

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 28/06/2022 9:09:29 PM AEST 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: NSD616/2021
File Title: WESTPAC BANKING CORPORATION ABN 33 007 457 141 & ANOR v
FORUM FINANCE PTY LIMITED (IN LIQUIDATION) ACN 153 301 172
& ORS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF
AUSTRALIA



Sia Lagos

Dated: 28/06/2022 9:19:10 PM AEST

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. NSD616/2021

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

Westpac Banking Corporation ABN 33 007 457 141 and another named in the Schedule

Applicants

Forum Finance Pty Limited ACN 153 301 172 others named in the Schedule

Respondents

Affidavit of: Caitlin Maria Murray
Address: Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000
Occupation: Solicitor
Date: 28 June 2022

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I, Caitlin Maria Murray of Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000, Solicitor, say on oath:

- I am a partner of the firm of solicitors, MinterEllison and the solicitor for the first applicant, Westpac Banking Corporation (**WBC**) and the second applicant Westpac New Zealand Limited (**WNZL**) (together, **Westpac**).

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, applicants		
Prepared by (name of person/lawyer)	Caitlin Murray		
Law firm (if applicable)	MinterEllison		
Tel	(02) 9921 8888	Fax	02 9921 8123
Email	caitlin.murray@minterellison.com		
Address for service (include state and postcode)	Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000 Our reference: CMM:AGS:1353397		

Version 3 form approved 02/05/2019

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2. Exhibited to me at the time of swearing this affidavit is a paginated bundle of documents marked 'Exhibit CMM-25' (**CMM-25**). Throughout this affidavit I make reference to documents which appear at CMM-25.
3. References to time in this affidavit are to Australian Eastern Standard Time.

Request regarding exception for legal fees

4. As set out in the affidavit of the Third Respondent, Mr Vincenzo Frank Tesoriero (**Mr Tesoriero**) sworn 17 June 2022, a freezing order was made against Mr Tesoriero on 2 July 2021 (as varied on 9 July 2021, 27 August 2021 and 12 November 2021) (**Freezing Order**). The terms of the Freezing Order currently provide an exception for the payment of legal fees in the amount of \$450,000.00 up until 10 March 2022.
5. On 30 May 2022 (at approximately 10:38am), I received an email from Madgwicks Lawyers (**Madgwicks**), the solicitors on the record for Mr Tesoriero, in which Madgwicks:
 - (a) outlined (among other things) that Mr Tesoriero's anticipated future legal expenses totalled \$1,320,000.00;
 - (b) asked whether Westpac would agree to:
 - (i) the immediate release of \$270,000.00 from the controlled monies account with account number 033003 667565 (**CMA**) (which holds the proceeds of the sale of the property at 23 Margaret Street, Rozelle) for the purpose of those funds being applied to Mr Tesoriero's legal expenses;
 - (ii) an increase from \$450,000.00 to \$1,860,000.00 to the exception to the Freezing Order which accommodates Mr Tesoriero's reasonable legal expenses; and
 - (iii) a further release from the CMA to cover the shortfall in Mr Tesoriero's actual legal costs once the cap in the Freezing Order had been increased;
 - (c) asked for a response by no later than 4:00pm the following day (31 May 2022),
(the **30 May Email**).
6. A copy of the 30 May Email and its attachment is at pages 1 to 9 of CMM-25.
7. On 30 May 2022 (at approximately 4:43pm), I was copied to an email sent by Michael Hughes (a partner of MinterEllison) in response to the 30 May Email. A copy of this email is at pages 10 to 17 of CMM-25.
8. On 2 June 2022 (at approximately 12:04pm), I caused Kate Cockburn (a solicitor of MinterEllison) to send a letter to Madgwicks which contained a substantive response to the 30 May Email (**2 June Letter**). By the 2 June Letter:
 - (a) Westpac accepted that a variation to the Freezing Order would be required;



- (b) Westpac consented to the request made in the 30 May Email for the release of \$270,000.00 from the CMA for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, on the condition that consent was also obtained from SMBC Leasing and Finance, Inc. ARBN 602 309 366 (**SMBC**), the Applicant in Federal Court of Australia Proceedings No. NSD681/2021; and
- (c) Westpac indicated that it would respond to the balance of the requests made in the 30 May Email, including the revised amount for legal expenses, once financial information from Mr Tesoriero as to his assets and sources of funds (the **Requested Information**) had been received.
9. A copy of the 2 June Letter (together with the cover email) is at pages 18 to 22 of CMM-25.
10. On 14 June 2022 (at approximately 3:04pm), I received an email from Madgwicks (**Madgwicks' 14 June Email**). Attached to Madgwicks' 14 June Email was a draft letter prepared by Madgwicks, that letter being addressed to Westpac and directing Westpac to withdraw \$270,000.00 from the CMA and disburse those funds into Madgwicks' trust account number 256 563 BSB 033 003 (**Release Letter**). Madgwicks' 14 June Email asked MinterEllison to sign the Release Letter and express post the Release Letter to Madgwicks. Madgwicks' 14 June Email did not contain the Requested Information.
11. A copy of Madgwicks' 14 June Email (together with the Release Letter) is at pages 23 to 24 of CMM-25.
12. On 14 June 2022 (at approximately 3:24pm), I sent an email (**MinterEllison's 14 June Email**) to Madgwicks in response to Madgwicks' 14 June Email to the effect that:
- (a) Westpac had consented to the release of \$270,000.00 from the CMA for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, on the condition that consent is obtained by SMBC; and
- (b) MinterEllison was yet to receive from Madgwicks the Requested Information.
13. A copy of MinterEllison's 14 June Email is at pages 25 to 26 of CMM-25.
14. On 16 June 2022 (at approximately 12:04pm), I received an email from Madgwicks to the effect that Madgwicks had been instructed by Mr Tesoriero to make an urgent application to the Court regarding variations to the Freezing Order to allow for payment by Mr Tesoriero of his legal expenses. A copy of this email is at pages 27 to 31 of CMM-25. I did not receive any response to the 2 June Letter prior to this email.
15. On 16 June 2022 (at approximately 12:15pm), I was copied to an email sent from Madgwicks to his Honour Justice Lee's Associate, seeking the matter be listed for the hearing of an application to vary the Freezing Orders made against Mr Tesoriero. A copy of this email is at pages 32 to 35 of CMM-25.



16. On 16 June 2022 (at approximately 2:47pm), I caused Simon Brandis (a solicitor of MinterEllison) to send a letter (the **16 June Letter**) to Madgwicks to the effect that:
 - (a) as was communicated in both the 2 June Letter and MinterEllison's 14 June Email, Westpac had consented the request made in the 30 May Email for the release of \$270,000.00 from the CMA for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, on the condition that consent was obtained by SMBC; and
 - (b) MinterEllison was still yet to receive from Madgwicks the Requested Information (as requested in both the 2 June Letter and MinterEllison's 14 June Email).
17. A copy of the 16 June Letter and the cover email from this letter is at pages 36 to 39 of CMM-25.
18. On 17 June 2022 (at approximately 5:03pm), I received an email from Madgwicks attaching an interlocutory application seeking amendments to the Freezing Order (**Application**) and an affidavit of Mr Tesoriero sworn in support of the Application. A copy of that email (without its attachments) is at pages 40 to 45 of CMM-25.
19. On 22 June 2022 (at approximately 9:54am), I was copied to an email sent from Jones Day (solicitors on the record for SMBC) to Madgwicks to the effect that SMBC consented to the release of \$270,000.00 from the CMA for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses (**Jones Day Email**). A copy of the Jones Day email (without its attachment) is at pages 46 to 47 of CMM-25.
20. On 22 June 2022 (at approximately 10:15am), I received an email from Madgwicks in response to MinterEllison's 14 June Email, attaching the Jones Day Email and the Release Letter and requesting that I urgently arrange the execution and the return of the Release Letter to Madgwicks. A copy of that email (without its attachments) is at pages 48 to 50 of CMM-25.
21. On 24 June 2022 (at approximately 12:21pm), I received a further email from Madgwicks attaching the Release Letter. A copy of that email (without its attachments) is at pages 51 to 54 of CMM-25.
22. On 24 June 2022 (at approximately 12:55pm), I sent an email to Madgwicks in response to their email of 22 June 2022. A copy of this email is at pages 55 to 58 of CMM-25.
23. On 24 June 2022 (at approximately 2:30pm), I caused Michael Swain (a solicitor of MinterEllison) to send an email to Madgwicks attaching a copy of the signed Release Letter. A copy of this email and the signed Release Letter attached to it is at pages 59 to 63 of CMM-25.
24. I am informed by Michael Swain that he sent the signed Release Letter to Madgwicks via express post on 24 June 2022.
25. On 24 June 2022 (at approximately 10:21pm), I caused Alana Galasso (a solicitor of MinterEllison) to send an email to Madgwicks that attached a letter to Madgwicks in relation to the Application. A copy of the email (together with its attachments) is at pages 64 to 101 of CMM-25.



Galasso
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26. I refer to paragraphs [40]-[45] of Mr Tesoriero's affidavit dated 17 June 2020. On 27 June 2022 at approximately 5:12pm, I was copied to an email from Madgwicks to Mr Kang of Dentons, a copy of which is at pages 102 to 105 of CMM-25.
27. At the time of swearing this affidavit, I have not received from Madgwicks the Requested Information or any response to the 2 June Letter, the 16 June Letter, or the 24 June Letter.

Proprietary claims

28. As set out in the Second Further Amended Statement of Claim, WBC and WNZL assert that the Respondents hold on trust funds, or the traceable proceeds of those funds, that each of the Respondents received from the payments made pursuant to the Fraudulent Transactions.
29. I am informed by Mr Geoffrey Anderson, an employee of WBC, and verily believe that the funds paid by WBC to Forum Finance from Transactions 1 to 100 were paid into a National Australia Bank Limited (**NAB**) bank account with account details BSB 082-080, account number 848483695 (**FF Account**).
30. I am informed by Mr Robert Padden, an employee of WNZL, and verily believe that WNZL paid to IUGIS (NZ) Limited (**IUGIS NZ**) approximately NZD 58 million for receivables for equipment financing pursuant to similar contractual arrangements to the Forum / Eqwe Programme. I am informed by Mr Padden and verily believe that the amounts paid by WZNL to IUGIS NZ for Transactions NZ1 to NZ36 were paid into an ANZ account in New Zealand in the name "Orca Enviro Solutions NZ Limited" with account number 01 0277-0773014-00 (IUGIS Account).
31. On 10 June 2022, Jason Preston, Liquidator of a number of respondents in this proceeding, filed and served an affidavit (**Preston Affidavit**) that annexed a revised tracing model (Exhibit JP-15) analysing the financier payments received by the Forum Group and the use and allocation of those funds (**Revised Tracing Model**). Also annexed to the Preston Affidavit was an alternative tracing model (Exhibit JP-17) (**Alternative Tracing Model**). The Alternative Tracing Model, as explained at [45]-[46] of the Preston Affidavit, is an analysis of the debits from the relevant accounts where financier funds are expended first, before other funds, when a payment was made to, or on behalf of, a Respondent.
32. The Preston Affidavit and the exhibits to that affidavit analyse, among other financier transactions, the funds received and used by Forum Group Financial Services Pty Ltd (in Liquidation) (**FGFS**) that were received from the Fraudulent Transactions. I have reviewed JP-17 (the Alternative Tracing Model) and have caused to be extracted from JP-17:
- (a) the worksheet titled 'Transactions to Trace' which contains a list of payments received into the FF Account, including those payments by Westpac, a copy of which is at pages 106 to 108 of CMM-25. The total amount of funds from WBC that have been traced was in the amount \$341,097,896, as set out in the tables at paragraphs [55] and [56] of the Preston Affidavit; and



- (b) the worksheet titled "ORCA Transactions" showing payments IUGIS NZ made to FGFS, in the total amount of \$54,889,185, a copy of which is at page 109 of CMM-25.
33. At paragraph [50] of the Preston Affidavit, Mr Preston summarises that the Alternative Tracing Model shows credits paid to an account in the name of FGFS that can be traced back to the payments from Westpac as follows:
- (a) credits from WBC funding (referred to as Westpac Funding): \$297,427,676; and
- (b) credits from WNZL funding (referred to as Westpac NZ Funding): \$54,889,185.
34. Also annexed to the Preston Affidavit was a summary of the financier funding or "other" funding that was paid to, or was used to make a payment on behalf of, each Respondent from the Forum group of companies according to the Alternative Tracing Model (Respondent Summary – Alternative Tracing Model being Exhibit JP-18).
35. I have reviewed Exhibit JP-18. At the commencement of the Excel workbook is a summary worksheet that sets out the total funds traced as being paid to, or for the benefit of each Respondent and the source (either financier or other) for those funds. The workbooks also contain a summary page for each of the Respondents that refers to the payments to, or for the benefit of, the relevant Respondent as identified in the Alternative Tracing Model.
36. I have caused to be extracted from Exhibit JP-18:
- (a) the Respondent summary page, a copy of which is at page 110 of CMM-25;
- (b) the summary page for Glen Huntly, a copy of which is at page 111 of CMM-25;
- (c) the summary page for Margaret, a copy of which is at page 112 of CMM-25; and
- (d) the summary page for Natalia, a copy of which is at page 113 of CMM-25.
37. The Respondent Summary page in Exhibit JP-18 sets out the funds traced to, or for the benefit of, Glen Huntly, Margaret and Natalia as being in the following amounts:

#	Entity	Transaction Number	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds	Total
1	1160 Glen Huntly Road Pty Ltd ACN 639 447 984	26	705,740	236,692	31,359	12,849	(0)	986,640
7	23 Margaret Street Pty Ltd ACN 623 715 373	57	530,221	108,212	187,349	20,006	32,567	878,355
17	8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626	45	2,014,780	256,643	529,208	26,919	35,121	2,862,671

Glen Huntly property

38. Shown to me at the time of swearing this affidavit are the following documents:
- (a) an email chain (without its attachment) dated 14 November 2019 between Mr Tesoriero and Rodney King (Crabtrees Real Estate) regarding the purchase of the property at 1160 Glen Huntly Road Glen Huntly VIC 3163 (bearing document ID FOG.1000.0003.1466); and

(b) an email dated 15 November 2019 from Brandon Chin to Rodney King attaching a NAB Domestic Payment Report dated 15 November 2019 showing payment of \$152,000.00 from "FORUM GRP FS" to "Crabtrees Real Estate Trust Account" (bearing document IDs FOG.1000.0003.1953 and FOG.1000.0003.1954 respectively)

39. Copies of the documents to which I refer at paragraph 38 above are at pages 114 to 117 of CMM-25.

Sworn by the deponent
at Sydney
in New South Wales
on 28 June 2022

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)
)
)
)

Signature of deponent

Before me:

Signature of witness
Alana Stephanie Giuseppina Galasso
Solicitor
Level 40, Governor Macquarie Tower, 1 Farrer
Place NSW 2000.

As a witness, I certify the following matters concerning the person who made this affidavit (**deponent**):

1. This affidavit is witnessed over audio visual link in accordance with Part 2B of the *Electronic Transactions Act 2000* (NSW).
2. I saw the face of the deponent.
3. I observed the deponent signing a copy of this affidavit in real time.
4. I attest or otherwise confirm witnessing the deponent's signature by signing this affidavit.
5. I am reasonably satisfied this affidavit signed by me is a copy of the affidavit signed by the deponent.
6. I have known the deponent for over twelve months.

