



Federal Court of Australia

District Registry: Victoria Registry

Division: General

No: VID891/2023

LISA GAY SIMPSON

Applicant

TAYLORS BUSINESS PTY LTD (ACN 107 445 723)

Respondent

ORDER

JUDGE: Justice Bennett

DATE OF ORDER: 19 September 2025

WHERE MADE: Melbourne

THE COURT NOTES THAT:

- A. These orders are to be read with the Court's reasons for judgment in *Simpson v Taylors Business Pty Ltd (No 2)* [2025] FCA 1119, and terms defined in that judgment are used in these orders.

THE COURT DECLARES THAT:

- A. The persons entitled to possession of the Pawned Goods are the Applicant and the group members.

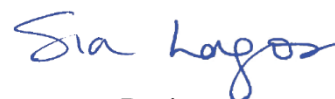
THE COURT ORDERS THAT:

1. Pursuant to r 5.23(2) of the *Federal Court Rules 2011* (Cth), the Applicant be awarded default judgment in respect of the Possession Claim.
2. The Court's injunction of 9 November 2023 be discharged insofar as it covers a Pawned Good upon the passing of possession of that good to the Applicant or group member, as the case may be.
3. A scheme for the return of goods is established as set out in Annexure A.



4. By 26 September 2025, the Respondent provide to the Applicant's solicitors ~~the~~ opening instructions and combination to any safes or security boxes containing any of the Pawned Goods.
5. By 26 September 2025, the Respondent provide to the Applicant's solicitors the names and corresponding pawn ticket numbers of each group member.
6. The Respondent pay the Applicant's costs of this default judgment application in a lump sum, pursuant to r 40.02(b) of the *Federal Court Rules 2011* (Cth), in the amount of \$18,935.
7. Order 6 be stayed for a period of 21 days, and if:
 - (a) the Respondent does not file submissions in relation to that order – the order is to take effect after that day; or
 - (b) the Respondent files submissions in relation to that order – the order be stayed until further order.

Date orders authenticated: 19 September 2025


Registrar

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



ANNEXURE A

Federal Court of Australia
District Registry: Victoria
Division: General

VID 891 of 2023

Lisa Gay Simpson
Applicant

Taylor's Business Pty Ltd (ACN 107 445 723)
Respondent

Scheme for the Return, Sale or Disposal of Pledged Goods



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PART 1 - DEFINITIONS

Act means the *Federal Court of Australia Act 1976* (Cth).

Administrator means the person or persons identified under or pursuant to clause 1

Applicant means Lisa Gay Simpson

Court means the Federal Court of Australia

Estimated Value means the value ascribed to a particular Pawned Good, as determined in accordance with cl 21 of this Scheme

Found Pawned Goods means Pawned Goods that are so identified pursuant to clauses 9 and 10

Group Members means the group members who are the subject of the Proceedings, namely, those Persons who entered into one or more contracts styled as 'pawn contracts' with Taylors between 15 November 2022 and 25 October 2023 inclusive

Landlord means King & Taylor Pty Ltd, the owner of 191 Kings Road, Delahey VIC

Loan Amount means the loan amount recorded on a given Pawn Contract

Missing Pawned Goods means Pawned Goods that are so identified pursuant to clauses 9 and 10

Pawn Contract means a pawn contract between a Group Member and Taylors entered into in the Relevant Period

Pawned Goods means the goods given as security for the Pawn Contracts

Premises means 191 Kings Road, Delahey VIC

Proceedings means the legal proceedings VID891/2023, filed in the Federal Court of Australia

Relevant Period means the period from 15 November 2022 to 25 October 2023 inclusive

Reserved Separate Questions means the separate questions that were the subject of the initial trial on 15 April 2025

Sale Funds means the amount of money received by the Administrator from the sales described in Part 5 of this Scheme

Scheme means the terms of this Scheme.

