contractors and agents unless you have chosen to opt out of this proceeding.

THIS FORM SHOULD BE COMPLETED ONLINE BY 11:59pm on 30 January 2026 (AEDT) at https://www.aderolaw.com.au/class-action/retail/lovisa/

(Only persons without internet should submit this form manually).

Failure to provide all information in the registration form will not invalidate the registration.

If you have already completed an expression of interest form in the Lovisa Class Action with Adero or signed an Authority to Act form with Adero you are registered already and are not required to complete this form.

Federal Court of Australia

District Registry: Victorian

Division: Fair Work

Olivia Iob and others

First Applicant

Lovisa Pty Ltd (ACN 102 675 890)

Respondent

To: Adero Law

Lovisaclassaction@aderolaw.com.au

OR

Adero Law

3 Hobart Place

Canberra ACT 2601

The Group Member named below *registers* to participate in the class action and to be bound by, and share in the benefit of any judgment or settlement of the class action.

1. FORM COMPLETION	
The person completing this form is	¨ An eligible Group Member – skip to 2. ¨ Someone else, completing on behalf of an eligible Group Member – please complete below.
Personal details of person completing this form	
Title	
First name/s	
Last name	
Email address	
2. GROUP MEMBER DETAILS	
Personal details of individual	
Title	
First name/s	
Last name	
Email address	
Phone number	
Alternative phone number	
Street address	
Suburb/town	
State	
Postcode / ZIP	
Country	
3. DOCUMENTARY EVIDENCE *You are required to take reasonable steps to provide the following information. Please attach further sheets of paper if you need more space. Please also attach any supporting documents you want the parties to the class action to take into account.* *However, failure to do so will not invalidate your registration.*	
What date did your employment commence with the Respondent?	

Please list the positions you held during the course of your employment with the Respondent.	
Were you employed on a full-time or part-time basis? If you worked in both a part-time and full-time basis at some stage throughout your employment, please list both and include the relevant dates.	
What date did your employment with the Respondent end (if applicable)?	
I have attached documentary evidence in support of the information herein	¨ Yes ¨ No
4. EXECUTION	
Dated	
Signed by, or on behalf of and with the authority of, the Group Member (as specified above)	
Print name	

Please return this form to:

lovisaclassaction@aderolaw.com.au **OR** Adero Law, 3 Hobart Place, Canberra ACT 2601

You should keep a copy for your records

Schedule A

OPT OUT NOTICE

COMPLETE THIS FORM IF YOU DO NOT WISH TO PARTICIPATE IN THE LOVISA CLASS ACTION

If you complete this form then you will not be affected by the Lovisa Class Action. You can pursue your own claim separately if you wish.

Federal Court of Australia District

Registry: Victorian

Division: Fair Work

No. VID 66 of 2025

Olivia Iob and Others
First Applicant

Lovisa Pty Ltd(ACN 120 675 890)
Respondent

To: vicreg@fedcourt.gov.au
Subject Line: Opt Out Notice VID66/2025

OR

Federal Court of Australia Registry
305 William Street, Melbourne, VIC,
3000

The person named below as a Group Member in this class action gives notice under section 33J of the *Federal Court of Australia Act 1976* (Cth) that the Group Member is opting out of the class action.

Choose either A or B below:

A. I am completing this Opt Out Form on my own behalf:

Name of Group Member (print):	
Postal address of Group Member:	
Lovisa Employee ID (optional):	
Telephone:	
Email:	

B. I am signing as the solicitor or representative of a Group Member:

Name of person completing this form (print):	
Authority of person completing this form (e.g. power of attorney, lawyer):	
Postal address of person completing this form:	
Telephone of person completing this form:	
Email of person completing this form:	

Date:

…….

Signature: Print name:……

…….