

## Exhibit Certificate

Federal Court of Australia

No NSD642 of 2021

District Registry: New South Wales

Division: Commercial and Corporations

**Societe Generale (ABN 71 092 516 286)**

Applicant

**Forum Finance Pty Limited (ACN 153 301 172) (In Liquidation) and others**

Respondents

This is the exhibit marked "**ITB-26**" referred to in the affidavit of Ian Timothy Bolster sworn before me on 9 August 2022.

Signature of witness



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Name of witness

Julian Zoller

Address of witness

Level 11, Martin Place, Sydney NSW 2000

Capacity of witness

Solicitor



Federal Court of Australia  
District Registry: New South Wales  
Division: General

NSD616/2021

**WESTPAC BANKING CORPORATION ABN 33 007 457 141**  
Applicant

**FORUM FINANCE PTY LIMITED** and others named in schedule 1  
Respondents

NSD642/2021

**SOCIETE GENERALE (ABN 71 092 516 286)**  
Applicant

**FORUM FINANCE PTY LIMITED (ACN 152 301 172)** and others named in schedule 2  
Respondents

NSD681/2021

**SMBC LEASING AND FINANCE, INC. ARBN 602 309 366**  
Applicant

**FORUM ENVIRO (AUST) PTY LTD (VOLUNTARY ADMINISTRATORS APPOINTED) ACN 607 484 364** and another named in schedule 3  
Respondents

### **ORDER**

**JUDGE:** JUSTICE LEE

**DATE OF ORDER:** 30 July 2021

**WHERE MADE:** Sydney



**THE COURT ORDERS THAT:**

**All proceedings**

*Timetable*

1. Westpac Banking Corporation (**Westpac**) in proceeding NSD616/2021 (**Westpac Proceeding**) have leave to file and serve a second further amended originating application and amended statement of claim by 5pm 6 August 2021 and to the extent necessary any application for leave to proceed as a consequence, to the extent no issue to the contrary is raised by the parties, will be dealt with in Chambers.
2. SMBC Leasing and Finance, Inc. Sydney Branch ARBN 602 309 366 (**SMBC**) in proceeding NSD681/2021 (**SMBC Proceeding**) has leave to file and serve an amended originating application and statement of claim by 5pm on 6 August 2021 and to the extent necessary any application for leave to proceed as a consequence, to the extent no issue to the contrary is raised by the parties, will be dealt with in Chambers.
3. Subject to any application, Basile Papadimitriou and Vincenzo Frank Tesoriero in the Westpac Proceeding, Basile Papadimitriou in the SMBC Proceeding and Basile Papadimitriou in proceeding NSD642/2021 (**Societe Generale Proceeding**), be relieved from the requirements in the *Federal Court Rules 2011* (Cth) (**FCR**) in relation to the filing of a defence, and those parties are to file and serve any defences to the statements of claim filed in each proceeding by 5pm 3 September 2021.
4. Any respondent company in provisional liquidation or liquidation be excused from the requirement to file a defence in the proceedings.
5. The applicants in each of the proceedings are to file any reply to the defences by 5pm 1 October 2021.
6. The applicants in each of the proceedings are to file and serve their evidence in chief by 5pm 15 October 2021.
7. The proceedings be listed for case management at 9.30am on 20 October 2021.



Related proceedings

8. Any material served by a party in relation to any of the Westpac Proceedings, SMBC Proceedings or the Societe Generale Proceedings (**Related Proceedings**) is also to be served by that party on each of the parties to the Related Proceedings.
9. Any documents produced to the Court in any of the Related Proceedings in compliance with any compulsive process of the Court are to be accessible to each of the parties to the Related Proceedings as if the documents had been produced in the Related Proceeding.

**Westpac Proceeding**

Provisional Liquidator application

10. The reasonable costs of Domenico Alessandro Calabretta, Grahame Robert Ward and Thyge Trafford-Jones in the capacity as former joint and several voluntary administrators (**Former Administrators**) in respect of the interlocutory application filed 12 July 2021 in relation to:
  - (a) Forum Group Financial Services Pty Ltd ACN 623 033 705 as the fourth respondent;
  - (b) Forum Group Pty Ltd ACN 153 336 997 as the fifth respondent;
  - (c) Forum Enviro Pty Ltd ACN 168 709 840 as the sixth respondent; and
  - (d) Forum Enviro (Aust) Pty Ltd ACN 607 484 364 as the seventh respondent,(**Provisional Liquidation Application**), are costs in the administrations of each of the fourth to seventh respondents respectively.
11. If the Former Administrators costs referred to in order 10 are not agreed within seven days after they are proposed by the Former Administrators, the Former Administrators may file an affidavit as to their costs, with such application as to cost to be determined by his Honour Justice Lee or to be referred to a Registrar for determination of a lump sum cost order.
12. The Provisional Liquidation Application otherwise be dismissed.




### SMBC Proceeding

13. The reasonable costs of Domenico Alessandro Calabretta, Grahame Robert Ward and Thyge Trafford-Jones in the capacity as former joint and several voluntary administrators (the **Former Administrators**) in respect of the interlocutory application filed 14 July 2021 in relation to Forum Enviro (Aust) Pty Ltd ACN 607 484 364 as the first respondent are costs in the administration of the first respondent.
14. If the Former Administrators costs referred to in order 13 are not agreed within seven days after they are proposed by the Former Administrators, the Former Administrators may file an affidavit as to their costs, with such application as to cost to be determined by his Honour Justice Lee or to be referred to a Registrar for determination of a lump sum cost order.

### Societe Generale Proceeding

15. Societe Generale be granted leave pursuant to section 471B of the *Corporations Act 2001* (Cth) to:
  - (a) proceed against the first respondent in this proceeding;
  - (b) begin and proceed against Forum Group Financial Services Pty Ltd (In Provisional Liquidation) in this proceeding; and
  - (c) file an amended originating application in a form served by the applicant on the respondents on 26 July 2021.
16. Pursuant to FCR 9.05, Forum Group Financial Services Pty Ltd (In Provisional Liquidation) be joined as the third respondent.
17. Societe Generale be granted leave to file an amended originating application in the form served by the applicant on the respondents on 26 July 2021.
18. Societe Generale is to file and serve its statement of claim by 2 August 2021.

Date that entry is stamped: 2 August 2021

  
Registrar



## Schedule 1

No: NSD616/2021

Federal Court of Australia

District Registry: New South Wales

Division: General

Second Respondent	BASILE PAPADIMITRIOU
Third Respondent	VINCENZO FRANK TESORIERO
Fourth Respondent	FORUM GROUP FINANCIAL SERVICES PTY LTD (ADMINISTRATORS APPOINTED) ACN 623 033 705
Fifth Respondent	FORUM GROUP PTY LTD (RECEIVERS APPOINTED)(ADMINISTRATORS APPOINTED) ACN 153 336 997
Sixth Respondent	FORUM ENVIRO PTY LTD (ADMINISTRATORS APPOINTED) ACN 168 709 840
Seventh Respondent	FORUM ENVIRO (AUST) PTY LTD (ADMINISTRATORS APPOINTED) ACN 607 484 364



**Schedule 2**

No: NSD642/2021

Federal Court of Australia

District Registry: New South Wales

Division: General

Second Respondent      BASILE PAPADIMITRIOU (ALSO KNOWN AS BILL PAPAS)

Third Respondent      FORUM GROUP FINANCIAL SERVICES PTY LTD (IN  
PROVISIONAL LIQUIDATION)



**Schedule 3**

No: NSD681/2021

Federal Court of Australia

District Registry: New South Wales

Division: General

Respondent                      BASILE PAPADIMITRIOU