Scheme Orders means orders of the Court dated 19 September 2025 that give effect to this Scheme pursuant to s 33Z(1)(g) of the Act.

Taylors means Taylors Business Pty Ltd (ACN 107 445 723), the Respondent to the Proceedings

Uncollected Goods Table means the table referred to in clause 14

Uncollected Pawned Good means a Pawned Good described in the Uncollected Goods Table



PART 2 – SCHEME ADMINISTRATION

Scheme Administrator

1. The Administrator of this Scheme is the Consumer Action Law Centre, or together with, such other person or persons the Court may appoint from time to time.

Commencement of the Scheme

2. The Scheme commences on the date when the Court makes the Scheme Orders.

Duties, Obligations and Role of the Administrator

3. Without limiting the duties, obligations and role of the Administrator otherwise specified in this Scheme, the Administrator must:
 - a. administer and distribute any Sale Funds in accordance with this Scheme;
 - b. act as expeditiously as possible in accordance with this Scheme and any orders made by the Court;
 - c. perform its obligations in the interests of Group Members as a whole and not as the representative for any individual Group Member.

Immunity

4. The Administrator has the same immunities from suit that attach to the office of a judge of the Federal Court of Australia in connection with any step taken in the administration of this Scheme.
5. In administering the Scheme, the Administrator does not obtain title to any Pledged Goods.

Administrator's Costs

6. The Administrator's costs will be paid for by Taylors, unless the Court otherwise orders (with Taylors having liberty to apply in relation to any disputed costs).

PART 3 - SUPERVISION BY THE FEDERAL COURT

7. Consistently with Part IV of the Act, the implementation of this Scheme is subject to the Court's supervision and in particular:



- a. The Scheme Administrator is authorised to enforce the Scheme on behalf of Group Members; and
- b. Notwithstanding (a) above, the Scheme Administrator may refer any issues arising in relation to this Scheme to the Court.

PART 4 - PROCESS FOR THE RETURN OF PAWNED GOODS TO THE GROUP MEMBERS

Administrator taking possession of the Pawned Goods from the Landlord

8. From 26 September 2025, the Landlord will facilitate the transfer of the containers identified in the affidavit of Lucas Rutten affirmed on 02 September 2025.

Administrator sorting the Pawned Goods taken from the Landlord

9. From 17 October 2025, the Administrator will use its best efforts to sort the items in its possession to determine which Pawned Goods have been transferred into its possession pursuant to cl 8 above.
10. By no later than 14 November 2025, the Administrator will file with the Court:
 - a. a list of Pawn Contract numbers and associated Pawned Goods that are in its possession (**Found Pawned Goods**); and
 - b. a list of Pawn Contract numbers and associated Pawned Goods that are not in its possession (**Missing Pawned Goods**).
 - c. A list of goods that are in its possession because they were goods found in the containers referred to in cl 8 above, but that are not Pawned Goods (**Non-Pawned Goods**).
11. The Administrator will store the Found Pawned Goods in a storage facility until all Found Pawned Goods have been returned to Group Members or disposed of in accordance with this Scheme.
12. The Administrator will take all reasonable steps to determine who the owners of the Non-Pawned Goods are.
13. If the Administrator can identify the owner of any Non-Pawned Good, and can obtain the contact details of such an owner, that owner will be treated in the same manner as if they were the owner of Found Pawned Goods under this scheme.

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14. The Administrator may apply to the Court for direction in relation to any Non-Pawned Goods that are not collected.

Notice to Group Members

15. On or around 21 November 2025, the Administrator will send a text message (and where applicable, email) to each Group Member, containing:
 - a. If they own Found Pawned Goods, the text in Appendix A.
 - b. If they own Missing Pawned Goods, the text in Appendix B.
 - c. If they own both Found Pawned Goods and Missing Pawned Goods, the text in Appendix C.