Schedule of Parties

No. NSD616/2021

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

Applicants

First Applicant	Westpac Banking Corporation ABN 33 007 457 141
Second Applicant	Westpac New Zealand Limited (company registration number company number 1763882)

Respondents

First Respondent	Forum Finance Pty Limited (in liquidation) ACN 153 301 172
Second Respondent:	Basile Papadimitriou
Third Respondent	Vincenzo Frank Tesoriero
Fourth Respondent:	Forum Group Financial Services Pty Ltd (in liquidation) ACN 623 033 705
Fifth Respondent:	Forum Group Pty Ltd (Receivers Appointed) (in liquidation) ACN 153 336 997
Sixth Respondent:	Forum Enviro Pty Ltd (in liquidation) ACN 168 709 840
Seventh Respondent:	Forum Enviro (Aust) Pty Ltd (in liquidation) ACN 607 484 364
Eighth Respondent	64-66 Berkeley St Hawthorn Pty Ltd ACN 643 838 662
Ninth Respondent	14 James Street Pty Ltd (in liquidation) ACN 638 449 206
Tenth Respondent	26 Edmonstone Road Pty Ltd (in liquidation) ACN 622 944 129
Eleventh Respondent	5 Bulkara Street Pty Ltd (in liquidation) ACN 630 982 160
Twelfth Respondent	6 Bulkara Street Pty Ltd (in liquidation) ACN 639 734 473
Thirteenth Respondent	23 Margaret Street Pty Ltd ACN 623 715 373
Fourteenth Respondent	1160 Glen Huntly Road Pty Ltd ACN 639 447 984
Fifteenth Respondent	14 Kirwin Road Morwell Pty Ltd ACN 641 402 093
Sixteenth Respondent	Canner Investments Pty Ltd ACN 624 176 049
Seventeenth Respondent	123 High Street Taradale Pty Ltd ACN 639 872 512
Eighteenth Respondent	160 Murray Valley Hwy Lake Boga Pty Ltd ACN 641 392 921
Nineteenth Respondent	31 Ellerman Street Dimboola Pty Ltd ACN 641 392 887
Twentieth Respondent	4 Cowslip Street Violet Town Pty Ltd ACN 639 872 352
Twenty-First Respondent	55 Nolan Street Maryborough Pty Ltd ACN 641 392 912
Twenty-Second Respondent	89 Betka Road Mallacoota Pty Ltd ACN 641 393 179
Twenty-Third Respondent	9 Gregory Street Ouyen Pty Ltd ACN 641 392 707

Twenty-Fourth Respondent	9 Main Street Derrinallum Pty Ltd ACN 639 872 736
Twenty-Fifth Respondent	286 Carlisle Street Pty Limited ACN 610 042 343
Twenty-Sixth Respondent	275 High Street Golden Square Pty Ltd ACN 639 870 545
Twenty-Seventh Respondent	Mazcon Investments Hellas IKE
Twenty-Eighth Respondent	Palante Pty Ltd (in liquidation) ACN 135 344 151
Twenty-Ninth Respondent	Anastasios Giamouridis
Thirtieth Respondent	The Forum Group of Companies Pty Ltd (in liquidation) ACN 151 964 626
Thirty-First Respondent	Iugis Pty Ltd (in liquidation) ACN 632 882 243
Thirty-Second Respondent	Iugis (UK) Limited
Thirty-Third Respondent	Iugis Holdings Limited
Thirty-Fourth Respondent	Iugis Global Financial Services Limited
Thirty-Fifth Respondent	Iugis Finance Limited
Thirty-Sixth Respondent	Spartan Consulting Group Pty Ltd (in liquidation) ACN 168 989 544
Thirty-Seventh Respondent	Intrashield Pty Ltd (in liquidation) ACN 133 426 534
Thirty-Eighth Respondent	Tesoriero Investment Group Pty Ltd ACN 161 088 115
Thirty-Ninth Respondent	Mangusta (Vic) Pty Ltd ACN 631 520 682
Fortieth Respondent	193 Carlisle Street Enterprises Pty Ltd ACN 612 615 237
Forty-First Respondent	8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626
Forty-Second Respondent	Iugis Hellas IKE
Forty-Third Respondent	Iugis Energy SA
Forty-Fourth Respondent	Eric Constantinidis
Forty-Fifth Respondent	Giovanni (John) Tesoriero
Forty-Sixth Respondent	Moussa (Tony) Bouchahine
Forty-Seventh Respondent	Louisa Maria Agostino
Forty-Eighth Respondent	D&D Group O.E
Forty-Ninth Respondent	Aromatika Fyta Tsai Olympou Theion Ike

Exhibit certificate

No. NSD 616 of 2021

Federal Court of Australia

District Registry: Sydney

Division: General

Westpac Banking Corporation ABN 33 007 457 141 and another named in the Schedule

Applicants

Forum Finance Pty Limited ACN 153 301 172 and others named in the Schedule

Respondents

This is the exhibit marked '**CMM-25**' now produced and shown to Caitlin Maria Murray at the time of swearing her affidavit on 28 June 2022 before me



Alana Stephanie Giuseppina Galasso
Solicitor

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
Prepared by (name of person/lawyer)	Caitlin Murray		
Law firm (if applicable)	MinterEllison		
Tel	(02) 9921 4279	Fax	(02) 9921 8123
Email	caitlin.murray@minterellison.com		
Address for service (include state and postcode)	Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000		
	Our reference: 1353397		

Simon Brandis

From: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>
Sent: Monday 30 May 2022 10:38 AM
To: Caitlin Murray; Melissa Passarelli; Andrew Clarke
Cc: Sazz Nasimi; Candy Nelson; Michael Hughes; Alana Galasso; Simon Brandis; Claire Latham; Kate Cockburn
Subject: RE: Controlled Monies Accounts and Legal Fees [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]
Attachments: Transaction Listing 667565.pdf

Dear Ms Murray,

We understand that on Friday our clients' respective counsel discussed the release of frozen funds for Mr Tesoriero's legal expenses.

Mr Tesoriero's actual and anticipated legal fees as discussed between counsel are outlined below:

Legal costs

To end of March (actual):	\$476k
April (actual):	\$70k
Total to date:	\$546k
Reply, discovery, lay evidence (estimate):	\$467k
Experts (estimate):	\$370k
Trial prep (estimate—2 weeks, 2 counsel + solicitors):	\$155k
Trial (estimate—3 x 6 day weeks, 2 counsel + solicitors):	\$383k
Total future:	\$1.32m

We also confirm that, to date, only \$180k has been paid towards Mr Tesoriero's legal expenses.

Could you please confirm by no later than **4:00pm Tuesday 31 May 2022** that your client now agrees to:

- (a) the immediate release of \$270k from the controlled monies account (being the amount remaining in the existing cap);
- (b) a revised cap of \$1.86m in the freezing orders; and
- (c) a further release to cover the shortfall in actual costs once the cap is increased.

We would also like to reach an agreement on the process for the release of legal funds going forward.

We note for completeness that:

- the above figures do not include any allowance for Fortis Law's fees, which are the subject of an ongoing taxation. Once the amount of those fees is confirmed, we propose that the cap be increased, and funds be released, accordingly; and
- Mr Tesoriero intends to cover legal fees for related matters, such as resisting the winding up of his related entities and the management of the Fortis taxation process, from funds released in accordance with the freezing orders.

In the absence of agreement, we are instructed to make an application to the Court seeking:

- (a) a revised cap for legal fees under the freezing orders; and
- (b) the immediate release of funds to cover the actual costs to date,

and will rely on this correspondence on the question of costs.

In the meantime, please see **attached** the transaction listing showing that the proceeds from the sale of 23 Margaret Street have been paid into the controlled monies account.

Mr Tesoriero otherwise reserve all rights in this matter.

Please don't hesitate to contact us with any queries.

Kind regards,

Alexandra Lawrence
Lawyer

MADGWICKS
LAWYERS

[Visit our COVID-19 Resources Hub for practical information to assist you through this time](#)

T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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Liability limited by a scheme approved under Professional Standards Legislation.

Security Warning: We take cyber security risks seriously. Please confirm any bank transfer details by phone directly before making a payment.

From: Caitlin Murray <Caitlin.Murray@minterellison.com>

Sent: Monday, 23 May 2022 9:40 AM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>

Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Melissa

Please let us have an update on the below.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000



From: Caitlin Murray <Caitlin.Murray@minterellison.com>
Sent: Thursday 12 May 2022 09:12 PM
To: Caitlin Murray <Caitlin.Murray@minterellison.com>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>
Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Melissa

Can we please have an update as to the establishment of the CMA and a copy of the records showing the funds transferred to the account?

Regards
Caitlin

Caitlin Murray
Partner
T +61 2 9921 4279 M +61 422 977 971
caitlin.murray@minterellison.com
MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000
minterellison.com Follow us on [LinkedIn](#) and [Twitter](#)



From: Caitlin Murray <Caitlin.Murray@minterellison.com>
Sent: Thursday 21 April 2022 04:56 PM
To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>
Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Melissa

The MinterEllison partner verification process has been completed directly with Westpac and your firm's relationship partner.

In those circumstances, we are advised that there is no requirement for CRNs or residential addresses to be provided and that the words "Provided to banker" should be inserted in the 8 digit customer number field for each of Michael and James.

Please let me know if there is any issue regarding this.

Regards

Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Wednesday 20 April 2022 05:15 PM

To: Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>

Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Dear Mr Clarke

We refer to our below email and not we have not received a response.

We request that you please provide the details requested as a matter of *urgency*.

Regards

Melissa Passarelli

Associate

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T: +61 3 9242 4780 E: Melissa.Passarelli@madgwicks.com.au

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From: Melissa Passarelli

Sent: Tuesday, 5 April 2022 3:34 PM

To: Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael

Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>

Subject: FW: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Dear Mr Clarke

We have now received the original form and provided it to Westpac.

We are informed by Westpac that they require the 8 digit customer numbers of the signatories from your firm in order to assist in the relevant identification process. If the signatories do not have a CRN then Westpac requires their residential address.

Could you please provide this information by return email.

Regards

Melissa Passarelli
Associate

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From: Andrew Clarke <Andrew.Clarke@minterellison.com>

Sent: Wednesday, 23 March 2022 4:51 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Cc: Caitlin Murray <Caitlin.Murray@minterellison.com>; Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Mackenzie Preston <Mackenzie.Preston@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>

Subject: RE: Controlled Monies Accounts [MADG-CURRENT_MATTERS.18091.047678] [ME-ME.FID6264995]

Dear Ms Passarelli

We confirm receipt of the Notice of Authority with respect to the controlled monies account signed by two partners of your firm and **attach** a scanned copy of the form also signed by two partners of our firm.

We will send the original to your office marked to your attention by express post.

Regards
Andrew

Andrew Clarke
Associate

T +61 2 9921 8514 M + 61 475 670 974

andrew.clarke@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

minterellison.com **Follow us on LinkedIn and Twitter**

From: Caitlin Murray <Caitlin.Murray@minterellison.com>

Sent: Monday 14 March 2022 09:52 AM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>;

Candy Nelson <Candy.Nelson@madgwicks.com.au>; Mackenzie Preston <Mackenzie.Preston@madgwicks.com.au>;

Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon

Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn

<Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>

Subject: RE: Controlled Monies Accounts [MADG-CURRENT_MATTERS.18091.047678]

Dear Melissa

Please arrange for the forms to me sent to me in our Sydney office and we will arrange for two partners to be the signatories.

Kind regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Wednesday 9 March 2022 06:18 PM

To: Caitlin Murray <Caitlin.Murray@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>;

Candy Nelson <Candy.Nelson@madgwicks.com.au>; Mackenzie Preston <Mackenzie.Preston@madgwicks.com.au>;

Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon

Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn

<Kate.Cockburn@minterellison.com>

Subject: Controlled Monies Accounts [MADG-CURRENT_MATTERS.18091.047678]

Dear All

We refer to the orders dated 9 February 2022 stating that the proceeds from the sale of 23 Margaret Street are to be paid into a controlled trust account operated by our respective clients. We confirm that, with your consent, the proceeds are presently sitting as protected funds in the Madgwicks Trust Account pending the establishment of a controlled monies account.

After extensive discussion with Westpac Banking Corporation (in their capacity as the bankers for the Madgwicks Trust Account), we have been provided with the **attached** Notice of Authority in order to set up a controlled monies account. This account will only be able to be controlled with the consent of **all** of the signatories listed on pages 2 and 3. We propose that two partners from each of our respective offices complete this form in order to control the account. We have taken the liberty of having the form signed by two of our partner already.

Unfortunately, Westpac does not accept electronically signed documents or documents in counterpart. As such, we intend to deliver the hard copy of the **attached** document to your office to arrange signing. Could you please confirm if this should be delivered to your Melbourne or Sydney office.

We note that all of the signatories will need to be verified by Westpac. If the signing partners from your office do not have verification set up with Westpac already they may attend to this at any Westpac branch.

Once the form is signed and identities verified please arrange for the original copy to be returned to our office and we will finalise the setting up of the controlled monies account.

Please do not hesitate to contact us if you have any queries.

Regards

Melissa Passarelli
Associate

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T: +61 3 9242 4780 E: Melissa.Passarelli@madgwicks.com.au

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RETURN TO OFFICE

Public health orders influence our Return to Office Policy in each office jurisdiction. The Policy promotes a vaccinated workplace, and takes effect when professional services employees are permitted to return to the office following lockdown or when borders open to interstate travel without the need to quarantine. When the Policy takes effect in each jurisdiction, only fully vaccinated partners, employees, clients and visitors will have access to our office. [Read more for access procedures.](#)

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Sensitive: Legal

IMPORTANT INFORMATION, PLEASE READ

VACCINATED WORKPLACES

Only **fully vaccinated** (at least two doses of an approved COVID-19 vaccination) MinterEllison partners, staff, clients, suppliers, and visitors can meet and work at our offices. By visiting our offices, you confirm you are fully vaccinated.

OTHER MATTERS

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attachments. We collect personal information to provide and market our services and for other purposes - please refer to our privacy policy for more information on how we collect and handle personal information.

Sensitive: Legal



Westpac Banking Corporation
ABN 33 007 457 141

Printed:17/05/2022 09:47:56 EST

BUSINESS ONE FLEXI 033003 667565

Branch Name: 520 COLLINS STREET
Current Balance: \$ 1,340,866.65
Available Funds: \$ 1,340,866.65

Transactions

Date	Description	Withdrawals	Deposits	Running Balance
16/05/2022	DEPOSIT 3022104 COURT ORDER FUNDS		\$ 1,340,866.65	\$ 1,340,866.65

Things you should know

1. Running balance means the balance of a customer's account, based on the deposits and withdrawals we've recorded on the account at a particular point in time.
2. This page is current as at 17/05/2022 09:55:43 AEST. This is not an official statement and is subject to change.

Simon Brandis

From: Michael Hughes
Sent: Monday 30 May 2022 04:43 PM
To: Alexandra Lawrence
Cc: Sazz Nasimi; Candy Nelson; Alana Galasso; Simon Brandis; Claire Latham; Kate Cockburn; Caitlin Murray; Melissa Passarelli; Andrew Clarke
Subject: RE: Controlled Monies Accounts and Legal Fees [MADG-CURRENT_MATTERS.18091.047678] [ME-ME.FID6264995]

Dear Ms Lawrence

We refer to the below email, and the discussion which we understand took place between counsel on Friday 27 May 2022.

We will provide you a response once our client has the benefit of our advice and they have given their instructions as soon as possible, but it will not be before the self-imposed deadline of 4 pm tomorrow, 31 May, noting especially the lengthy period in which you have had the opportunity to put forward your proposals.

At an initial level, there are obvious gaps in the information you have provided as to which we will write to you, separately.

Further our client which has suffered very substantial losses and is obviously concerned that property and assets over which it asserts proprietary claims should not be eroded, in the expenditure of legal costs, when your client has failed to demonstrate that he does not have access to his own and other funds from which they can be paid, all of which will need to be taken into account.

Best regards
Michael

Michael Hughes

Partner

T +61 2 9921 4647 M +61 411 263 387

michael.hughes@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

minterellison.com [Follow us on LinkedIn and Twitter](#)

From: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>

Sent: Monday 30 May 2022 10:38 AM

To: Caitlin Murray <Caitlin.Murray@minterellison.com>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>

Subject: RE: Controlled Monies Accounts and Legal Fees [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Dear Ms Murray,

We understand that on Friday our clients' respective counsel discussed the release of frozen funds for Mr Tesoriero's legal expenses.

Mr Tesoriero's actual and anticipated legal fees as discussed between counsel are outlined below:

Legal costs

To end of March (actual):	\$476k
April (actual):	\$70k
Total to date:	\$546k
Reply, discovery, lay evidence (estimate):	\$467k
Experts (estimate):	\$370k
Trial prep (estimate—2 weeks, 2 counsel + solicitors):	\$155k
Trial (estimate—3 x 6 day weeks, 2 counsel + solicitors):	\$383k
Total future:	\$1.32m

We also confirm that, to date, only \$180k has been paid towards Mr Tesoriero's legal expenses.

Could you please confirm by no later than **4:00pm Tuesday 31 May 2022** that your client now agrees to:

- (a) the immediate release of \$270k from the controlled monies account (being the amount remaining in the existing cap);
- (b) a revised cap of \$1.86m in the freezing orders; and
- (c) a further release to cover the shortfall in actual costs once the cap is increased.

We would also like to reach an agreement on the process for the release of legal funds going forward.

We note for completeness that:

- the above figures do not include any allowance for Fortis Law's fees, which are the subject of an ongoing taxation. Once the amount of those fees is confirmed, we propose that the cap be increased, and funds be released, accordingly; and
- Mr Tesoriero intends to cover legal fees for related matters, such as resisting the winding up of his related entities and the management of the Fortis taxation process, from funds released in accordance with the freezing orders.

In the absence of agreement, we are instructed to make an application to the Court seeking:

- (a) a revised cap for legal fees under the freezing orders; and
- (b) the immediate release of funds to cover the actual costs to date,

and will rely on this correspondence on the question of costs.

In the meantime, please see **attached** the transaction listing showing that the proceeds from the sale of 23 Margaret Street have been paid into the controlled monies account.

Mr Tesoriero otherwise reserve all rights in this matter.

Please don't hesitate to contact us with any queries.

Kind regards,

Alexandra Lawrence
Lawyer

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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From: Caitlin Murray <Caitlin.Murray@minterellison.com>
Sent: Monday, 23 May 2022 9:40 AM
To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>
Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Melissa

Please let us have an update on the below.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

minterellison.com Follow us on [LinkedIn](#) and [Twitter](#)

From: Caitlin Murray <Caitlin.Murray@minterellison.com>
Sent: Thursday 12 May 2022 09:12 PM
To: Caitlin Murray <Caitlin.Murray@minterellison.com>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray

<Caitlin.Murray@minterellison.com>

Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Melissa

Can we please have an update as to the establishment of the CMA and a copy of the records showing the funds transferred to the account?

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Caitlin Murray <Caitlin.Murray@minterellison.com>

Sent: Thursday 21 April 2022 04:56 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>;

Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana

Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham

<Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray

<Caitlin.Murray@minterellison.com>

Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Melissa

The MinterEllison partner verification process has been completed directly with Westpac and your firm's relationship partner.

In those circumstances, we are advised that there is no requirement for CRNs or residential addresses to be provided and that the words "Provided to banker" should be inserted in the 8 digit customer number field for each of Michael and James.

Please let me know if there is any issue regarding this.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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Sent: Wednesday 20 April 2022 05:15 PM
To: Andrew Clarke <Andrew.Clarke@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>
Subject: RE: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Dear Mr Clarke

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We request that you please provide the details requested as a matter of *urgency*.

Regards

Melissa Passarelli
Associate

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From: Melissa Passarelli
Sent: Tuesday, 5 April 2022 3:34 PM
To: Andrew Clarke <Andrew.Clarke@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>
Subject: FW: Controlled Monies Accounts [ME-ME.FID6264995] [MADG-CURRENT_MATTERS.18091.047678]

Dear Mr Clarke

We have now received the original form and provided it to Westpac.

