

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 4/12/2017 10:26:36 AM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Originating Application Starting a Representative Proceeding under Part IVA Federal Court of Australia Act 1976 - Form 19 - Rule 9.32
File Number:	VID1317/2017
File Title:	ZANTRAN PTY LIMITED v CROWN RESORTS LIMITED
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	First Case Management Hearing
Time and date for hearing:	09/02/2018, 9:30 AM
Place:	Please check Daily Court List for details



Dated: 4/12/2017 1:05:18 PM AEDT

A handwritten signature in blue ink that reads 'Warwick Soden'.

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



**Originating Application Starting a Representative Proceeding Under
Part IVA of the *Federal Court of Australia Act 1976***

No. _____ of 2017

Federal Court of Australia

District Registry: Victoria

Division: General

ZANTRAN PTY LIMITED (ACN 078 669 155)

Applicant

CROWN RESORTS LIMITED (ACN 125 709 953)

Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place: Federal Court of Australia
305 William Street
Melbourne, Victoria, 3000

Date: December 2017

Signed by an officer acting with the authority of
the District Registrar

Filed on behalf of:	Zantran Pty Limited (the Applicant)		
Prepared by:	Michael Donelly (Lawyer)		
Law firm:	Maurice Blackburn Lawyers		
Tel:	(03) 9605 8212	Fax:	(03) 9258 9600
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Address for service:	Level 10, 456 Lonsdale Street, Melbourne, Victoria 3000		



Details of Claim

On the grounds stated in the statement of claim, the Applicant makes claims on its own behalf and on behalf of Group Members:

1. A declaration pursuant to s 1317E(1)(ja) of the *Corporations Act* that the Respondent contravened s 674(2) of the *Corporations Act* by failing to notify the Australian Securities Exchange (**ASX**) of some or all of:
 - (a) the China Operations Illegal Information defined in paragraph 34(a) of the statement of claim;
 - (b) the China Operations Crackdown Information defined in paragraph 34(b) of the statement of claim;
 - (c) the Employee Detention Risk defined in paragraph 35(a) of the statement of claim;
 - (d) the China Operations Enforcement Risk defined in paragraph 35(b) of the statement of claim;
 - (e) the Chinese VIP Revenue Risk defined in paragraph 35(c) of the statement of claim;
 - (f) the Revenue Risk defined in paragraph 35(d) of the statement of claim;as soon as it was aware, for the purposes of ASX Listing Rules 3.1 and 19.12, of that information.
2. A declaration that for the purposes of s 1317HA(1) of the *Corporations Act*, the Applicant and group members suffered loss or damage as a result of the Respondent's contravention or contraventions of s 674(2) of the *Corporations Act*.
3. An order pursuant to s 1317HA(1) of the *Corporations Act* that the Respondent compensate the Applicant and group members for the loss or damage suffered by them as a result of the Respondent's contravention or contraventions of s 674(2) of the *Corporations Act*.
4. A declaration pursuant to s 21 of the *Federal Court of Australia Act 1976* (Cth) that in making:
 - (a) the Risk Management Representation defined in paragraph 71 of the statement of claim; and/or
 - (b) the Chinese Market Growth Representation defined in paragraphs 72 and 73 of the statement of claim,the Respondent engaged in conduct in contravention of:
 - (a) s 1041H of the *Corporations Act*;
 - (b) s 12DA(1) of the *Australian Securities and Investments Commission Act 2001* (Cth) (**ASIC Act**); and



- (c) s 18 of the Australian Consumer Law set out in Schedule 2 of the *Competition and Consumer Act 2010* (Cth) (**Australian Consumer Law**).
5. A declaration that for the purposes of s 1041I of the *Corporations Act*, s 12GF and/or s 12GM of the ASIC Act, and s 236 of the Australian Consumer Law, that the Applicant and group members suffered loss or damage as a result of the Respondent's contravention or contraventions of s 1041H of the *Corporations Act*, s 12DA(1) of the ASIC Act, and s 18 of the Australian Consumer Law.
 6. An order that the Respondent pay to the Applicant and Group Members compensation for damage suffered by the conduct of the Respondent contravention of:
 - (a) s 1041H of the *Corporations Act*, pursuant to s 1041I of the *Corporations Act*;
 - (b) s 12DA of the ASIC Act, pursuant to s 12GF and/or s 12GM of the ASIC Act;
 - (c) s 18 of the Australian Consumer Law, pursuant to s 236 of the Australian Consumer Law.
 7. Interest on any statutory compensation awarded.
 8. Costs.
 9. Such further or other relief as the Court thinks fit.

Questions Common to Claims of Group Members

The questions of law or fact common to the claims of group members are:

10. Whether, during the period between 6 February 2015 and 16 October 2016 (**the Relevant Period**, the China Operations Illegal Information defined in paragraph 34(a) of the statement of claim was:
 - (a) information that a reasonable person would expect to have a material effect on the price or value of Crown Shares;
 - (b) not generally available.
11. Whether the Respondent was or ought to have been aware of the China Operations Illegal Information and if so, at what time during the Relevant Period.
12. Whether the Respondent contravened s 674(2) of the *Corporations Act* by failing to disclose the China Operations Illegal Information as soon it was or ought to have been aware of that information.