Group Members to collect Pawned Goods from storage facility

16. From 28 November 2025, the Administrator will facilitate the return of Found Pawned Goods to Group Members.
17. On or around 19 December 2025, if a text message was sent in accordance with cl 15a or 15c, the Administrator will send a further identical text message (and where applicable, email) that includes the prefix “[FINAL REMINDER]”.
18. Group Members will be asked to produce identification documents that matches the name on the pawn contract to collect their Pawned Goods. If a Group Member is unable to provide documents that are consistent with what the Administrator obtained from the Respondent pursuant to the Court’s orders dated 19 September 2025, the Administrator may require the Group Member to provide further identification or a statutory declaration in any form it reasonably determines.
19. Group Members wishing to collect their Pawned Goods must do so by 23 January 2026, or enter into an agreement with the Administrator on such terms as the Administrator may reasonably impose to collect those goods at another time. In default of agreement, the goods will be dealt with pursuant to Part 5.



PART 5 - PROCESS FOR SALE / DISPOSAL OF THE UNCOLLECTED PAWNED GOODS

20. By 6 February 2026, the Administrator will file with the Court a table (**Uncollected Goods Table**), listing the Pawned Goods which have not been collected pursuant to cl 16, 18 or 19, and which will take the following format:

Uncollected Pawned Good	Estimated Value	Source of Estimated Value
Breville 2-slice toaster	\$43	https://www.ebay.com.au/p/27028320609?iid=365504060337
...	...	...

21. The Administrator will use its best endeavours to estimate the value of the Uncollected Pawned Goods, including but not limited to:
- If it is gold jewellery, by estimating the value according to the formula:
$$\text{Value (in \$AUD)} = [\text{Current price of gold (in \$AUD per gram)}] \times [\text{Purity (in Karats as a fraction of 24)}] \times \text{Weight (in grams)}];$$
 - If it is not gold jewellery, by finding an advertisement of a comparable item on an online Auction / sale website (Facebook market place, Ebay or Gumtree) and recording the value stated in the advertisement (rounded to the nearest dollar);
22. If the Estimated Value of an Uncollected Pawned Good is less than \$100, it may be disposed of or advertised for sale, at the Administrator's discretion.
23. If the Estimated Value of an Uncollected Pawned Good is greater than \$100 it will be advertised for sale with Facebook Market Place, Ebay, Gumtree or other auction service for its Estimated Value for a period of 4 weeks from 13 February 2026 to 13 March 2026.
24. Alternatively to cl 22 – 23 above, the Administrator may choose to sell any Uncollected Pawned Goods by way of a bulk sale.
25. If a Pawned Good is advertised in accordance with any of cl 22 – 23 above, and does not sell by 13 March 2026, then it will be disposed of in any matter the Administrator thinks fit.



26. The total amount of money collected by the Administrator from the sales referred to in this Part (**Sale Funds**) will be held on trust until further order of the Court.

PART 6 - DISPUTES ARISING FROM THIS SCHEME

27. Should a dispute arise from the Administration of the terms of this Scheme, an affected Group Member may submit a written complaint to the Administrator no later than 13 March 2026.
28. A Group Member who has submitted a written complaint may request from the Administrator:
- a. A written explanation for the sale / disposal of any Uncollected Pawned Goods previously owned by them;
 - b. A breakdown of any payment that they have received in accordance with this Scheme;
 - c. A written explanation of the reasons for their eligibility / ineligibility to receive payments under this Scheme.
29. If, after the provision of information above, the Group Member still maintains their dispute, then they may refer this matter for mediation with the Dispute Settlement Centre of Victoria.

PART 7 - FINALISING ADMINISTRATION UNDER THIS SCHEME

30. By no later than 27 March 2026, the Administrator will file with the Court a report (**Final Administration Report**) showing:
- a. The amount received from each sale conducted under Part 5.
 - b. The date on which each sale was made; and
 - c. The total amount received from all sales conducted under Part 5.
 - d. The amount of expenses incurred by the Administrator in administering the scheme.
31. Unless the Court orders otherwise, the Administrator will cease to be the Administrator upon the provision of the Final Administration Report to the Court.