We are informed by Westpac that they require the 8 digit customer numbers of the signatories from your firm in order to assist in the relevant identification process. If the signatories do not have a CRN then Westpac requires their residential address.

Could you please provide this information by return email.

Regards

Melissa Passarelli
Associate

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From: Andrew Clarke <Andrew.Clarke@minterellison.com>
Sent: Wednesday, 23 March 2022 4:51 PM
To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>
Cc: Caitlin Murray <Caitlin.Murray@minterellison.com>; Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Mackenzie Preston <Mackenzie.Preston@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>
Subject: RE: Controlled Monies Accounts [MADG-CURRENT_MATTERS.18091.047678] [ME-ME.FID6264995]

Dear Ms Passarelli

We confirm receipt of the Notice of Authority with respect to the controlled monies account signed by two partners of your firm and **attach** a scanned copy of the form also signed by two partners of our firm.

We will send the original to your office marked to your attention by express post.

Regards
Andrew

Andrew Clarke
Associate
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andrew.clarke@minterellison.com
MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000
minterellison.com **Follow us on LinkedIn and Twitter**

From: Caitlin Murray <Caitlin.Murray@minterellison.com>
Sent: Monday 14 March 2022 09:52 AM
To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Andrew Clarke <Andrew.Clarke@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; Mackenzie Preston <Mackenzie.Preston@madgwicks.com.au>; Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn

<Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>

Subject: RE: Controlled Monies Accounts [MADG-CURRENT_MATTERS.18091.047678]

Dear Melissa

Please arrange for the forms to me sent to me in our Sydney office and we will arrange for two partners to be the signatories.

Kind regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Wednesday 9 March 2022 06:18 PM

To: Caitlin Murray <Caitlin.Murray@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>;

Candy Nelson <Candy.Nelson@madgwicks.com.au>; Mackenzie Preston <Mackenzie.Preston@madgwicks.com.au>;

Michael Hughes <Michael.Hughes@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Simon

Brandis <Simon.Brandis@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>; Kate Cockburn

<Kate.Cockburn@minterellison.com>

Subject: Controlled Monies Accounts [MADG-CURRENT_MATTERS.18091.047678]

Dear All

We refer to the orders dated 9 February 2022 stating that the proceeds from the sale of 23 Margaret Street are to be paid into a controlled trust account operated by our respective clients. We confirm that, with your consent, the proceeds are presently sitting as protected funds in the Madgwicks Trust Account pending the establishment of a controlled monies account.

After extensive discussion with Westpac Banking Corporation (in their capacity as the bankers for the Madgwicks Trust Account), we have been provided with the **attached** Notice of Authority in order to set up a controlled monies account. This account will only be able to be controlled with the consent of **all** of the signatories listed on pages 2 and 3. We propose that two partners from each of our respective offices complete this form in order to control the account. We have taken the liberty of having the form signed by two of our partner already.

Unfortunately, Westpac does not accept electronically signed documents or documents in counterpart. As such, we intend to deliver the hard copy of the **attached** document to your office to arrange signing. Could you please confirm if this should be delivered to your Melbourne or Sydney office.

We note that all of the signatories will need to be verified by Westpac. If the signing partners from your office do not have verification set up with Westpac already they may attend to this at any Westpac branch.

Once the form is signed and identities verified please arrange for the original copy to be returned to our office and we will finalise the setting up of the controlled monies account.

Please do not hesitate to contact us if you have any queries.

Regards

Melissa Passarelli

Associate



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T: +61 3 9242 4780 E: Melissa.Passarelli@madgwicks.com.au

Level 6, 140 William Street, Melbourne VIC 3000
www.madgwicks.com.au



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Only **fully vaccinated** (at least two doses of an approved COVID-19 vaccination) MinterEllison partners, staff, clients, suppliers, and visitors can meet and work at our offices. By visiting our offices, you confirm you are fully vaccinated.

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Simon Brandis

From: Kate Cockburn
Sent: Thursday 2 June 2022 12:04 PM
To: Alexandra Lawrence; Sazz Nasimi; Melissa Passarelli
Cc: Caitlin Murray; Michael Hughes; Andrew Clarke; Simon Brandis; Alana Galasso; Michael Swain; Claire Latham
Subject: RE: Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678] [ME-ME.FID6264995]
Attachments: L - Madgwicks 01.06.22.PDF

Dear Ms Lawrence

Please find attached our letter of today's date.

Kind regards

Kate

Kate Cockburn

Lawyer

T +61 2 9921 4304 M +61 421 169 706

kate.cockburn@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>

Sent: Tuesday 31 May 2022 01:14 PM

To: Caitlin Murray <Caitlin.Murray@minterellison.com>; Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Cc: PROJECT OLYMPUS <PROJECTOLYMPUS@minterellison.com>

Subject: RE: Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Ms Murray,

We refer to your clients' request for further and better particulars dated 17 May 2022.

A response has been drafted however we are waiting on final instructions and additional information from our clients' accountant before we are able to send out it out.

We expect to have a response to you by the end of this week.

Kind regards,

Alexandra Lawrence

Lawyer

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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From: Caitlin Murray <Caitlin.Murray@minterellison.com>
Sent: Tuesday, 17 May 2022 10:20 AM
To: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>;
Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>
Cc: PROJECT OLYMPUS <PROJECTOLYMPUS@minterellison.com>
Subject: Westpac Banking Corporation & Anor v Vince Tesoriero & Ors

Dear All

Please see attached letter.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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Sensitive: Legal

MinterEllison.

2 June 2022

BY EMAIL: Sazz.Nasimi@madgwicks.com.au

Sazz Nasimi
Partner
Madgwicks Lawyers
Level 6, 140 William Street
Melbourne VIC 3000

Dear Mr Nasimi

**Westpac Banking Corporation & Anor v Forum Finance Pty Limited (in liquidation) & Ors
Federal Court of Australia proceeding number NSD616/2021 (Proceedings)**

We refer to:

1. the email from Alexandra Lawrence in which your client seeks our clients' consent to:
 - (a) the immediate release of \$270k from the controlled monies account (being the amount remaining in the existing cap);
 - (b) a revised cap of \$1.86m in the freezing orders; and
 - (c) a further release from the controlled monies account to cover the shortfall in actual costs once the cap is increased; and
2. our email to you of 30 May 2022.

The freezing order made against Mr Tesoriero on 2 July 2021 (**Freezing Order**), as varied, including by order made on 12 November 2021, provides that your client is not prohibited from paying up to the sum of \$450,000 until 10 March 2022 for reasonable legal fees. We understand from your email that Mr Tesoriero has incurred the sum of \$546,000 in legal fees to date, which amount does not include any legal fees which Mr Tesoriero may be liable to pay his former firm, Fortis Law. We also understand that Mr Tesoriero has paid the sum of \$180,000 towards legal expenses incurred to date and has not paid amounts that may be owing to Fortis Law.

At the outset, we accept that a variation of the Freezing Orders will be required to address further legal expenses and note that whilst our clients are prepared to be reasonable in respect of Mr Tesoriero's request and to take a pragmatic approach to any proposed variation, they have suffered very substantial losses and, in those circumstances, are concerned that property and assets over which they assert proprietary claims should not be eroded in the expenditure of legal costs. To the extent that a proprietary interest is claimed over funds, our clients will oppose those funds being used for the payment of legal expenses. This is particularly so where Mr Tesoriero has failed to demonstrate that he does not have access to his own and other funds from which his legal expenses can be paid.

That said, we are instructed that our clients consent to the release of the sum of \$270,000 from the proceeds of the sale of property at 23 Margaret Street, Rozelle being the funds held in the controlled account with account number 033003 667565 (**CMA**) for the purpose of being applied to Mr Tesoriero's reasonable legal expenses, provided this is also consented to by SMBC who we understand also maintains a proprietary claim in connection with these monies, as outlined below. The release of this sum will not erode any funds over which our clients have a proprietary claim. For the avoidance of any doubt, payment of this amount by Mr Tesoriero will exhaust the current limit of legal fees under the Freezing Orders as varied by order made on 12 November 2021.

Level 40 Governor Macquarie Tower 1 Farrer Place Sydney
GPO Box 521 Sydney NSW 2001 Australia DX 117 Sydney
T +61 2 9921 8888 F +61 2 9921 8123 minterellison.com

ME_198984968_3

As to the balance of Mr Tesoriero's request, we make the following comments.

1. As to the estimate of legal fees provided, we note the following matters:
 - (a) no breakdown in relation to the funds incurred to date has been provided, including whether those fees relate to applications made in connection with sale of the Bulkara properties and the Mangusta "XOXO" or legal fees incurred in preparing the defence filed by other respondents in the proceeding for which your firm acts. Please provide us with a detailed breakdown in relation to the costs incurred to date, including as to whether they relate to costs incurred in the defence of these proceedings, the nature of the task (for example, preparing defences) and on behalf of which respondent they were incurred;
 - (b) without being provided with the basis upon which the estimate for future legal expenses has been calculated, our clients cannot properly consider whether they are prepared to consent to an increase in the cap in the quantum you have proposed. Please provide us with a detailed breakdown as to how the costs have been calculated for our clients' consideration;
 - (c) we do not see that there is any cause for expert evidence in this matter. To the extent that you consider that there will be such a need, then please let us know to what issue in the proceedings that expert evidence is anticipated to relate; and
 - (d) your estimate is on the basis that both counsel and solicitors will be working 6 days a week full time during the course of the hearing, a position we consider unlikely particularly given that part of our clients' case concerns other respondents whose interests entirely diverge from that of Mr Tesoriero. We invite you to revisit the quantum sought in connection with the costs of the hearing.
2. Mr Tesoriero has not provided any evidence that he does not have access to other funds from which to meet his legal expenses. In this regard, we note that in Mr Tesoriero's affidavit of 21 July 2021 (**July Affidavit**), he made reference to 16 bank accounts which he had "control over": see paragraph [4] and Annexure B, including accounts with "ANZ", "NAB" and "CBA". In his affidavit of 19 October 2021 (**October Affidavit**), he deposed (in paragraph 4) that he has "*visibility on 16 accounts which were for various business matters, though I believe that I may have up to 30 accounts with NAB*". At the time of swearing that affidavit in October, he said that there was \$255,055.06 in various accounts, and listed 18 accounts held with NAB and their account balances. That list included accounts not referred to in the July Affidavit. No information was set out in the October Affidavit as to the status of the accounts held with CBA or ANZ referred to in the July Affidavit.
3. Despite multiple requests, your client has not provided any additional information as to the other accounts nor has he otherwise established that there are insufficient funds within those accounts from which he can meet his ongoing obligations. Further, no explanation has been provided as to the \$255,055 in funds disclosed in the October Affidavit. If your client were to bring an application to the Court seeking the variations referred to in your email, he would necessarily need to satisfy the Court that he does not have access to any alternate sources of funds from which his legal expenses could be satisfied.
4. In those circumstances, to enable us to obtain instructions as to your request, please provide us:
 - (a) an updated statement of assets and liabilities for Mr Tesoriero and those entities controlled by him;
 - (b) statements of account for all relevant bank accounts including those in Mr Tesoriero's name and those that he controls (being at least those accounts identified in the July and October Affidavits). We presume that Mr Tesoriero will be able to liaise with the relevant bank to obtain a copy of the most recent statement for each account to the extent that he does not have a copy himself;
 - (c) confirmation as to whether it is proposed that the exception for legal fees will also relate to legal fees incurred and to be incurred by other respondents for which your firm acts in defence of the proceedings;
 - (d) confirmation as to what income is received by Mr Tesoriero and the entities he controls.

Finally, we note that to the extent that SMBC asserts that it has a proprietary claim in relation to funds, Mr Tesoriero will need to seek the consent of SMBC for the release of funds and consent on the part of our clients cannot be taken to be consent from SMBC. In this respect we note that SMBC has a claim against 23 Margaret Street Pty Limited and it may be necessary for Mr Tesoriero to seek consent from SMBC for the release of the funds in the CMA.

Once we receive the above information, we will seek our clients' instructions as to the balance of your client's requests.

All of our clients' rights are expressly reserved.

Yours faithfully
MinterEllison



Caitlin Murray
Partner

Contact: Caitlin Murray T: +61 2 9921 4279
caitlin.murray@minterellison.com
Partner: Caitlin Murray T: +61 2 9921 4279
OUR REF: 1353397

Simon Brandis

From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>
Sent: Tuesday 14 June 2022 03:04 PM
To: Kate Cockburn; Caitlin Murray; Michael Hughes; Andrew Clarke; Simon Brandis; Alana Galasso; Michael Swain; Claire Latham
Cc: Sazz Nasimi; Alexandra Lawrence
Subject: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]
Attachments: Westpac (002).docx

Dear Colleagues

We refer to your letter of 2 June 2022 whereby you confirm that your clients consent to the withdrawal of the sum of \$270,000 from the proceeds of the sale of the property at 23 Margaret Street, Rozelle.

Westpac as the bank which holds the controlled monies account, has confirmed that the **attached** letter must be signed by the persons who signed the initial form from MinterEllison and Madgwicks in order for any monies to be withdrawn.

Accordingly, could you please have the attached letter signed by the relevant partners from MinterEllison and post the original letter to the below address by express post:

Madgwicks Lawyers
Attention: Melissa Passarelli
Level 6
140 William Street
Melbourne VIC 3000

We are otherwise in the process of responding to the balance of your letter of 2 June 2022.

Regards

Melissa Passarelli
Senior Associate

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T: +61 3 9242 4780 E: Melissa.Passarelli@madgwicks.com.au

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Westpac
Level 9
150 Collins Street
Melbourne
VIC 3000

Date: 14 June 2022

Author: Stephen Doherty

Dear Sirs,

Madgwicks & Minter Ellison ATF Vincenzo Tesoriero – Controlled Money Account - 667565

Please withdraw funds in the amount of \$270,000.00 from account 667565, BSB 033 003 and disburse to Madgwicks Trust Account number 256 563 BSB 033 003

Yours faithfully
MINTERELLISON

PARTNER

PARTNER

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MADGWICKS
ABN 82 199 611 971

Level 6
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Melbourne VIC 3000
Australia
DX 485

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F: +61 3 9242 4777
E: madgwicks@madgwicks.com.au
W: madgwicks.com.au



Simon Brandis

From: Caitlin Murray
Sent: Tuesday 14 June 2022 03:24 PM
To: Melissa Passarelli; Kate Cockburn; Michael Hughes; Andrew Clarke; Simon Brandis; Alana Galasso; Michael Swain; Claire Latham
Cc: Sazz Nasimi; Alexandra Lawrence; Caitlin Murray
Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Melissa

Our clients' consent to the withdrawal of the \$270,000 from the CMA account for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, was conditional upon the consent of SMBC Leasing and Finance Inc (SMBC), who we understand also maintains a proprietary claim in connection with the funds within the CMA, being obtained.

We understand that your firm is yet to contact the solicitors for SMBC to seek their client's consent.

Please let us have confirmation of the consent of SMBC to the proposed release and we will arrange to sign and return the letter.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Tuesday 14 June 2022 03:04 PM

To: Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>

Subject: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues

We refer to your letter of 2 June 2022 whereby you confirm that your clients consent to the withdrawal of the sum of \$270,000 from the proceeds of the sale of the property at 23 Margaret Street, Rozelle.

Westpac as the bank which holds the controlled monies account, has confirmed that the **attached** letter must be signed by the persons who signed the initial form from MinterEllison and Madgwicks in order for any monies to be withdrawn.

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)
Accordingly, could you please have the attached letter signed by the relevant partners from MinterEllison and post the original letter to the below address by *express post*:

Madgwicks Lawyers
Attention: Melissa Passarelli
Level 6
140 William Street
Melbourne VIC 3000

We are otherwise in the process of responding to the balance of your letter of 2 June 2022.

Regards

Melissa Passarelli
Senior Associate

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Simon Brandis

From: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>
Sent: Thursday 16 June 2022 12:04 PM
To: Melissa Passarelli; Prinsloo, Kirsty; Haystead, Tom; Raymond Makko; Alana Galasso; Paul Hunt; Peter O'Brien; Sidnie Sarang; Caitlin Murray; Michael Hughes; Forum (Allens); Dobson, Roger; Yiasemides, Maria; Shanahan, Lucy J.; Prestwich, Chris; Robert Ishak; Simon Brandis; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke; 'matthew.youssef@ashurst.com'; 'ian.bolster@ashurst.com'; Prestwich, Chris; Prestwich, Chris; julian.zoller@ashurst.com; Yiasemides, Maria; Dobson, Roger; EXT ForumGroupJD; Kate Cockburn; Michael Swain
Cc: Sazz Nasimi; Candy Nelson; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E-Mail
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091... [IMAN-CURRENT_MATTERS.FID668654]

Dear Colleagues

We refer to the freezing order dated 2 July 2021 and in particular the carve outs for legal and personal expenses.

We are instructed to urgently relist this matter before Justice Lee so that the issue of payment of the third defendant's costs may be resolved. We propose to file an affidavit in support of this application which will be served on you later today.

We intend to write to the Court forthwith to enquire as to its availability for this hearing.

Regards

Alexandra Lawrence
Associate

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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From: Alexandra Lawrence
Sent: Monday, 9 May 2022 4:46 PM
To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien

<peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke <Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>; Dobson, Roger <rdobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues,

Please see **attached** by way of service a Notice of Acting for the 39th Respondent.

A defence will be filed and served in due course.

Kind regards,

Alexandra Lawrence
Lawyer

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From: Alexandra Lawrence

Sent: Friday, 29 April 2022 1:31 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien <peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke

<Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>; Dobson, Roger <rdoobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues,

It has come to our attention that the defence for the 25th respondent in proceeding NSD616/2021 was inadvertently left out of the link circulated on 20 April 2022.