13. Whether, at any time during the Relevant Period the China Operations Crackdown Information defined in paragraph 34(b) of the statement of claim was:
 - (a) information that a reasonable person would expect to have a material effect on the price or value of Crown Shares;
 - (b) not generally available.
14. Whether the Respondent was or ought to have been aware of the China Operations Crackdown Information and if so, at what time during the Relevant Period.
15. Whether the Respondent contravened s 674(2) of the *Corporations Act* by failing to disclose the China Operations Crackdown Information as soon it was or ought to have been aware of that information.
16. Whether, at any time during the Relevant Period the Employee Detention Risk defined in paragraph 35(a) of the statement of claim was:
 - (a) information that a reasonable person would expect to have a material effect on the price or value of Crown Shares;
 - (b) not generally available.
17. Whether the Respondent was or ought to have been aware of the Employee Detention Risk and if so, at what time during the Relevant Period.
18. Whether the Respondent contravened s 674(2) of the *Corporations Act* by failing to disclose the Employee Detention Risk as soon it was or ought to have been aware of that information.
19. Whether, at any time during the Relevant Period the China Operations Enforcement Risk defined in paragraph 35(b) of the statement of claim was:
 - (a) information that a reasonable person would expect to have a material effect on the price or value of Crown Shares;
 - (b) not generally available.
20. Whether the Respondent was or ought to have been aware of the China Operations Enforcement Risk and if so, at what time during the Relevant Period.
21. Whether the Respondent contravened s 674(2) of the *Corporations Act* by failing to disclose the China Operations Enforcement Risk as soon it was or ought to have been aware of that information.
22. Whether, at any time during the Relevant Period the Chinese VIP Revenue Risk defined in paragraph 35(c) of the statement of claim was:
 - (a) information that a reasonable person would expect to have a material effect on the price or value of Crown Shares;



- (b) not generally available.
23. Whether the Respondent was or ought to have been aware of the Chinese VIP Revenue Risk and if so, at what time during the Relevant Period.
24. Whether the Respondent contravened s 674(2) of the *Corporations Act* by failing to disclose the Chinese VIP Revenue Risk as soon it was or ought to have been aware of that information.
25. Whether, at any time during the Relevant Period the Revenue Risk defined in paragraph 35(d) of the statement of claim was:
- (a) information that a reasonable person would expect to have a material effect on the price or value of Crown Shares;
- (b) not generally available.
26. Whether the Respondent was or ought to have been aware of the Revenue Risk and if so, at what time during the Relevant Period.
27. Whether the Respondent contravened s 674(2) of the *Corporations Act* by failing to disclose the Revenue Risk as soon it was or ought to have been aware of that information.
28. Whether the Respondent contravened s 1041H of the *Corporations Act*, s 12DA(1) of the ASIC Act, and s 18 of the Australian Consumer Law by making, maintaining, and/or failing to qualify the:
- (a) Risk Management Representation defined in paragraph 71 of the statement of claim; and/or
- (b) Chinese Market Growth Representation defined in paragraphs 72 and 73 of the statement of claim,
29. Whether any of the Contravening Conduct as defined in paragraph 87 of the statement of claim caused the price or value of Crown Shares to be higher during the Relevant Period than they would have been had the Contravening Conduct not occurred, and if so, to what extent or by what amount.

Representative Action

30. The Applicant brings this application as a representative party under Part IVA of the *Federal Court of Australia Act 1976* (Cth).
31. The group members to whom this proceeding relates are persons who:
- (a) acquired an interest in fully paid ordinary shares in Crown Resorts Limited (**Crown Shares**) during the period between 6 February 2015 and 16 October 2016 (**Relevant Period**);
- (b) suffered loss or damage by reason of the conduct of the Respondent (**Crown**) pleaded in this Statement of Claim;



- (c) were not during any part of the Relevant Period, and are not as at the date of this Statement of Claim, any of the following:
- (i) a related party (as defined by s 228 of the *Corporations Act 2001* (Cth) of Crown;
 - (ii) a related body corporate (as defined by s 50 of the *Corporations Act*) of Crown;
 - (iii) an associated entity (as defined by s 50AAA of the *Corporations Act*) of Crown;
 - (iv) an officer or a close associate (as defined by s 9 of the *Corporations Act*) of Crown;
- or
- (v) a Justice, Registrar, District Registrar or Deputy District Registrar of the High Court of Australia or the Federal Court of Australia
(Group Members).

32. As at the date of the commencement of this proceeding, there are seven or more persons who have claims against the Respondent in respect of the matters set out in the statement of claim.

Applicant's address

The Applicant's address for service is: Maurice Blackburn
Level 10, 456 Lonsdale Street
Melbourne VIC 3000

Email: mdonelly@mauriceblackburn.com.au

The Applicant's address is: c/- Maurice Blackburn
Level 10, 456 Lonsdale Street
Melbourne VIC 3000

Service on the Respondent

It is intended to serve this application on the Respondent.

Date: 4 December 2017

A handwritten signature in blue ink, appearing to read 'Andrew Watson', written over a horizontal line.

Signed by Andrew Watson

Lawyer for the Applicant