APPENDIX A [NOTIFICATION IF GOODS FOUND]

Dear [Group Member],

The Federal Court of Australia has ordered us to send this message to you.

You have been identified as a Group Member in the class action against the pawnbroker store, Taylors Business Pty Ltd.

On 31 December 2024 Taylors vacated its shop, and on [DATE] the Court declared that Taylors abandoned the pawned goods that were the subject of the class action.

Amongst the goods left behind, the following items have been found that belong to you:

- [Item 1]*
- [Item 2]*
- [Item 3]*

The Court has ordered a Scheme for the return of the goods to their owners. Please attend at [Address of storage facility] on [DATE] at [TIME] with proof of ID to collect the above pawned items at no cost to you.

If you are unable to collect your pawned items at this time, please email classaction@consumeraction.org.au and we will arrange another time for you to collect them.

All pawned goods must be collected by [DATE]. Any items not collected by [DATE] will be either disposed of or sold for the benefit of other Group Members in accordance with the Scheme. To find out more about the Scheme, or how to check that this message is legit, see [CALC website].

*Consumer Action Law Centre
[website or phone number]*



APPENDIX B [NOTIFICATION IF GOODS UNFOUND]

Dear [Group Member],

The Federal Court of Australia has ordered us to send this message to you.

You have been identified as a Group Member in the class action against the pawnbroker, Taylors Business Pty Ltd.

On 31 December 2024 Taylors vacated its shop, and on [DATE] the Court declared that Taylors abandoned the pawned goods that were the subject of the class action.

Unfortunately, these pawned goods of yours have not been found amongst the goods left behind:

- [Item 1]*
- [Item 2]*
- [Item 3]*

Taylors does not have any money to pay to people who have lost their pawned goods.

If any goods left behind are not collected, they will be either sold or disposed of in accordance with the Scheme, details of which are available at [CALC website]. All amounts recovered from sale will be held on trust until a final outcome is reached in the proceeding.

We understand that this may be very disappointing news. If you are having difficulty dealing with this, we encourage you to call the support services below:

- Life line 13 11 14*
- Beyond Blue 1300 224 636*

For more details about the Scheme that the Court has ordered in relation to the pawned goods, or how to check that this message is legit, see [CALC website].

*Consumer Action Law Centre
[website or phone number]*



APPENDIX C [NOTIFICATION IF SOME GOODS FOUND, OTHERS NOT]

Dear [Group Member],

The Federal Court of Australia has ordered us to send this message to you.

You have been identified as a Group Member in the class action against the pawnbroker, Taylors Business Pty Ltd.

On 31 December 2024 Taylors vacated its shop, and on [DATE] the Court declared that Taylors abandoned the pawned goods that were the subject of the class action.

Amongst the goods left behind, the following items have been found that belong to you:

- [Item 1]*
- [Item 2]*
- [Item 3]*

The Court has ordered a Scheme for the return of the goods to their owners. Please attend at [Address of storage facility] on [DATE] at [TIME] to collect the above pawned items.

If you are unable to collect your pawned items at this time, please email and we will arrange another time for you to collect them.

All pawned goods must be collected by [DATE]. Any items not collected by [DATE] will be either disposed of or sold in accordance with the Scheme, details of which are available at [CALC website]. All amounts recovered from sale will be held on trust until a final outcome is reached in the proceeding.

The following items that belong to you, were not found amongst the goods left behind:

- [Item 1]*
- [Item 2]*
- [Item 3]*

We understand that this may be very disappointing news. If you are having difficulty dealing with this, we encourage you to call the support services below:

- Life line 13 11 14*
- Beyond Blue 1300 224 636*

For more details about the Scheme that the Court has ordered in relation to the pawned goods, or how to check that this message is legit, see [CALC website].

*Consumer Action Law Centre
[website or phone number]*