The defence for the 25th respondent is now included by way of service. Please see the link below for your reference:

[☐ NSD616 defences](#)

Please contact our office with any queries.

Kind regards,

Alexandra Lawrence
Lawyer

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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From: Alexandra Lawrence

Sent: Wednesday, 20 April 2022 4:47 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien <peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdoobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke <Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>;

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)
Dobson, Roger <rdoobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues,

Please see in the below links by way of service:

1. The defences for the 3rd, 8th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 26th, 38th, 40th, 41st and 45th respondents in proceeding NSD616/2021
 [NSD616 defences](#); and
2. The defences for the 23rd, 24th and 25th respondents in proceeding NSD681/2021
 [NSD681 defences](#).

Please contact our office with any queries.

Kind regards,

Alexandra Lawrence
Lawyer

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From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Tuesday, 12 April 2022 4:27 PM

To: Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien <peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdoobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke <Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>; Dobson, Roger <rdoobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>;

Candy Nelson <Candy.Nelson@madgwicks.com.au>

Subject: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues

We write to provide an update with respect to our clients' defences.

Due to Senior Counsel being in a trial for the last 3 weeks (which has gone for longer than expected), the finalisation of the defences has been delayed.

Notwithstanding this, we anticipate being in a position to file our clients' defences by this Friday, 15 April.

Regards

Melissa Passarelli

Associate

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Simon Brandis

From: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>
Sent: Thursday 16 June 2022 12:15 PM
To: Associate LeeJ; julian.zoller@ashurst.com; Andrew Clarke; kirsty.prinsloo@allens.com.au; Caitlin Murray; Melissa Passarelli; Michael Hughes; forumallens@allens.com.au; rdobson@jonesday.com; myiasemides@jonesday.com; thaystead@jonesday.com; Kate Cockburn; lshanahan@jonesday.com; chris.prestwich@allens.com.au; Sazz Nasimi; Candy Nelson; Mackenzie Preston; robert.ishak@williamroberts.com.au; Alana Galasso; Simon Brandis; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; raymond.makko@williamroberts.com.au; Claire Latham; chris.prestwich@allens.com.au; rdobson@jonesday.com; EXT-ForumGroupJD@groups.jonesday.com
Cc: Ian.Bolster@ashurst.com; carla-rose.brett@ashurst.com; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E-Mail
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [ASH-AUS.FID30448051] [SEC=... [IMAN-CURRENT_MATTERS.FID668654]

Dear Associate

We refer to the above.

We refer to the freezing order dated 2 July 2021 and in particular the carve outs for legal and personal expenses.

We wish to enquire as to whether His Honour would be available to hear our client's application for the release of funds for legal and personal expenses on an urgent basis. Our client's Counsel will be unavailable for approximately 4 weeks from 22 June 2022, however in the interim substantial works need to be undertaken. In circumstances where the legal practitioners for our client have not been paid any fees since November 2021, there are real and significant concerns held by the practitioners in relation to undertaking these works.

We therefore request a hearing on 21 June before His Honour if he is able to accommodate same.

Please see the orders sought by the third plaintiff below. We anticipate that this hearing will take no more than half an hour.

1. *The freezing order made against the third respondent, Mr Tesoriero, by order 4 of the orders made by Justice Lee on 2 July 2021 in relation to the interlocutory application dated 2 July 2021 (as varied on 9 July 2021, 27 August 2021 and 12 November 2021) be varied so that paragraph 10(b) reads 'paying up to the sum of \$1,866,000 on your reasonable legal expenses'.*
2. *Funds paid into Court and/or the controlled monies account that was set up pursuant to the order made by Justice Lee on 9 February 2022 be released to the Third Respondent for the payment of his legal expenses in the amount of \$1,866,000 to be paid into the trust account of Madgwicks Lawyers.*

An application and affidavit in support will be filed shortly.

As a courtesy to the Court, we confirm that the parties have been in communication in order to try and agree to the release of funds but it has become apparent to us that the parties will be unable to agree to a resolution without intervention from the Court.

Regards

Alexandra Lawrence
Associate

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From: Associate LeeJ <Associate.LeeJ@fedcourt.gov.au>

Sent: Monday, 30 May 2022 4:35 PM

To: julian.zoller@ashurst.com; Andrew.Clarke@minterellison.com; kirsty.prinsloo@allens.com.au; Caitlin.Murray@minterellison.com; Melissa.Passarelli@madgwicks.com.au; Michael.Hughes@minterellison.com; forumallens@allens.com.au; rdoobson@jonesday.com; myiasemides@jonesday.com; thaystead@jonesday.com; Kate.Cockburn@minterellison.com; Ishanahan@jonesday.com; chris.prestwiche@allens.com.au; Sazz.Nasimi@madgwicks.com.au; Alexandra.Lawrence@madgwicks.com.au; Candy.Nelson@madgwicks.com.au; Mackenzie.Preston@madgwicks.com.au; robert.ishak@williamroberts.com.au; Alana.Galasso@minterellison.com; Simon.Brandis@minterellison.com; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; raymond.makko@williamroberts.com.au; Claire.Latham@minterellison.com; chris.prestwiche@allens.com.au; rdoobson@jonesday.com; EXT-ForumGroupJD@groups.jonesday.com

Cc: Ian.Bolster@ashurst.com; carla-rose.brett@ashurst.com

Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [ASH-AUS.FID30448051] [SEC=OFFICIAL]

OFFICIAL

Dear Practitioners

Thank you for your email.

Please find **attached** sealed orders of the Court.

Yours faithfully

Sebastian King | Associate to the Hon. Justice M B J Lee
Federal Court of Australia | Law Courts Building, Queens Square, Sydney NSW 2000
t: +61 2 8099 8371 | e: Associate.LeeJ@fedcourt.gov.au

From: julian.zoller@ashurst.com <julian.zoller@ashurst.com>

Sent: Friday, 27 May 2022 10:00 AM

To: Associate LeeJ <Associate.LeeJ@fedcourt.gov.au>; Andrew.Clarke@minterellison.com; kirsty.prinsloo@allens.com.au; Caitlin.Murray@minterellison.com; Melissa.Passarelli@madgwicks.com.au; Michael.Hughes@minterellison.com; forumallens@allens.com.au; rdoobson@jonesday.com; myiasemides@jonesday.com; thaystead@jonesday.com; Kate.Cockburn@minterellison.com; Ishanahan@jonesday.com; chris.prestwiche@allens.com.au; Sazz.Nasimi@madgwicks.com.au; Alexandra.Lawrence@madgwicks.com.au; Candy.Nelson@madgwicks.com.au; Mackenzie.Preston@madgwicks.com.au;

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

robert.ishak@williamroberts.com.au; Alana.Galasso@minterellison.com; Simon.Brandis@minterellison.com;
billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au;
skarnib@mglaw.com.au; melazzi@mglaw.com.au; raymond.makko@williamroberts.com.au;
Claire.Latham@minterellison.com; chris.prestwich@allens.com.au; rdoobson@jonesday.com; EXT-ForumGroupJD@groups.jonesday.com

Cc: Ian.Bolster@ashurst.com; carla-rose.brett@ashurst.com

Subject: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [ASH-AUS.FID30448051]

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Dear Associate

We act for Societe Generale, the applicant in proceeding number NSD642/2021.

We have identified an ambiguity in order 4(a) of the orders made by Justice Lee on 10 March 2022 relating to service on Mr Papas of material the applicants will rely on at the trial.

Order 4(a) provides that documents are to be served on Mr Papas, including by (emphasis added):

sending the documents to the addresses noted in the Form 10 Notice of Address for Service filed in those proceedings by Mr Papas, by email to law@panetta.com.au.

In view of the communications surrounding those orders and the order referring only to an email address, our understanding is that his Honour may have intended that service on Panetta Lawyers by email alone was sufficient and that delivering a hard copy was not necessary. However, given the order refers to "addresses" and the Form 10 Notice of Address for Service refers to both a physical and an email address, there is a potential question whether in its terms the order also requires hard copy delivery.

To avoid any potential argument about the requirements of the order, the parties would be grateful if his Honour could clarify the intended operation of order 4(a). In particular, if email service alone is sufficient we respectfully ask whether his Honour would amend the order to avoid any potential argument about that. At the same time, we respectfully suggest that the order be amended to refer to the Form 10 document filed in "the Westpac Proceeding" instead of "those proceedings", as Form 10 was filed in the Westpac Proceeding only.

We **attach** proposed short minutes of order for his Honour's consideration.

The solicitors for all active parties are copied into this email and were provided with an advanced copy of this email in substantially the same form as well as a draft of the short minutes of order. The solicitors for Westpac, SMBC and the liquidators have consented to the attached orders being made and no parties have raised any objections.

Kind regards

Julian Zoller

Lawyer

julian.zoller@ashurst.com

Ashurst

D: +61 2 9258 6973 | M: +61 481 098 034

Ashurst Australia, 5 Martin Place, Sydney, NSW 2000, Australia

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Simon Brandis

From: Simon Brandis
Sent: Thursday 16 June 2022 02:47 PM
To: Melissa Passarelli; Sazz Nasimi; Alexandra Lawrence
Cc: Caitlin Murray; Michael Hughes; Kate Cockburn; Andrew Clarke; Alana Galasso; Michael Swain; Claire Latham
Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678] [ME-ME.FID6264995]
Attachments: 2022.06.16 Letter to Madgwicks.PDF

Dear Colleagues

Please see **attached**.

Regards
Simon

—
Simon Brandis

Associate

T +61 2 9921 4473 M 0435 734 441

simon.brandis@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Caitlin Murray <Caitlin.Murray@minterellison.com>

Sent: Tuesday 14 June 2022 03:24 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>

Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Melissa

Our clients' consent to the withdrawal of the \$270,000 from the CMA account for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, was conditional upon the consent of SMBC Leasing and Finance Inc (SMBC), who we understand also maintains a proprietary claim in connection with the funds within the CMA, being obtained.

We understand that your firm is yet to contact the solicitors for SMBC to seek their client's consent.

Please let us have confirmation of the consent of SMBC to the proposed release and we will arrange to sign and return the letter.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

minterellison.com **Follow us on LinkedIn and Twitter**

From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Tuesday 14 June 2022 03:04 PM

To: Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>

Subject: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues

We refer to your letter of 2 June 2022 whereby you confirm that your clients consent to the withdrawal of the sum of \$270,000 from the proceeds of the sale of the property at 23 Margaret Street, Rozelle.

Westpac as the bank which holds the controlled monies account, has confirmed that the **attached** letter must be signed by the persons who signed the initial form from MinterEllison and Madgwicks in order for any monies to be withdrawn.

Accordingly, could you please have the attached letter signed by the relevant partners from MinterEllison and post the original letter to the below address by express post:

Madgwicks Lawyers

Attention: Melissa Passarelli

Level 6

140 William Street

Melbourne VIC 3000

We are otherwise in the process of responding to the balance of your letter of 2 June 2022.

Regards

Melissa Passarelli

Senior Associate

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T: +61 3 9242 4780 E: Melissa.Passarelli@madgwicks.com.au

Level 6, 140 William Street, Melbourne VIC 3000

www.madgwicks.com.au

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MinterEllison.

16 June 2022

BY EMAIL: Sazz.Nasimi@madgwicks.com.au

Sazz Nasimi
Partner
Madgwicks Lawyers
Level 6, 140 William Street
Melbourne VIC 3000

Dear Mr Nasimi

Westpac Banking Corporation & Anor v Forum Finance Pty Limited (in liquidation) & Ors Federal Court of Australia proceeding number NSD616/2021 (Proceedings)

1. We refer to:
 - (a) your email dated 30 May 2022 (10:38am) regarding your client's request for, inter alia, releases of funds from the controlled monies account to fund your client's legal expenses and a revised cap to the freezing orders against your client (**Request**);
 - (b) our letter to you dated 2 June 2022 in which we explained our clients' position regarding your client's Request (**Our Letter**);
 - (c) your email to us of 14 June 2022 (3:04pm);
 - (d) our response to that email of 14 June 2022 (3:24pm) (**Our Email**);
 - (e) your email to us of 16 June 2022 (12:05pm); and
 - (f) your email to his Honour Justice Lee's Associate of 16 June 2022 (12:15pm) (**Your Email to the Court**)
2. In both Our Letter and Our Email:
 - (a) we explained that our clients consent to the release of the sum of \$270,000.00 from the controlled account with account number 033003 667565 (**CMA**) holding the proceeds of the sale of the property at 23 Margaret Street, Rozelle for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, on the condition that SMBC Leasing and Finance Inc (**SMBC**), who we understand also maintains a proprietary claim in connection with the funds within the CMA, consents to that course of action (**Proposed Release**); and
 - (b) we asked you to provide to us confirmation of SMBC's consent to the Proposed Release so that we could obtain instructions from our clients as to the balance of the items in the Request.
3. As we explained in Our Email we understand that your firm is yet to contact the solicitors for SMBC to seek their client's consent to the Proposed Release.
4. We are yet to receive a response from you to those matters as raised in both Our Letter and Our Email, including the various requests for information made within those communications.

5. Regarding the application foreshadowed in Your Email to the Court we do not see how the application could possibly be described as "*urgent*" in circumstances where:
 - (a) our clients have consented to the Proposed Release, conditioned on your client obtaining consent from SMBC;
 - (b) that position was communicated to you in Our Letter and again in Our Email; and
 - (c) we are yet to receive from you a substantive response on this issue to either Our Letter or Our Email.
6. Should the application foreshadowed in Your Email to the Court be listed, our clients will oppose that application and will rely on this letter on this issue of costs which will be sought on an indemnity basis.
7. All of our clients' rights are expressly reserved.

Yours faithfully
MinterEllison



Caitlin Murray
Partner

Contact: Caitlin Murray +61 2 9921 4279 M +61 422 977 971
caitlin.murray@minterellison.com
OUR REF: 1353397

Simon Brandis

From: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>
Sent: Friday 17 June 2022 05:03 PM
To: Melissa Passarelli; Prinsloo, Kirsty; Haystead, Tom; Raymond Makko; Alana Galasso; Paul Hunt; Peter O'Brien; Sidnie Sarang; Caitlin Murray; Michael Hughes; Forum (Allens); Dobson, Roger; Yiasemides, Maria; Shanahan, Lucy J.; Prestwich, Chris; Robert Ishak; Simon Brandis; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke; 'matthew.youssef@ashurst.com'; 'ian.bolster@ashurst.com'; Prestwich, Chris; Prestwich, Chris; julian.zoller@ashurst.com; Yiasemides, Maria; Dobson, Roger; EXT ForumGroupJD; Kate Cockburn; Michael Swain
Cc: Sazz Nasimi; Candy Nelson; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E_Mail
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091... [IMAN-CURRENT_MATTERS.FID668654]
Attachments: Affidavit of Vincenzo Tesoriero with Exhibits dated 17 June 2022.pdf; Interlocutory Application - 17 June 2022(4849547.2).pdf

Dear Colleagues,

Please see **attached** the interlocutory application and supporting affidavit which were filed with the Court at approximately 2:30 this afternoon.

We will provide you with the sealed copies once available.

Kind regards,

Alexandra Lawrence
Associate

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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From: Alexandra Lawrence
Sent: Thursday, 16 June 2022 12:04 PM
To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>;

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)
Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien <peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke <Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>; Dobson, Roger <rdobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E_Mail <{F668654}.Current_Matters@madgwicks.imanagework-au.com>
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091... [IMAN-CURRENT_MATTERS.FID668654]

Dear Colleagues

We refer to the freezing order dated 2 July 2021 and in particular the carve outs for legal and personal expenses.

We are instructed to urgently relist this matter before Justice Lee so that the issue of payment of the third defendant's costs may be resolved. We propose to file an affidavit in support of this application which will be served on you later today.

We intend to write to the Court forthwith to enquire as to its availability for this hearing.

Regards

Alexandra Lawrence
Associate

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From: Alexandra Lawrence

Sent: Monday, 9 May 2022 4:46 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

<peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdoobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke <Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>; Dobson, Roger <rdoobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues,

Please see **attached** by way of service a Notice of Acting for the 39th Respondent.

A defence will be filed and served in due course.

Kind regards,

Alexandra Lawrence
Lawyer

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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From: Alexandra Lawrence

Sent: Friday, 29 April 2022 1:31 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien <peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdoobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke

<Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>; Dobson, Roger <rdoobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues,

It has come to our attention that the defence for the 25th respondent in proceeding NSD616/2021 was inadvertently left out of the link circulated on 20 April 2022.

The defence for the 25th respondent is now included by way of service. Please see the link below for your reference:

[☐ NSD616 defences](#)

Please contact our office with any queries.

Kind regards,

Alexandra Lawrence
Lawyer

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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From: Alexandra Lawrence

Sent: Wednesday, 20 April 2022 4:47 PM

To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien <peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdoobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke <Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>;

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)
Dobson, Roger <rdoobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Candy Nelson <Candy.Nelson@madgwicks.com.au>
Subject: RE: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues,

Please see in the below links by way of service:

1. The defences for the 3rd, 8th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 26th, 38th, 40th, 41st and 45th respondents in proceeding NSD616/2021
 [NSD616 defences](#); and
2. The defences for the 23rd, 24th and 25th respondents in proceeding NSD681/2021
 [NSD681 defences](#).

Please contact our office with any queries.

