

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 15/12/2020 10:31:55 AM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
File Number: NSD1220/2020
File Title: AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION v
MELISSA LOUISE CADDICK & ANOR
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF
AUSTRALIA



Sia Lagos

Dated: 15/12/2020 10:31:59 AM AEDT

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 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.



Form 59
Rule 29.02(1)

Affidavit

No. NSD1220 of 2020

Federal Court of Australia
District Registry: NSW
Division: General

AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION

Plaintiff

MELISSA LOUISE CADDICK and another named in the schedule

First Defendant

Affidavit of: **Scott Harris**
Address: Level 17, 20 Martin Place, Sydney NSW 2000
Occupation: Solicitor
Date: 15 December 2020

I Scott Harris of Level 17, 20 Martin Place, Sydney NSW 2000, Solicitor, on oath:


1. I am a partner of Hogan Lovells, the solicitors for Mr Adam Grimley ("**Representative**") who is the attorney of the First Defendant acting under an enduring power of attorney granted by the First Defendant on 15 September 2016 ("**EPOA**"), and I have the care and conduct of this proceeding on behalf of the Representative.
2. I make this affidavit in relation to the application by the First Defendant, acting by her Representative, for orders to vary the orders made by the Honourable Justice Jagot on 10 November 2020 by which, inter alia, the First Defendant's assets became the subject of asset preservation orders made under sections 1323(1) and (3) of the *Corporations Act (Cth) 2001*.
3. I make this affidavit from my own knowledge except where otherwise stated.

Filed on behalf of	Melissa Louise Caddick, First Defendant		
Prepared by	Scott Harris		
Law firm	Hogan Lovells		
Tel	+61 2 9093 3500	Fax	+61 2 9221 9541
Email	Scott.harris@hoganlovells.com		
Address for service	scott.harris@hoganlovells.com and Level 17, 20 Martin Place, Sydney NSW 2000		

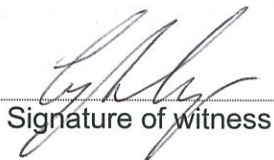
4. I refer to the affidavit sworn by the Representative on 8 December 2020 ("**Representative's Affidavit**") and, in particular, paragraphs 21 to 26 of the Representative's Affidavit which refers to the legal costs incurred by the Representative on behalf of the First Defendant.
5. The estimate of the legal fees at paragraph 25(b) of the Representative's Affidavit is an estimate I provided the Representative for the period in which my firm has been retained and is based on my review of the current work in progress up to 8 December 2020 and my estimate of the work that was to be undertaken in the period from 9 December to 15 December 2020. I have reviewed the current work in progress amount as of 14 December 2020 and note that it exceeds the amount of legal costs which is estimated at paragraph 25(b) of the Representative's Affidavit.
6. The estimated amount of the legal costs referred to in paragraph 25(b) of the Representative's Affidavit, and I am informed by Mr Grimley in relation to the estimate at paragraph 25(a) of the Representative's Affidavit, does not include the costs that have been incurred, or may be incurred, in relation to the work referred to in the Representative's Affidavit at:
 - (a) paragraph 24(g) (advising in relation to the EPOA); and
 - (b) paragraph 24(h) (preparing and filing the QCAT application).

Sworn by the deponent
at Sydney
in NSW
on 15 December 2020
Before me:

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Signature of deponent



Signature of witness

Evy Wiggins, Solicitor

Schedule

No. NSD1220 of 2020

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

Second Defendant MALIVER PTY LTD