



## \$30.5 Million "Vitamins" Cartel Class Action Approved

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### **\$30.5 MILLION "VITAMINS" CARTEL CLASS ACTION APPROVED**

The Federal Court today approved a \$30.5 million settlement in Australia's first ever cartel class action. In another first, the court also approved reimbursement payments and out-of-pocket expenses in relation to the preparation of evidence in the case totalling over \$418,000 for the three applicants and four other victims.

Livestock farmers, feed manufacturers and vitamin blenders are among the thousands of victims that will benefit from the "Vitamins class action" brought by leading class action lawyers Maurice Blackburn Cashman. The action was against multinational pharmaceutical companies Roche, BASF and Aventis for fixing prices of animal vitamins during the 1990's.

Brooke Dellavedova of Maurice Blackburn Cashman said the \$30.5 million settlement was vindication for the many businesses that lost market share or paid inflated prices as a result of the cartel.

"This settlement delivers justice to all the small to medium businesses that banded together and stayed the course over seven years of legal battles against these huge corporations that deliberately ripped them off.

"It is an outstanding result for all small and medium sized businesses that rely on a fair market to make a fair return. Price fixing and market rigging by powerful organisations are the worst kinds of anti-competitive abuse.

"This is the first successfully concluded cartel class action in Australia. The outcome should send a big signal to powerful companies that anticompetitive behaviour will not be tolerated by their victims or the Australian courts. The settlement is great news for small and medium sized Australian businesses that are vulnerable to unfair trade practices, Ms Dellavedova said.

Ms Dellavedova said the reimbursement payments were entirely appropriate given the time and effort these businesses put into the preparation of evidence over the past seven years.

"This is the first time reimbursement payments have been agreed to by an Australian court. The court has rightly compensated those businesses who sacrificed valuable time and incurred significant expenses in ensuring justice was delivered to all those affected by the price fixing," Ms Dellavedova said.

Cliff Thurley, former owner of Agribusiness, a large user of animal nutrition vitamins during the cartel, noted that the settlement required complex financial calculations and said he was proud of the result achieved by the animal nutrition industry and Maurice Blackburn Cashman.

"These multinational companies deliberately deceived the Australian market for years. The price fixing had a significant affect on our business and all those involved in animal nutrition and livestock production. I am pleased that we have been able to help deliver justice to those affected and that equitable compensation for all group members has been achieved," Mr Thurley said.

Those affected included manufacturers, distributors and suppliers of pre-mix, stock feed; livestock, and veterinary and performance enhancing preparations; manufacturers of pet foods and farmers.

"If you purchased vitamins for animal nutrition between 1992 and 1999 you may well have a claim. In this case, you should contact Maurice Blackburn Cashman immediately" Ms Dellavedova said.

Maurice Blackburn Cashman is the only legal firm in Australia to have successfully conducted a cartel class action. The firm is also acting in a \$200 million civil damages class action against corrugated box manufacturer, Amcor Limited, on behalf of thousands of victims of the cartel that Amcor maintained between 2000 and 2005.

#### **Media Opportunity:**

Both Brooke Dellavedova and Cliff Thurley are available for interview today.

**Media enquiries: Scott Parker at Maurice Blackburn Cashman on 0432 828 003.**