Kind regards,

Alexandra Lawrence
Lawyer

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From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Tuesday, 12 April 2022 4:27 PM

To: Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; Haystead, Tom <thaystead@jonesday.com>; Raymond Makko <raymond.makko@williamroberts.com.au>; Alana Galasso <Alana.Galasso@minterellison.com>; Paul Hunt <p.hunt@huntslaw.com.au>; Peter O'Brien <peter.obrien@obriensolicitors.com.au>; Sidnie Sarang <sidnie@obriensolicitors.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Forum (Allens) <ForumAllens@allens.com.au>; Dobson, Roger <rdoobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; Shanahan, Lucy J. <lshanahan@jonesday.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Robert Ishak <robert.ishak@williamroberts.com.au>; Simon Brandis <Simon.Brandis@minterellison.com>; billp@whparsons.com.au; law@panetta.com.au; hayley@whparsons.com.au; sathya@whparsons.com.au; julian.zoller@ashurst.com; skarnib@mlglaw.com.au; melazzi@mlglaw.com.au; Claire Latham <Claire.Latham@minterellison.com>; ian.bolster@ashurst.com; matthew.youssef@ashurst.com; Andrew Clarke <Andrew.Clarke@minterellison.com>; 'matthew.youssef@ashurst.com' <matthew.youssef@ashurst.com>; 'ian.bolster@ashurst.com' <ian.bolster@ashurst.com>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prestwich, Chris <Chris.Prestwich@allens.com.au>; julian.zoller@ashurst.com; Yiasemides, Maria <myiasemides@jonesday.com>; Dobson, Roger <rdoobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Kate

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

Cockburn <Kate.Cockburn@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>;

Candy Nelson <Candy.Nelson@madgwicks.com.au>

Subject: Westpac v Forum Finance Pty Ltd (NSD616/2021) | Societe Generale v Forum Finance (NSD642/2021) | SMBC Leasing v Forum Finance (NSD681/2021) | In the matter of Forum Finance (NSD747/2021) [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues

We write to provide an update with respect to our clients' defences.

Due to Senior Counsel being in a trial for the last 3 weeks (which has gone for longer than expected), the finalisation of the defences has been delayed.

Notwithstanding this, we anticipate being in a position to file our clients' defences by this Friday, 15 April.

Regards

Melissa Passarelli

Associate

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Simon Brandis

From: Shanahan, Lucy J. <lshanahan@jonesday.com>
Sent: Wednesday 22 June 2022 09:54 AM
To: Alexandra Lawrence
Cc: Sazz Nasimi; Melissa Passarelli; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E_Mail; Caitlin Murray; Michael Hughes; PROJECT OLYMPUS; Dobson, Roger; Yiasemides, Maria; EXT ForumGroupJD
Subject: RE: SMBC Leasing & Finance Inc. v Forum Enviro (NSD681/2021) [IMAN-CURRENT_MATTERS.FID668654]
Attachments: Interlocutory Application - 17 June 2022(4849547.2).pdf

Dear Ms Lawrence

As you are aware, SMBC L&F asserts a proprietary claim over the proceeds of sale of the property at 23 Margaret Street. Notwithstanding this, we are instructed that our client will consent to Order 2 of the orders sought in the interlocutory application dated 17 June 2022, to the extent that Order 2 relates to the release of funds from the proceeds of the Margaret Street sale in the amount of \$270,000, for the payment of your client's reasonable legal expenses as referred to in the freezing orders. Our client does not consent to the funds being used for Mr Tesoriero's personal expenses, as your email below suggests.

Our client does not agree to the release of any other funds held by the external administrators where it asserts a proprietary claim over those funds.

Kind regards
Lucy

Lucy Shanahan

Associate

[JONES DAY® - One Firm WorldwideSM](#)

Aurora Place

Level 41, 88 Phillip Street

Sydney, NSW 2000 Australia

Office +61.2.8272.0756

Mobile +61.405.352.766

From: owner-ext-forumgroupjd@groups.jonesday.com <owner-ext-forumgroupjd@groups.jonesday.com> **On Behalf Of** Alexandra Lawrence

Sent: Thursday, 16 June 2022 6:20 PM

To: Yiasemides, Maria <myiasemides@jonesday.com>

Cc: Dobson, Roger <rdobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E_Mail <{F668654}.Current_Matters@madgwicks.imanagework-au.com>

Subject: RE: SMBC Leasing & Finance Inc. v Forum Enviro (NSD681/2021) [IMAN-CURRENT_MATTERS.FID668654]

**** External mail ****

Dear Ms Yiasemides,

We refer to the freezing order dated 2 July 2021 made against our client, Mr Vincenzo Tesoriero (most recently varied as of 12 November 2021) in the Westpac proceeding.

Paragraph 10(b) of the freezing order states that '*This order does not prohibit... (b) paying up to the sum of \$450,000 until 10 March 2022 on your reasonable legal expenses*'.

We **attach** correspondence from MinterEllison confirming that despite the above order allowing the release of funds, Westpac requires your consent to the release of funds for our client's legal and personal expenses.

Whilst the orders do not require your consent, out of an abundance of caution we seek your consent.

Please do not hesitate to contact our office with any queries.

Kind regards,

Alexandra Lawrence

Associate

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T: +61 3 9242 4720 E: Alexandra.Lawrence@madgwicks.com.au

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Cc: Sazz Nasimi; Alexandra Lawrence; Kate Cockburn; Michael Hughes; Andrew Clarke; Simon Brandis; Alana Galasso; Michael Swain; Claire Latham
Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]
Attachments: RE: SMBC Leasing & Finance Inc. v Forum Enviro (NSD681/2021) [IMAN-CURRENT_MATTERS.FID668654]; Westpac (002).docx

Dear Caitlin

We refer to the below correspondence and the **attached** correspondence received on behalf of SMBC which we note you were copied into.

In light of this correspondence, we ask that you organise the *urgent* execution and delivery of the letter provided to you on 14 June 2022 (attached again for convenience).

Regards

Melissa Passarelli
Senior Associate

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Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>
Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Melissa

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

Our clients' consent to the withdrawal of the \$270,000 from the CMA account for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, was conditional upon the consent of SMBC Leasing and Finance Inc (SMBC), who we understand also maintains a proprietary claim in connection with the funds within the CMA, being obtained.

We understand that your firm is yet to contact the solicitors for SMBC to seek their client's consent.

Please let us have confirmation of the consent of SMBC to the proposed release and we will arrange to sign and return the letter.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>

Subject: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues

We refer to your letter of 2 June 2022 whereby you confirm that your clients consent to the withdrawal of the sum of \$270,000 from the proceeds of the sale of the property at 23 Margaret Street, Rozelle.

Westpac as the bank which holds the controlled monies account, has confirmed that the **attached** letter must be signed by the persons who signed the initial form from MinterEllison and Madgwicks in order for any monies to be withdrawn.

Accordingly, could you please have the attached letter signed by the relevant partners from MinterEllison and post the original letter to the below address by *express post*:

Madgwicks Lawyers
Attention: Melissa Passarelli
Level 6
140 William Street
Melbourne VIC 3000

We are otherwise in the process of responding to the balance of your letter of 2 June 2022.

Regards

Melissa Passarelli
Senior Associate

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VACCINATED WORKPLACE

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Sensitive: Legal

Simon Brandis

From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>
Sent: Friday 24 June 2022 12:21 PM
To: Caitlin Murray
Cc: Sazz Nasimi; Alexandra Lawrence; Kate Cockburn; Michael Hughes; Andrew Clarke; Simon Brandis; Alana Galasso; Michael Swain; Claire Latham
Subject: Urgent - Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]
Attachments: Westpac (002).docx
Importance: High

Dear Caitlin

We refer to the below email.

Could you please confirm that the **attached** has been executed and is on its way to Madgwicks via express post.

We have numerous disbursements on Mr Teseriero's account, some which have exceeded 90 days. As a result, our firm has received final demands which, failing payment being made imminently, will result in the issuing of legal proceedings. Any delay in releasing the funds which have been agreed to be released to our office is therefore unacceptable.

We look forward to your urgent response.

Regards

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Senior Associate

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Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

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We refer to the below correspondence and the **attached** correspondence received on behalf of SMBC which we note you were copied into.

In light of this correspondence, we ask that you organise the *urgent* execution and delivery of the letter provided to you on 14 June 2022 (attached again for convenience).

Regards

Melissa Passarelli
Senior Associate

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Please let us have confirmation of the consent of SMBC to the proposed release and we will arrange to sign and return the letter.

Regards
Caitlin

Caitlin Murray

Partner

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Subject: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues

We refer to your letter of 2 June 2022 whereby you confirm that your clients consent to the withdrawal of the sum of \$270,000 from the proceeds of the sale of the property at 23 Margaret Street, Rozelle.

Westpac as the bank which holds the controlled monies account, has confirmed that the **attached** letter must be signed by the persons who signed the initial form from MinterEllison and Madgwicks in order for any monies to be withdrawn.

Accordingly, could you please have the attached letter signed by the relevant partners from MinterEllison and post the original letter to the below address by *express post*:

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Attention: Melissa Passarelli
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We are otherwise in the process of responding to the balance of your letter of 2 June 2022.

Regards

Melissa Passarelli
Senior Associate

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Subject: RE: Urgent - Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Ms Passarelli

It is in the process of being signed and will be posted later today.

Regards
Caitlin

Caitlin Murray

Partner

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Importance: High

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Senior Associate

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Attention: Melissa Passarelli
Level 6
140 William Street
Melbourne VIC 3000

We are otherwise in the process of responding to the balance of your letter of 2 June 2022.

Regards

Melissa Passarelli
Senior Associate



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T: +61 3 9242 4780 E: Melissa.Passarelli@madgwicks.com.au

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Simon Brandis

From: Michael Swain
Sent: Friday 24 June 2022 02:30 PM
To: Melissa Passarelli; Sazz Nasimi
Cc: Alexandra Lawrence; Kate Cockburn; Michael Hughes; Andrew Clarke; Simon Brandis; Alana Galasso; Claire Latham; Caitlin Murray
Subject: RE: Urgent - Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678] [ME-ME.FID6285718]
Attachments: L - Madgwicks - Disbursement of Funds - 24.06.22.PDF

Dear Ms Passarelli,

Please see attached the signed letter consenting to disbursement of funds.

The letter has been express posted to Madgwicks.

Kind regards,

—
Michael Swain

Lawyer

T +61 2 9921 4609

M 0458 029 287

michael.swain@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Friday 24 June 2022 12:21 PM

To: Caitlin Murray <Caitlin.Murray@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>

Subject: Urgent - Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Importance: High

Dear Caitlin

We refer to the below email.

Could you please confirm that the **attached** has been executed and is on its way to Madgwicks via express post.

We have numerous disbursements on Mr Teseriero's account, some which have exceeded 90 days. As a result, our firm has received final demands which, failing payment being made imminently, will result in the issuing of legal proceedings. Any delay in releasing the funds which have been agreed to be released to our office is therefore unacceptable.

We look forward to your urgent response.

Regards

Melissa Passarelli
Senior Associate

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T: +61 3 9242 4780 E: Melissa.Passarelli@madgwicks.com.au

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From: Melissa Passarelli

Sent: Wednesday, 22 June 2022 10:15 AM

To: Caitlin Murray <Caitlin.Murray@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>

Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Caitlin

We refer to the below correspondence and the **attached** correspondence received on behalf of SMBC which we note you were copied into.

In light of this correspondence, we ask that you organise the *urgent* execution and delivery of the letter provided to you on 14 June 2022 (attached again for convenience).

Regards

Melissa Passarelli
Senior Associate

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Melissa.Passarelli@madgwicks.com.au

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From: Caitlin Murray <Caitlin.Murray@minterellison.com>
Sent: Tuesday, 14 June 2022 3:24 PM
To: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; Kate Cockburn <Kate.Cockburn@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>
Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Caitlin Murray <Caitlin.Murray@minterellison.com>
Subject: RE: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Melissa

Our clients' consent to the withdrawal of the \$270,000 from the CMA account for the purpose of those funds being applied to Mr Tesoriero's reasonable legal expenses, was conditional upon the consent of SMBC Leasing and Finance Inc (SMBC), who we understand also maintains a proprietary claim in connection with the funds within the CMA, being obtained.

We understand that your firm is yet to contact the solicitors for SMBC to seek their client's consent.

Please let us have confirmation of the consent of SMBC to the proposed release and we will arrange to sign and return the letter.

Regards
Caitlin

Caitlin Murray

Partner

T +61 2 9921 4279 M +61 422 977 971

caitlin.murray@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

minterellison.com **Follow us on LinkedIn and Twitter**

From: Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>

Sent: Tuesday 14 June 2022 03:04 PM

To: Kate Cockburn <Kate.Cockburn@minterellison.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; Andrew Clarke <Andrew.Clarke@minterellison.com>; Simon Brandis <Simon.Brandis@minterellison.com>; Alana Galasso <Alana.Galasso@minterellison.com>; Michael Swain <Michael.Swain@minterellison.com>; Claire Latham <Claire.Latham@minterellison.com>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>

Subject: Controlled Monies Account - Westpac Banking Corporation & Anor v Vince Tesoriero & Ors [MADG-CURRENT_MATTERS.18091.047678]

Dear Colleagues

We refer to your letter of 2 June 2022 whereby you confirm that your clients consent to the withdrawal of the sum of \$270,000 from the proceeds of the sale of the property at 23 Margaret Street, Rozelle.

Westpac as the bank which holds the controlled monies account, has confirmed that the **attached** letter must be signed by the persons who signed the initial form from MinterEllison and Madgwicks in order for any monies to be withdrawn.

Accordingly, could you please have the attached letter signed by the relevant partners from MinterEllison and post the original letter to the below address by express post:

Madgwicks Lawyers
Attention: Melissa Passarelli
Level 6
140 William Street
Melbourne VIC 3000

We are otherwise in the process of responding to the balance of your letter of 2 June 2022.

Regards

Melissa Passarelli
Senior Associate

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Melissa.Passarelli@madgwicks.com.au

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MinterEllison.

24 June 2022

BY POST AND EMAIL: Sazz.Nasimi@madgwicks.com.au

Westpac Banking Corporation
Level 9
150 Collins Street
Melbourne
VIC 3000

Dear Sirs

Madgwicks & Minter Ellison ATF Vincenzo Tesoriero – Controlled Money Account - 667565

Please withdraw funds in the amount of \$270,000.00 from account 667565, BSB 033 003 and disburse to Madgwicks Trust Account number 256 563 BSB 033 003.

Yours faithfully
MinterEllison



Michael Hughes
Partner



James Beaton
Partner

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GPO Box 521 Sydney NSW 2001 Australia DX 117 Sydney
T +61 2 9921 8888 F +61 2 9921 8123 minterellison.com

Simon Brandis

From: Alana Galasso
Sent: Friday 24 June 2022 10:21 PM
To: Alexandra Lawrence; Sazz Nasimi; Melissa Passarelli
Cc: 047678 Tesoriero _ Dispute against Westpac Banking Corporation E_Mail; Caitlin Murray; Michael Hughes; PROJECT OLYMPUS; Dobson, Roger; Yiasemides, Maria; EXT ForumGroupJD; Shanahan, Lucy J.; kirsty.prinsloo@allens.com.au; chris.prestwich@allens.com.au; forumallens@allens.com.au
Subject: RE: SMBC Leasing & Finance Inc. v Forum Enviro (NSD681/2021) [IMAN-CURRENT_MATTERS.FID668654] [ME-ME.FID6264995]
Attachments: L - Madgwicks re FO variation - 24.06.22 (FINAL - with enclosures).PDF; Annexure A - L - Madgwicks re FO IA - SMO for updated FO - June 2022 (FINAL).PDF; Annexure B - L - Madgwicks re FO IA - Schedule of Proprietary Relief and Recoveries - Sold VT properties (FINAL).PDF; Annexure C - L - Madgwicks re FO IA - List of VT Property Interests (income_interest repayments) (FINAL).PDF

Dear Colleagues

We refer to your client's Interlocutory Application dated 17 June 2022 concerning the Freezing Order made against him on 2 July 2021 (as amended and extended, including by orders made on 12 November 2021).

Please find **attached** correspondence of today's date along with annexures to the same.

Kind regards
Alana

Alana Galasso

Lawyer

T +61 2 9921 4287

alana.galasso@minterellison.com

MinterEllison Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000

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From: Shanahan, Lucy J. <lshanahan@jonesday.com>

Sent: Wednesday 22 June 2022 09:54 AM

To: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>

Cc: Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E_Mail <{F668654}.Current_Matters@madgwicks.imanagework-au.com>; Caitlin Murray <Caitlin.Murray@minterellison.com>; Michael Hughes <Michael.Hughes@minterellison.com>; PROJECT OLYMPUS <PROJECTOLYMPUS@minterellison.com>; Dobson, Roger <rdobson@jonesday.com>; Yiasemides, Maria <myiasemides@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>

Subject: RE: SMBC Leasing & Finance Inc. v Forum Enviro (NSD681/2021) [IMAN-CURRENT_MATTERS.FID668654]

Dear Ms Lawrence

As you are aware, SMBC L&F asserts a proprietary claim over the proceeds of sale of the property at 23 Margaret Street. Notwithstanding this, we are instructed that our client will consent to Order 2 of the orders sought in the interlocutory application dated 17 June 2022, to the extent that Order 2 relates to the release of funds from the proceeds of the Margaret Street sale in the amount of \$270,000, for the payment of your client's reasonable legal expenses as referred to in the freezing orders. Our client does not consent to the funds being used for Mr Tesoriero's personal expenses, as your email below suggests.

Our client does not agree to the release of any other funds held by the external administrators where it asserts a proprietary claim over those funds.

Kind regards
Lucy

Lucy Shanahan

Associate

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Aurora Place

Level 41, 88 Phillip Street

Sydney, NSW 2000 Australia

Office +61.2.8272.0756

Mobile +61.405.352.766

From: owner-ext-forumgroupjd@groups.jonesday.com <owner-ext-forumgroupjd@groups.jonesday.com> **On Behalf Of**

Alexandra Lawrence

Sent: Thursday, 16 June 2022 6:20 PM

To: Yiasemides, Maria <myiasemides@jonesday.com>

Cc: Dobson, Roger <rdobson@jonesday.com>; EXT ForumGroupJD <EXT-ForumGroupJD@groups.jonesday.com>; Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E_Mail <{F668654}.Current_Matters@madgwicks.imanagework-au.com>

Subject: RE: SMBC Leasing & Finance Inc. v Forum Enviro (NSD681/2021) [IMAN-CURRENT_MATTERS.FID668654]

**** External mail ****

Dear Ms Yiasemides,

We refer to the freezing order dated 2 July 2021 made against our client, Mr Vincenzo Tesoriero (most recently varied as of 12 November 2021) in the Westpac proceeding.

Paragraph 10(b) of the freezing order states that *'This order does not prohibit... (b) paying up to the sum of \$450,000 until 10 March 2022 on your reasonable legal expenses'*.

We **attach** correspondence from MinterEllison confirming that despite the above order allowing the release of funds, Westpac requires your consent to the release of funds for our client's legal and personal expenses.

Whilst the orders do not require your consent, out of an abundance of caution we seek your consent.

Please do not hesitate to contact our office with any queries.

Kind regards,

Alexandra Lawrence

Associate

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MinterEllison.

24 June 2022

BY EMAIL: Sazz.Nasimi@madgwicks.com.au

Sazz Nasimi
Partner
Madgwicks Lawyers
Level 6, 140 William Street
Melbourne VIC 3000

Dear Mr Nasimi

**Westpac Banking Corporation & Anor v Forum Finance Pty Limited (in liquidation) & Ors
Federal Court of Australia proceeding number NSD616/2021 (Proceedings)**

We refer to:

1. the freezing order made against Mr Tesoriero on 2 July 2021 (as amended and extended, including by orders made on 12 November 2021) (**Freezing Order**);
2. your client's Interlocutory Application dated 17 June 2022 concerning the Freezing Order (the **Interlocutory Application**);
3. your client's affidavit of 17 June 2022 (the **17 June Affidavit**);
4. our recent correspondence, including our letter of 2 June 2022 (**Our Letter**); and
5. the email from Lucy Shanahan of Jones Day (on behalf of SMBC) to your firm of 22 June 2022 (**SMBC Email**).

Amendment to the Freezing Order

As previously stated in Our Letter, our clients (together **Westpac**) accept that a variation of the Freezing Order is required to address Mr Tesoriero and your other clients' further legal expenses. Westpac is prepared to be reasonable in respect of your clients' legal expenses, and to take a pragmatic approach to a proposed variation. Westpac is not, however, prepared to agree any erosion of its proprietary rights with respect to the proceeds of sale of various properties as set out in detail below.

Notwithstanding that your clients have failed to respond in a meaningful manner to our requests for information, including those set out in Our Letter, Westpac is prepared to agree to vary the Freezing Order in the terms set out in the proposed short minutes of order (the **Proposed SMO**) enclosed as "**Annexure A**" to this letter.

Specifically, and as set out in the Proposed SMO, Westpac agrees on a without prejudice and without admissions basis:

1. to a variation to order (10)(b) of the Freezing Order so that the order does not prohibit your clients paying up to the sum of \$642,511.65 for reasonable legal expenses. This amount is not limited to legal expenses incurred in connection with the Proceedings and is intended to be available to Mr Tesoriero for all reasonable legal expenses incurred by him, and his associated companies,

Level 40 Governor Macquarie Tower 1 Farrer Place Sydney
GPO Box 521 Sydney NSW 2001 Australia DX 117 Sydney
T +61 2 9921 8888 F +61 2 9921 8123 minterellison.com

including the legal expenses in connection with the matters set out in paragraphs [17]-[33] of the 17 June Affidavit; and

2. to a release of:
 - (a) the amount of \$270,000 from the controlled monies account with account number 033 003 667 565 (**CMA**), being the account that holds the surplus proceeds from the sale of the property formerly owned by 23 Margaret Street Rozelle Pty Ltd (**Margaret Street**), as previously agreed in Our Letter, which funds are to be applied solely towards your client's reasonable legal expenses. We note that in the SMBC Email, SMBC Leasing and Finance, Inc. (**SMBC**), the Applicant in Federal Court of Australia Proceedings No. NSD681/2021, which has a claim against the fund created on the sale of the Margaret Street property, has also consented to the release of \$270,000 from the CMA on the same basis. To facilitate the expeditious release of these funds, we have, prior to execution of these consent orders executed the relevant forms for release of the \$270,000; and
 - (b) subject to the further consent of SMBC being obtained, the amount of \$192,511.65 also from the CMA, again for the sole use of your client's reasonable legal expenses. This amount represents the remaining balance of the CMA which is not subject to proprietary claims, including by our clients or SMBC.
3. Order (10)(A)(c) of the Freezing Order will expressly provide that the Freezing Order does not prohibit the release of the funds set out in paragraph 2 above provided these funds are to be applied towards your client's reasonable legal expenses only.

The basis of the amount of \$642,511.65 is that that amount is the sum of the amount agreed in respect of legal fees to date (including the \$270,000 referred to above) plus the balance of the fund which is held in the CMA and which is not the subject of proprietary relief. In circumstances in which your client claims to have access to no other money (a proposition our client does not accept) and has not provided the information as to his and his companies' assets nor an adequate foundation for the estimate of costs, there is no foundation for or utility in a different variation.

For the reasons which have been articulated below, we invite your client to agree to the Proposed SMO and otherwise withdraw the Interlocutory Application.

Proprietary claims and access to funds

By the Interlocutory Application your client seeks, among other orders, an order that the amount of \$1,866,000 be released to your firm's trust account to be applied to his reasonable legal expenses. Our clients have not, despite request, been provided with sufficient information to fully assess the claimed reasonableness (or otherwise) of this amount with respect to anticipated future legal costs to be incurred by your client and with respect to his legal costs incurred to date, particularly in light of the matters we identified in Our Letter.

In any event, an analysis of the various property sales referred to below and the tracing of the source of funds used to purchase those properties reveals that further releases of funds could not be made without infringing upon the proprietary rights of our clients; the other applicants; and the companies (some of which are in liquidation) with respect to those funds. In the absence of any further information from your client disclosing an alternative source of funds to pay legal fees, Westpac will not consent to a variation of the Freezing Order to allow payment of the sum of \$1,866,000 with respect to legal fees.

In this regard, the 17 June Affidavit refers to, as possible sources from which the amount of \$1,866,000 could be released, the amount of:

1. \$773,362.88 paid into Court pursuant to orders made by Lee J on 1 October 2021 (being funds connected with the purchase of the property at 8-12 Natalia Ave Oakleigh, which was to be purchased by 8-12 Natalia Ave Oakleigh Pty Ltd (**Natalia Ave**));

2. \$759,619 paid into the Supreme Court of Victoria from the sale of the property at 1160 Glen Huntley Road, Glen Huntley formerly owned by 1160 Glen Huntley Road Pty Ltd (**Glen Huntley**);
3. \$1,340,866.65 paid into the CMA pursuant to the orders made by Lee J on 9 February 2022; and
4. \$9,808,169.94 in a controlled monies account held by the Receivers from the sale of the 6 Bulkara Street property, formerly owned by 6 Bulkara Street Pty Ltd (in liquidation) (**6 Bulkara**),
(together referred to as the **Proceeds**).

Our clients are concerned that property and assets over which they assert proprietary claims should not be eroded in the expenditure of legal costs by your clients. As such, we reiterate that to the extent a proprietary interest is claimed over funds, including the Proceeds, our clients oppose those funds being used for the payment of legal expenses and oppose their release to your firm's trust account. Your client has not adequately demonstrated why, or the basis upon which it is asserted that, he is entitled to access part of the Proceeds for payment of his reasonable legal expenses in the manner contemplated by the Interlocutory Application.

The affidavit of Mr Jason Preston of 10 June 2022 exhibits his analysis, from the Forum group of companies and related entities' bank statements, of funds that can be traced as being paid to, or for the benefit of, among others the Respondents in the Proceedings (**Tracing Analysis**). We have prepared a table that sets out the traced amounts, as identified from the Tracing Analysis, in respect of certain of the Respondents including Natalia Ave, Glen Huntley and Margaret Street (**Schedule**). The Schedule also sets out the Proceeds and the extent to which there is any surplus, being the amount of the Proceeds that exceeds the funds that have been traced to the relevant Respondent. Please find enclosed as "**Annexure B**" a copy of the Schedule.

To the extent any property owning company is in liquidation (as set out in the Schedule, this includes 6 Bulkara), we do not understand the basis of any contention that any surplus could be released to your firm to be utilised for your client's legal expenses.

Having regard to the extent of the proprietary claims, including those made by Westpac in the Proceedings and having regard to the external administration of 6 Bulkara, the Schedule identifies that the only surplus is the total amount of \$462,511.65 held in the CMA. As set out above, Westpac is prepared to consent to the release of this amount to your trust account for Mr Tesoriero's reasonable legal expenses (being the sum of the \$270,000 referred to in paragraph 2(a) and the \$192,511.65 in paragraph 2(b)). As set out above, this proposal is made on a without prejudice and without admissions basis only and is not to be construed as consent by our clients to your client having access to any other funds of entities over which they have a claim for any purpose, including to meet his legal expenses.

As set out above, your client has failed to adequately explain why he should be permitted to access funds in respect of which our clients have a proprietary claim. To the extent Mr Tesoriero maintains his claim to those funds, the Court will need to assess whether he should be permitted to use those funds to fund his defence of the Proceedings: as to which see generally *Polly Peck International v Nadir (No 2)* [1992] 2 Lloyd's Rep 238; *PWC Underwriting v Dixon* [1983] 2 All ER 158; and *In His Eminence Metropolitan Petar v The Macedonian Orthodox Community Church St Petka Inc* [2006] NSWCA 277. This assessment ought have regard to the extent to which that expense can be met from other sources: see further *Birketu Pty Limited v Westpac Banking Corporation (No 2)* [2018] NSWSC 494 at [60]-[68]; *National Australia Bank Limited v Human Group Pty Ltd (No 2)* [2020] NSWSC 1900 at [110].

Further, there is no adequate evidence that his expenses cannot be met from other sources. This is particularly so when Mr Tesoriero has failed to respond to Our Letter, and the requests for information set out in paragraph 4 of the same. Further, the 17 June Affidavit does not provide evidence of Mr Tesoriero's employment, nor does it provide statements of accounts to show his capacity (or otherwise) to fund his defence.

We also note that there is a significant disparity between the interest expenses disclosed by Mr Tesoriero in his affidavit dated 21 July 2021 (the **21 July 2021 Affidavit**) and the 17 June 2022 Affidavit. We have

prepared a table that extracts certain of the property rental income and interest expenses,¹ as deposed by Mr Tesoriero in "Annexure A – List of Interests" to the 21 July 2021 Affidavit (**Property List**). Please find enclosed as "**Annexure C**" a copy of the Property List. The Property List discloses monthly interest payments totalling approximately \$71,400 (\$51,200 in respect of JUDO liabilities and \$9,700 in respect of ANZ liabilities) and sets out monthly rental income in the amount of \$113,150. By way of comparison, at paragraph [37] of the 17 June Affidavit Mr Tesoriero deposes that interest expenses currently total \$107,600 and rental income is in the amount of \$99,089.98. Mr Tesoriero has failed to disclose the reason for the significant increase, of approximately \$36,200, in interest expenses and the significant claimed decrease, of approximately \$14,000, in rental income since the 21 July 2021 Affidavit. Mr Tesoriero has not included any statements of account to substantiate the income and interest expenses referred to in paragraph [37] of the 17 June Affidavit.

Arising out of the information set out in Mr Tesoriero's affidavit we enclose, by way of service, a notice to produce in Form 61, seeking production to the Court at the next return of subpoena hearing at 9.30am (AEST) on 29 June 2022. To the extent that the Interlocutory Application, unless withdrawn, is listed for hearing prior to 29 June 2022, we intend to call on the notice to produce at that hearing.

Further, Annexure A of the 21 July 2021 Affidavit refers, at item 24, to a property with address "22 Hight [sic] St, Rushworth 3612" as being owned by a company associated with Mr Tesoriero namely, 22 High Street Rushworth Pty Ltd. A copy of the historic title search for the property at 22 High Street Rushworth (enclosed) shows that the property is owned by Rushworth Property Holdings Pty Ltd. Can you please provide further information and an explanation in relation to the status of this property.

In those circumstances set out above, we invite your client to agree to the Proposed SMO and otherwise to withdraw the Interlocutory Application. If your client, notwithstanding the matters raised in this letter, nevertheless proceeds with the Interlocutory Application, all of our clients' rights are expressly reserved, including as to any application for costs to be paid on an indemnity basis.

Yours faithfully
MinterEllison



Caitlin Murray
Partner

Contact: Caitlin Murray T: +61 2 9921 4279
caitlin.murray@minterellison.com
Partner: Caitlin Murray T: +61 2 9921 4279
OUR REF: 1353397

¹ For the avoidance of doubt, this does not include properties where the property has been sold or the property owning company is in external administration.

Form 61
Rule 30.28(1)

Notice to produce

No. NSD616/2021

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

Westpac Banking Corporation ABN 33 007 457 141 and another named in the Schedule
Applicants

Forum Finance Pty Limited ACN 153 301 172 and others named in the Schedule
Respondents

To the Vincenzo Frank Tesoriero, third respondent

The Applicants require you to produce the following documents or things at the return of subpoena hearing at 9:30am on 29 June 2022:

1. A copy of the account statements in respect of the Accounts in the Relevant Period.

In this Notice to Produce, the following words have the definitions set out below:

1. **Accounts** means each and any of:
 - a. the bank account in the name of 65 Nelson Trust held with Australia and New Zealand Banking Group Limited (**ANZ**) with BSB 013214 and account number 460998561;
 - b. the bank account in the name of 9 Main Street Derrinallum Pty Ltd ATF 9 Main Street Derrinallum Unit Trust held with National Australia Bank Limited (**NAB**) with BSB 082080 and account number 926496249;
 - c. the bank account in the name of 275 High Street Golden Square Pty Ltd ATF 275 High Street Golden Square Trust held with NAB with BSB 082080 and account number 448010047;

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, applicants		
Prepared by (name of person/lawyer)	Caitlin Murray		
Law firm (if applicable)	MinterEllison		
Tel	(02) 9921 8888	Tel	(02) 9921 8888
Email	caitlin.murray@minterellison.com		
Address for service (include state and postcode)	Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000 Our reference: CMM:AGS:1353397		

[Form approved 01/08/2011]

- d. the bank account in the name of 123 High Street Taradale Pty Ltd ATF 123 High Street Taradale Unit Trust held with NAB with BSB 082080 and account number 975544112;
- e. the bank account in the name of 4 Cowslip Street Violet Town Pty Ltd as trustee for 4 Cowslip Street Violet Town Unit Trust held with NAB with BSB 082080 and account number 421958540;
- f. the bank account in the name of 89 Betka Road Mallacoota Unit Trust held with NAB with BSB 082080 and account number 777179310;
- g. the bank account in the name of 64-66 Berkley St Hawthorn Unit Trust held with NAB with BSB 082080 and account number 328159963;
- h. the bank account in the name of 14 Kirwin Road Morwell Pty Ltd as trustee for 14 Kirwin Road Morwell Unit Trust held with ANZ with BSB 013405 and account number 320266238
- i. the bank account in the name of 55 Nolan Street Maryborough Unit Trust held with ANZ with BSB 013405 and account number 320262552;
- j. the bank account in the name of 31 Ellerman St Dimboola Unit Trust held with ANZ with BSB 013405 and account number 320268137;
- k. the bank account in the name of 9 Gregory Street Ouyen Pty Ltd as trustee for 9 Gregory Street Ouyen Unit Trust held with ANZ with BSB 013405 and account number 476344095;
- l. the bank account in the name of 160 Murray Valley HWY Lake Boga Unit Trust held with ANZ with BSB 013405 and account number 320271117
- m. the bank account in the name of Vincenzo Frank Tesoriero held with ANZ with BSB 013405 and account number 427920295;
- n. the bank account in the name of Canner Investment Pty Ltd held with Commonwealth Bank of Australia (**CBA**) with account number 30013264675;
- o. the bank account in the name of Tesoriero Investment Trust held with CBA with account number 310410572179;
- p. the bank account in the name of 9 Gregory Street Ouyen Pty Ltd held with NAB with BSB 082080 and account number 777331984
- q. the bank account in the name of 55 Nolan Street Maryborough Pty Ltd as trustee for 55 Nolan Street Maryborough Unit Trust held with NAB with BSB 082080 and account number 777426975;

- r. the bank account in the name of 160 Murray Valley Hwy Lake Boga Pty Ltd as trustee for 160 Murray Valley HWY Lake Boga Unit Trust held with NAB with BSB 082080 and account number 777487866;
- s. the bank account in the name of 14 Kirwin Road Morwell Pty Ltd as trustee for 14 Kirwin Road Morwell Unit Trust held with NAB with BSB 082080 and account number 777549078;
- t. the bank account in the name of Canner Investment Pty Ltd held with NAB with BSB 082080 and account number 204569119;
- u. the bank account in the name of Vincenzo Frank Tesoriero held with NAB with BSB 082080 and account number 708900012;
- v. the bank account in the name of 14 Kirwin Road Morwell Pty Ltd as trustee for 14 Kirwin Road Morwell Unit Trust held with ANZ with account number 6868-66828;
- w. the bank account in the name of 31 Ellerman Street Dimboola Pty Ltd as trustee for 31 Ellerman St Dimboola Unit Trust held with ANZ with account number 6868-66916;
- x. the bank account in the name of 160 Murray Valley Hwy Lake Boga Pty Ltd as trustee for 160 Murray Valley HWY Lake Boga Unit Trust held with ANZ with account number 6868-67409;
- y. the bank account in the name of 55 Nolan Street Maryborough Pty Ltd as trustee for 55 Nolan Street Maryborough Unit Trust held with ANZ with account number 6868-67417;
- z. the bank account in the name of 9 Gregory Street Ouyen Pty Ltd as trustee for 9 Gregory Street Ouyen Unit Trust held with ANZ with account number 6881-13061;
- aa. the bank account in the name of Canner Investment Pty Ltd held with CBA with account number 13278022;
- bb. the bank account in the name of 308 Carlisle Street Holdings Pty Ltd as trustee for 308 Carlisle Street Holdings Unit Trust held with CBA with account number 782815748;
- cc. the bank account in the name of 65 Nelson Street Enterprises Pty Ltd as trustee for 65 Nelson St Enterprises Trust held with CBA with account number 06310410572136;

- dd. the bank account in the name of Tesoriero Investment Group Pty Ltd as trustee for Tesoriero Investment Trust held with CBA with account number 06310410572187;
- ee. the bank account in the name of Tesoriero Investment Group Pty Ltd as trustee for Tesoriero Investment Trust held with CBA with account number 06310410579469;
- ff. the bank account in the name of Vincenzo Frank Tesoriero held with CBA with account number 06385810273780;
- gg. the bank account in the name of 65 Nelson Street Enterprises Pty Ltd held with CBA with account number 310410573470
- hh. the bank account in the name of 65 Nelson Street Enterprises Pty Ltd held with CBA with account number 310410573462
- ii. the bank account in the name of 193 Carlisle Street Enterprises Pty Ltd held with CBA with account number 310410572152
- jj. the bank account in the name of 193 Carlisle Street Enterprises Pty Ltd held with CBA with account number 310410573489
- kk. the bank account in the name of 193 Carlisle Street Enterprises Pty Ltd held with CBA with account number 310410573497
- ll. the bank account in the name of 64-66 Berkeley St Hawthorn Unit Trust with account number V300003571;
- mm. the bank account in the name of 64-66 Berkeley St Hawthorn Unit Trust with account number J300003572;
- nn. the share investing account in the name of Vincenzo Frank Tesoriero held with ANZ with BSB 012-012 and account number 461113702
- oo. the bank account in the name of Vincenzo Frank Tesoriero with ANZ with BSB 013-214 and account number 4081-75875
- pp. the facility in the name of The Trustee For 275 High Street Golden Square held with Judo Bank Pty Ltd (**Judo**) with facility name J300002018;
- qq. the facility in the name of 9 Main Street Derrinallum Unit Trust held with Judo with facility name J300002019
- rr. the facility in the name of The Trustee For 4 Cowslip St Violet Town Unit Trust held with Judo with facility name J300002020

- ss. the facility in the name of The Trustee For 123 High Street Taradale Unit Trust held with Judo with facility name J300002022
- tt. the facility in the name of The Trustee For 89 Betka Road Mallacoota Unit Trust held with Judo with facility name J300002467
- uu. the facility in the name of The Trustee For 275 High Street Golden Square held with Judo with facility name V300002017
- vv. the facility in the name of 9 Main Street Derrinallum Unit Trust held with Judo with facility name V300002021
- ww. the facility in the name of The Trustee For 123 High Street Taradale Unit Trust held with Judo with facility name V300002023
- xx. the facility in the name of The Trustee For 4 Cowslip St Violet Town Unit Trust held with Judo with facility name V300002024;
- yy. the facility in the name of The Trustee For 89 Betka Road Mallacoota Unit Trust held with Judo with facility name V300002468; and
- zz. any account in the name 308 Carlisle Street Holdings Pty Ltd in its own capacity or as trustee.

2. **Relevant Period** means 1 March 2022 to present.

Date: 24 June 2022



Signed by Caitlin Murray
Lawyer for the Applicants

Note

If this notice specifies a date for production, and is served 5 days or more before that date, you must produce the documents or things described in the notice, without the need for a subpoena for production.

If you fail to produce the documents or things, the party serving the notice may lead secondary evidence of the contents or nature of the document or thing and you may be liable to pay any costs incurred because of the failure.

Schedule of Parties

No. NSD616/2021

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

Applicants

First Applicant Westpac Banking Corporation ABN 33 007 457 141
 Second Applicant Westpac New Zealand Limited (company registration number
 company number 1763882)

Respondents

First Respondent Forum Finance Pty Limited (in liquidation) ACN 153 301 172
 Second Respondent: Basile Papadimitriou
 Third Respondent Vincenzo Frank Tesoriero
 Fourth Respondent: Forum Group Financial Services Pty Ltd (provisional liquidators
 appointed) ACN 623 033 705
 Fifth Respondent: Forum Group Pty Ltd (Receivers Appointed) (in liquidation) ACN
 153 336 997
 Sixth Respondent: Forum Enviro Pty Ltd (provisional liquidators appointed)
 ACN 168 709 840
 Seventh Respondent: Forum Enviro (Aust) Pty Ltd (provisional liquidators appointed) ACN
 607 484 364
 Eighth Respondent 64-66 Berkeley St Hawthorn Pty Ltd ACN 643 838 662
 Ninth Respondent 14 James Street Pty Ltd (in liquidation) ACN 638 449 206
 Tenth Respondent 26 Edmonstone Road Pty Ltd (in liquidation) ACN 622 944 129
 Eleventh Respondent 5 Bulkara Street Pty Ltd (in liquidation) ACN 630 982 160
 Twelfth Respondent 6 Bulkara Street Pty Ltd (in liquidation) ACN 639 734 473
 Thirteenth Respondent 23 Margaret Street Pty Ltd ACN 623 715 373
 Fourteenth Respondent 1160 Glen Huntly Road Pty Ltd ACN 639 447 984
 Fifteenth Respondent 14 Kirwin Road Morwell Pty Ltd ACN 641 402 093
 Sixteenth Respondent Canner Investments Pty Ltd ACN 624 176 049
 Seventeenth Respondent 123 High Street Taradale Pty Ltd ACN 639 872 512
 Eighteenth Respondent 160 Murray Valley Hwy Lake Boga Pty Ltd ACN 641 392 921
 Nineteenth Respondent 31 Ellerman Street Dimboola Pty Ltd ACN 641 392 887
 Twentieth Respondent 4 Cowslip Street Violet Town Pty Ltd ACN 639 872 352
 Twenty-First Respondent 55 Nolan Street Maryborough Pty Ltd ACN 641 392 912
 Twenty-Second Respondent 89 Betka Road Mallacoota Pty Ltd ACN 641 393 179
 Twenty-Third Respondent 9 Gregory Street Ouyen Pty Ltd ACN 641 392 707

Twenty-Fourth Respondent	9 Main Street Derrinallum Pty Ltd ACN 639 872 736
Twenty-Fifth Respondent	286 Carlisle Street Pty Limited ACN 610 042 343
Twenty-Sixth Respondent	275 High Street Golden Square Pty Ltd ACN 639 870 545
Twenty-Seventh Respondent	Mazcon Investments Hellas IKE
Twenty-Eighth Respondent	Palante Pty Ltd ACN 135 344 151
Twenty-Ninth Respondent	Anastasios Giamouridis
Thirtieth Respondent	The Forum Group of Companies Pty Ltd (in liquidation) ACN 151 964 626
Thirty-First Respondent	Iugis Pty Ltd (in liquidation) ACN 632 882 243
Thirty-Second Respondent	Iugis (UK) Limited
Thirty-Third Respondent	Iugis Holdings Limited
Thirty-Fourth Respondent	Iugis Global Financial Services Limited
Thirty-Fifth Respondent	Iugis Finance Limited
Thirty-Sixth Respondent	Spartan Consulting Group Pty Ltd (in liquidation) ACN 168 989 544
Thirty-Seventh Respondent	Intrashield Pty Ltd (in liquidation) ACN 133 426 534
Thirty-Eighth Respondent	Tesoriero Investment Group Pty Ltd ACN 161 088 115
Thirty-Ninth Respondent	Mangusta (Vic) Pty Ltd ACN 631 520 682
Fortieth Respondent	193 Carlisle Street Enterprises Pty Ltd ACN 612 615 237
Forty-First Respondent	8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626
Forty-Second Respondent	Iugis Hellas IKE
Forty-Third Respondent	Iugis Energy SA
Forty-Fourth Respondent	Eric Constantinidis
Forty-Fifth Respondent	Giovanni (John) Tesoriero
Forty-Sixth Respondent	Moussa (Tony) Bouchahine
Forty-Seventh Respondent	Louisa Maria Agostino
Forty-Eighth Respondent	D&D Group O.E
Forty-Ninth Respondent	Aromatika Fyta Tsai Olympou Theion Ike



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HISTORICAL SEARCH STATEMENT

Land Use Victoria

Produced 22/06/2022 11:48 AM

Volume 8524 Folio 773

Folio Creation: Created as paper folio continued as computer folio

Parent title Volume 02992 Folio 228

THE IMAGE OF THE FOLIO CEASED TO BE THE DIAGRAM LOCATION ON 02/05/2006 05:07:37 AM

RECORD OF HISTORICAL DEALINGS

Date Lodged for Registration	Date Recorded on Register	Dealing	Imaged	Dealing Type and Details
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RECORD OF VOTS DEALINGS

Date Lodged for Registration	Date Recorded on Register	Dealing	Imaged
------------------------------	---------------------------	---------	--------

22/05/2006	22/05/2006	AE367484T	Y
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DISCHARGE OF MORTGAGE
MORTGAGE(S) REMOVED
W426501E

22/05/2006	22/05/2006	AE367485R	Y
------------	------------	-----------	---

MORTGAGE OF LAND
MORTGAGE AE367485R 22/05/2006
STATEWIDE SECURED INVESTMENTS LTD

22/09/2009	22/09/2009	AG767232A	Y
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DISCHARGE OF MORTGAGE
AFFECTED ENCUMBRANCE(S) AND REMOVED MORTGAGE(S)
MORTGAGE AE367485R

22/09/2009	22/09/2009	AG767233X	Y
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MORTGAGE OF LAND
MORTGAGE AG767233X 22/09/2009
PERMANENT CUSTODIANS LTD

12/03/2013	12/03/2013	AK231219W (O)	Y
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DISCHARGE OF MORTGAGE
AFFECTED ENCUMBRANCE(S) AND REMOVED MORTGAGE(S)
MORTGAGE AG767233X

12/03/2013	12/03/2013	AK231221L (O)	Y
------------	------------	---------------	---

MORTGAGE OF LAND
MORTGAGE AK231221L 12/03/2013
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

01/09/2014	01/09/2014	AL328985E	Y
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CAVEAT

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HISTORICAL SEARCH STATEMENT

Land Use Victoria

CAVEAT AL328985E 01/09/2014
 Caveator
 RIORDAN LEGAL PTY LTD
 Grounds of Claim
 PURCHASERS' CONTRACT WITH THE FOLLOWING PARTIES AND DATE.
 Parties
 THE REGISTERED PROPRIETOR(S)
 Date
 22/08/2014
 Estate or Interest
 FREEHOLD ESTATE
 Prohibition
 ABSOLUTELY
 Lodged by
 RIORDAN LEGAL PTY LTD
 Notices to
 RIORDAN LEGAL PTY LTD of 124-126 FRYERS STREET SHEPPARTON VIC 3630

15/10/2018 15/10/2018 AR550665F (E) N

TRANSFER CONTROL OF AN ELECTRONIC CERTIFICATE OF TITLE

16/10/2018 16/10/2018 AR558711H (E) N

WITHDRAWAL OF CAVEAT
 CAVEAT AL328985E REMOVED

19/10/2018 19/10/2018 AR573695R (E) N

APPLICATION TO NOMINATE AN ECT TO AN ELECTRONIC INSTRUMENT
 ELF Id: 3283649
 Removed by Dealing AR574275K

19/10/2018 19/10/2018 AR574275K (E) N

TRANSFER OF LAND BY ENDORSEMENT
 FROM:
 PETER JOHN DAMON
 TO:
 INGLWD PTY LTD 622141931
 RESULTING PROPRIETORSHIP:
 Estate Fee Simple
 Sole Proprietor
 INGLWD PTY LTD of SUITE 308 838 COLLINS STREET DOCKLANDS VIC 3008
 AR574275K 19/10/2018

CANCELLED

19/10/2018 19/10/2018 AR574276H (E) N

DISCHARGE OF MORTGAGE
 AFFECTED ENCUMBRANCE(S) AND REMOVED MORTGAGE(S)
 MORTGAGE AK231221L

22/11/2018 22/11/2018 AR678708A N

CONVERT AN ECT TO A PCT

21/10/2019 21/10/2019 AS633660W (E) N

CONVERT PCT AND NOMINATE ECT TO LODGEMENT CASE
 LC Id: 203791545
 Removed by Dealing AS633666J

21/10/2019 21/10/2019 AS633666J (E) N



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HISTORICAL SEARCH STATEMENT

Land Use Victoria

MORTGAGE OF LAND

MORTGAGE AS633666J 21/10/2019
 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

10/11/2021 10/11/2021 AV002047J (E) N

DISCHARGE OF MORTGAGE

AFFECTED ENCUMBRANCE(S) AND REMOVED MORTGAGE(S)
 MORTGAGE AS633666J

10/12/2021 10/12/2021 AV118143R (E) N

CONVERT PCT AND NOMINATE ECT TO LODGEMENT CASE

LC Id: 324928912
 Removed by Dealing AV267421E

25/01/2022 25/01/2022 AV267421E (E) N

TRANSFER OF LAND BY ENDORSEMENT

FROM:
 INGLWD PTY LTD 622141931
 TO:
 RESULTING PROPRIETORSHIP:
 Estate Fee Simple
 Sole Proprietor
 RUSHWORTH PROPERTY HOLDINGS PTY LTD of 22 HIGH STREET RUSHWORTH VIC 3612
 AV267421E 25/01/2022

06/04/2022 06/04/2022 AV503441L (E) N

CAVEAT

CAVEAT AV503441L 06/04/2022
 Caveator
 LEO LEWIN
 Grounds of Claim
 MORTGAGE WITH THE FOLLOWING PARTIES AND DATE.
 Parties
 THE REGISTERED PROPRIETOR(S)
 Date
 25/01/2022
 Estate or Interest
 INTEREST AS MORTGAGEE
 Prohibition
 ABSOLUTELY
 Lodged by
 ABBAS JACOBS LAWYERS
 Notices to
 LEO LEWIN of SUITE 25 LEVEL 2 20 MACQUARIE STREET PARRAMATTA NSW 2150

STATEMENT END

VOTS Snapshot

Volume 08524 Folio 773
 124017873510A
 Produced 22/05/2006 11:51 am

LAND DESCRIPTION

Lot 1 on Title Plan 431133N (formerly known as part of Crown Allotment 1 Section 5 Township of Rushworth Parish of Moora).



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HISTORICAL SEARCH STATEMENT

Land Use Victoria

PARENT TITLE Volume 02992 Folio 228
Created by instrument C089298 23/11/1964

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
PETER JOHN DAMON of 22 HIGH ST RUSHWORTH 3612
U504458E 14/11/1996

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE W426501E 25/11/1999
COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP431133N FOR FURTHER DETAILS AND BOUNDARIES

Paper Title Images

8524/773 - Version 1, Date 23/05/2001

ORIGINAL

**NOT TO BE TAKEN FROM THE OFFICE
OF TITLES**



VICTORIA

REGISTER BOOK

VOL. 8524 FOL. 773

Certificate of Title

UNDER THE "TRANSFER OF LAND ACT"

CHARLES CAYGILL and LUCY GEORGINA CAYGILL both of Rushworth Service Station-Proprietors are now the joint proprietors of an estate in fee simple subject to the encumbrances notified hereunder in ALL THAT piece of land delineated and - - coloured red on the map in the margin being part of Crown Allotment One - - - - - Section 5 Township of Rushworth Parish of Moora - - - - -

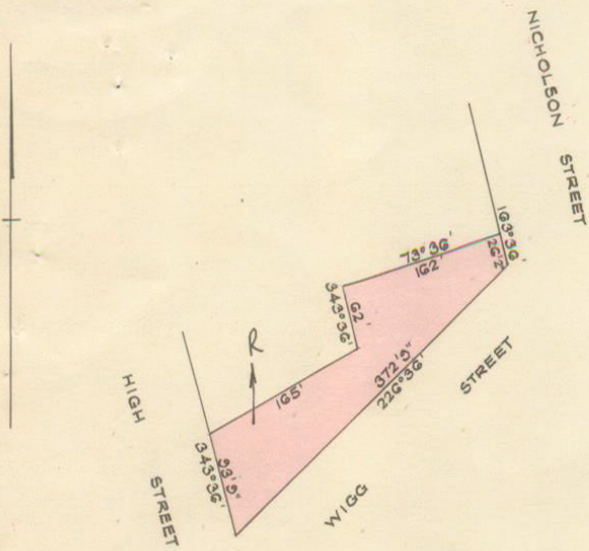
VOL. 8524 FOL. 773

DATED the 23rd day of November 1964

Bronin
Assistant Registrar of Titles



ENCUMBRANCES REFERRED TO



MEASUREMENTS ARE IN feet and inches

Derived from Vol.2992 Fol.228

B P AUSTRALIA LIMITED
Registered 23rd November 1964
No. C8299



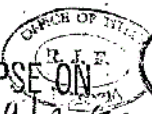
DISCHARGED
16 JUL 1970

MORTGAGE to THE COMMERCIAL BANKING
COMPANY OF SYDNEY LIMITED
Registered 16th July 1970
No. D776370



CAVEAT No. G192631 LODGED 16 JUN 1976

CAVEAT WILL LAPSE ON
REGISTRATION OF 5963032
29 JUN 1982



GREGORY MAXWELL MUIR and DENISE VIVIANNE
MUIR both of 22 High Street Rushworth
Service Station Proprietors are now
JOINT PROPRIETORS
Registered 9th June 1982
No. J963032



MORTGAGE to CHARLES CAYGILL and
LUCY GEORGINA CAYGILL
Registered 9th June 1982
No. J963033



DISCHARGED
23 SEP 1983

MORTGAGE TO THE COMMERCIAL BANKING
COMPANY OF SYDNEY LIMITED
Registered 15 SEP 1982
No. K97251



DISCHARGED
23 SEP 1982

PROPRIETORS
TENANTS IN COMMON IN EQUAL SHARES
LESLIE JOHN SIMPSON & MICHELLE REBEKAH SIMPSON
OF 22 HIGH ST. RUSHWORTH & PETER JOHN DAMON &
CHRISTINE DAMON OF 28 ESMOND ST. RUSHWORTH
REGISTERED 23/9/88

N724142F



MORTGAGE
NATIONAL AUSTRALIA BANK LIMITED
REGISTERED 23/9/88
N724143C

DISCHARGED
12 DEC 1989



JOINT PROPRIETORS
PETER JOHN DAMON & CHRISTINE DAMON OF 4 HOLDEN
ST. RUSHWORTH
REGISTERED 12/12/89
P567399X



NATIONAL AUSTRALIA BANK LIMITED
REGISTERED 23/9/88
P567400L

DISCHARGED
14 NOV 1989



CAVEAT
CAVEATOR: CHRISTINE DAMON
CAPACITY: FEE SIMPLE
DATE OF CLAIM/DOCUMENT: SEE CAVEAT
LODGED BY: MORRISON & SANYERS
NOTICE TO: 23 SHRUBBY WK. CROYDON 3136
NO.: U353515M
DATE: 12/8/96

CAVEAT WITHDRAWN
X4067516
11-05-01



ENDORSEMENTS CONTINUE ON ANNEXED SHEET
"A" COMMENCING WITH US04458E

V.8524 F.773



T08524-773-1-0



This is the Sheet marked **A** referred to in the Certificate of Title entered in the Register Book Vol.

8524

Fol. 773

ORIGINAL



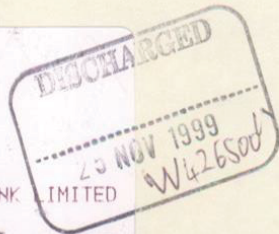
PROPRIETOR
PETER JOHN DAMON
22 HIGH ST. RUSHWORTH 3612

U504458E 14/11/96



MORTGAGE
NATIONAL AUSTRALIA BANK LIMITED

U504460B 14/11/96



MORTGAGE
COMMONWEALTH BANK OF AUSTRALIA

W426501E 25/11/99



Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)



Annexure A

SHORT MINUTES OF ORDER

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

NSD616/2021

WESTPAC BANKING CORPORATION ABN 33 007 457 141 and another named in the Schedule 1

Applicants

FORUM FINANCE PTY LIMITED ACN 153 301 172 and others named in the Schedule 1

Respondents

Judge: JUSTICE LEE

Date of order: June 2022

Where made: Sydney

THE COURT ORDERS THAT:

Freezing Orders

1. Without admissions, the freezing order made against the third respondent, Mr Tesoriero, by order 4 of the orders made by Justice Lee on 2 July 2021 in relation to the interlocutory application dated 2 July 2021 (as varied on 9 July 2021; 27 August 2021 and 12 November 2021) be varied in the form of **Annexure A** and be extended and apply until further order.
2. Leave to enter these orders forthwith.

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants
Prepared by (name of person/lawyer)	Caitlin Murray
Law firm (if applicable)	MinterEllison
Tel (02) 9921 4279	Fax (02) 9921 8123
Email	caitlin.murray@minterellison.com
Address for service (include state and postcode)	Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000 Our reference: 1353397

[Form approved 01/08/2011]

Schedule

No. NSD616/2021

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

Applicants

First Applicant Westpac Banking Corporation ABN 33 007 457 141
Second Applicant Westpac New Zealand Limited (company registration number
company number 1763882)

Respondents

First Respondent: Forum Finance Pty Limited (in liquidation) ACN 153 301 172
Second Respondent: Basile Papadimitriou
Third Respondent: Vincenzo Frank Tesoriero
Fourth Respondent: Forum Group Financial Services Pty Ltd (provisional liquidators
appointed) ACN 623 033 705
Fifth Respondent: Forum Group Pty Ltd (Receivers Appointed) (in liquidation)
ACN 153 336 997
Sixth Respondent: Forum Enviro Pty Ltd (provisional liquidators appointed)
ACN 168 709 840
Seventh Respondent: Forum Enviro (Aust) Pty Ltd (provisional liquidators appointed)
ACN 607 484 364
Eighth Respondent: 64-66 Berkeley St Hawthorn Pty Ltd ACN 643 838 662
Ninth Respondent: 14 James Street Pty Ltd (in liquidation) ACN 638 449 206
Tenth Respondent: 26 Edmonstone Road Pty Ltd (in liquidation) ACN 622 944 129
Eleventh Respondent: 5 Bulkara Street Pty Ltd (in liquidation) ACN 630 982 160
Twelfth Respondent: 6 Bulkara Street Pty Ltd (in liquidation) ACN 639 734 473
Thirteenth Respondent: 23 Margaret Street Pty Ltd ACN 623 715 373
Fourteenth Respondent: 1160 Glen Huntly Road Pty Ltd ACN 639 447 984
Fifteenth Respondent: 14 Kirwin Road Morwell Pty Ltd ACN 641 402 093
Sixteenth Respondent: Canner Investments Pty Ltd ACN 624 176 049
Seventeenth Respondent: 123 High Street Taradale Pty Ltd ACN 639 872 512
Eighteenth Respondent: 160 Murray Valley Hwy Lake Boga Pty Ltd ACN 641 392 921
Nineteenth Respondent: 31 Ellerman Street Dimboola Pty Ltd ACN 641 392 887

Twentieth Respondent:	4 Cowslip Street Violet Town Pty Ltd ACN 639 872 352
Twenty-First Respondent:	55 Nolan Street Maryborough Pty Ltd ACN 641 392 912
Twenty-Second Respondent:	89 Betka Road Mallacoota Pty Ltd ACN 641 393 179
Twenty-Third Respondent:	9 Gregory Street Ouyen Pty Ltd ACN 641 392 707
Twenty-Fourth Respondent:	9 Main Street Derrinallum Pty Ltd ACN 639 872 736
Twenty-Fifth Respondent:	286 Carlisle Street Pty Limited ACN 610 042 343
Twenty-Sixth Respondent:	275 High Street Golden Square Pty Ltd ACN 639 870 545
Twenty-Seventh Respondent:	Mazcon Investments Hellas IKE
Twenty-Eighth Respondent:	Palante Pty Ltd ACN 135 344 151
Twenty-Ninth Respondent:	Anastasios Giamouridis
Thirtieth Respondent	The Forum Group of Companies Pty Ltd (in liquidation) ACN 151 964 626
Thirty-First Respondent	Iugis Pty Ltd (in liquidation) ACN 632 882 243
Thirty-Second Respondent	Iugis (UK) Limited
Thirty-Third Respondent	Iugis Holdings Limited
Thirty-Fourth Respondent	Iugis Global Financial Services Limited
Thirty-Fifth Respondent	Iugis Finance Limited
Thirty-Sixth Respondent	Spartan Consulting Group Pty Ltd (in liquidation) ACN 168 989 544
Thirty-Seventh Respondent	Intrashield Pty Ltd (in liquidation) ACN 133 426 534
Thirty-Eighth Respondent	Tesoriero Investment Group Pty Ltd ACN 161 088 115
Thirty-Ninth Respondent	Mangusta (Vic) Pty Ltd ACN 631 520 682
Fortieth Respondent	193 Carlisle Street Enterprises Pty Ltd ACN 612 615 237
Forty-First Respondent	8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626
Forty-Second Respondent	Iugis Hellas IKE
Forty-Third Respondent	Iugis Energy SA
Forty-Fourth Respondent	Eric Constantinidis
Forty-Fifth Respondent	Giovanni (John) Tesoriero
Forty-Sixth Respondent	Moussa (Tony) Bouchahine
Forty-Seventh Respondent	Louisa Maria Agostino
Forty-Eighth Respondent	D&D Group O.E
Forty-Ninth Respondent	Aromatika Fyta Tsai Olympou Theion Ike

ANNEXURE A – FREEZING ORDER

PENAL NOTICE – FREEZING ORDER

TO: VINCENZO FRANK TESORIERO

IF YOU (BEING THE PERSON BOUND BY THIS ORDER):

- (A) REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR**
- (B) DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU NOT TO DO,**

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.

TO VINCENZO FRANK TESORIERO

This is a 'freezing order' made against you on 2 July 2021 by Justice Lee at a hearing without notice to you after the Court was given the undertakings set out in Schedule A to this order and after the Court read the affidavits listed in Schedule B to this order. This freezing orders was varied on 9 July 2021, 27 August 2021, ~~and~~ 12 November 2021 and [xx] June 2022 by Justice Lee at hearings with notice to you.

THE COURT ORDERS:

INTRODUCTION

- (1) [Deleted]
- (2) Subject to the next paragraph, in accordance with the order ~~8-1~~ of the orders made by Justice Lee on ~~12 November 2021~~ [xx] June 2022, this order has effect until further order of the Court.
- (3) Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
- (4) In this order:
 - (a) 'applicant', if there is more than one applicant, includes all the applicants;
 - (b) 'you', where there is more than one of you, includes all of you and includes you if you are a corporation;
 - (c) 'third party' means a person other than you and the applicant;
 - (d) 'unencumbered value' means value free of mortgages, charges, liens or other encumbrances.

- (e) '*Relevant Amount*' means the amount of AUD\$253,766,555.76 and NZD\$44,097,969.
- (5) (a) If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
- (b) If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.

FREEZING OF ASSETS

- (6) (a) You must not remove from Australia or in any way dispose of, deal with or diminish the value of any of your assets in Australia ('Australian assets') up to the unencumbered value of AUD\$253,766,555.76 and NZD\$44,097,969 (the *Relevant Amount*).
- (b) If the unencumbered value of your Australian assets exceeds the Relevant Amount, you may remove any of those assets from Australia or dispose of or deal with them or diminish their value, so long as the total unencumbered value of your Australian assets still exceeds the Relevant Amount.
- (c) If the unencumbered value of your Australian assets is less than the Relevant Amount, and you have assets outside Australia (**Worldwide Assets**):
 - (i) You must not dispose of, deal with or diminish the value of any of your Australian assets or your Worldwide Assets up to the unencumbered value of the Relevant Amount; and
 - (ii) You may dispose of, deal with or diminish the value of any of your Worldwide Assets, so long as the unencumbered value of all of your Australian assets and Worldwide Assets still exceeds the Relevant Amount.
- (7) For the purposes of this order,
 - (a) your assets include:
 - (i) all your assets, whether or not they are in your name and whether they are solely or co-owned;
 - (ii) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or controls the asset in accordance with your direct or indirect instructions); and
 - (iii) the following assets in particular:
 - (A) your shares in each of the following companies:
 - a. 23 Margaret Street Pty Limited ACN 623 715 373;
 - b. 1160 Glen Huntly Road Pty Limited ACN 639 447 984;
 - c. 14 Kirwin Road Morwell Pty Limited ACN 641 402 093;
 - d. 64-66 Berkeley St Hawthorn Pty Limited ACN 643 838 662;
 - e. 14 James Street Pty Limited ACN 638 449 206;
 - f. Canner Investments Pty Limited ACN 624 176 049;

- g. Tesoriero Investment Group Pty Limited ACN 161 088 115;
- h. 123 High Street Taradale Pty Limited ACN 639 872 512;
- i. 160 Murray Valley Hwy Lake Boga Pty Limited ACN 641 392 921;
- j. 31 Ellerman Street Dimboola Pty Limited ACN 641 392 887;
- k. 4 Cowslip Street Violet Town Pty Limited ACN 639 872 352;
- l. 55 Nolan Street Maryborough Pty Limited ACN 641 392 912;
- m. 89 Betka Road Mallacoota Pty Limited ACN 641 393 179;
- n. 9 Gregory Street Ouyen Pty Limited ACN 641 392 707;
- o. 9 Main Street Derrinallum Pty Limited ACN 639 872 736;
- p. Forum Group Financial Services Pty Limited ACN 623 033 705;
- q. 26 Edmonstone Road Pty Limited ACN 622 944 129;
- r. 5 Bulkara Street Pty Limited ACN 630 982 160;
- s. 6 Bulkara Street Pty Limited ACN 639 734 473;
- t. Pankarn Pty Ltd ACN 104 616 051;
- u. 275 High Street Golden Square Pty Ltd ACN 639 870 545;
- v. 22 High Street Rushworth Pty Ltd ACN 641 392 903;
- w. 8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626;
- x. Vintes Qld Pty. Ltd. ACN 624 585 922;
- y. 65 Nelson Street Enterprises Pty. Ltd. ACN 612 614 632;
- z. 193 Carlisle Street Enterprises Pty. Ltd. ACN 612 615 237;
- aa. Vintes No 4 Pty Ltd ACN 639 726 524;
- bb. BV Holdings VT Pty Ltd ACN 639 891 624;
- cc. BV Holdings TD Pty Ltd ACN 639 895 257;
- dd. BV Holdings GS Pty Ltd ACN 640 218 864;
- ee. Vintes Qld No 3 Pty Ltd ACN 640 879 152;
- ff. BV Holdings DB Pty Ltd ACN 641 393 151;
- gg. BV Holdings RW Pty Ltd ACN 641 393 197;
- hh. BV Holdings MB Pty Ltd ACN 641 393 240;
- ii. BV Holdings LB Pty Ltd ACN 641 393 268;
- jj. BV Holdings MC Pty Ltd ACN 641 393 277;
- kk. BV Holdings MW Pty Ltd ACN 641 393 286;
- ll. BV Holdings DN Pty Ltd ACN 639 895 239;
- mm. 308 Carlisle Street Holdings Pty. Ltd. ACN 613 047 439;
- nn. 286 Carlisle Street Pty Ltd ACN 610 042 343;

- oo. Thrivi Group Pty Ltd ACN 625 491 858;
- pp. Mangusta (Vic) Pty. Ltd. ACN 631 520 682;
- qq. San Pel One Pty LTD ACN 651 919 265; and
- rr. San Pel Two Pty Ltd ACN 651 927 356;

(B) the following vehicles and vessels:

- a. Vessel "XOXO" Cayman Islands Official Number 734587;
- b. 2018 Porsche Cayenne with VIN WPiZZZ9YZKDA90623
- c. 2014 Alfa Romeo;
- d. 2020 Mini Cooper S with VIN WMWXX920802M95982;
- e. 2008 Ducati 1098R with registration DUCR;
- f. 2020 BMW S1000 with registration EOZ12;
- g. 1957 Chevrolet Bel Air;
- h. 2019 BRP Can-Am Ryker 600 registration RYKER;

- (b) the value of your assets is the value of the interest you have individually in your assets.

PROVISION OF INFORMATION

(8) Subject to paragraph 9, you must:

- (a) at or before **5pm** on **14 July 2021** (or within such further time as the Court may allow) to the best of your ability inform the applicant in writing of all your assets in Australia, giving their value, location and details (including any mortgages, charges or other encumbrances to which they are subject) and the extent of your interest in the assets;
- (b) by **5pm** on **14 July 2021**, swear and serve on the applicant an affidavit setting out the above information
- (c) by **5pm** on **3 September 2021** (or within such further time as the Court may allow) to the best of your ability, swear and serve on the applicants an affidavit setting out all your assets outside of Australia (**Worldwide Assets**), giving their value, location and details (including any mortgages, charges or other encumbrances to which they are subject) and the extent of your interest in the Worldwide Assets.

(9) (a) This paragraph (9) applies if you are not a corporation and you wish to object to complying with paragraph 8 on the grounds that some or all of the information required to be disclosed may tend to prove that you:

- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
- (ii) are liable to a civil penalty.

- (b) This paragraph (9) also applies if you are a corporation and all of the persons who are able to comply with paragraph 8 on your behalf and with whom you have been able to communicate, wish to object to your complying with paragraph 8 on the grounds that some or all of the information required to be disclosed may tend to prove that they respectively:

- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - (ii) are liable to a civil penalty.
- (c) You must:
- (i) disclose so much of the information required to be disclosed to which no objection is taken; and
 - (ii) prepare an affidavit containing so much of the information required to be disclosed to which objection is taken, and deliver it to the Court in a sealed envelope; and
 - (iii) file and serve on each other party a separate affidavit setting out the basis of the objection.

EXCEPTIONS TO THIS ORDER

(10) This order does not prohibit:

- (a) you paying up to \$5,000 a week on your ordinary living expenses;
- (b) paying up to the sum of \$642,511.65 ~~450,000 until 10 March 2021~~ on your reasonable legal expenses;
- (c) dealing with or disposing of any of your assets in the ordinary and proper course of your business, including paying business expenses bona fide and properly incurred; and
- (d) in relation to matters not falling within (a), (b) or (c), dealing with or disposing of any of your assets in discharging obligations bona fide and properly incurred under a contract entered into before this order was made, provided that before doing so you give the applicant, if possible, at least two working days written notice of the particulars of the obligation.

(10A) This order does not prohibit:

- (a) you from directing Australia and New Zealand Banking Group Limited in respect of the bank account in the name of 65 Nelson St Enterprises Pty Ltd (ACN 612 614 632) as trustee of the 65 Nelson Street Enterprises Trust (ABN 74 545 512 288) (**65 Nelson St Co**) to make payments in respect of bona fide expenses:
 - (i) for weekly wage payments for employees employed by and working in the business operated by 65 Nelson St Co;
 - (ii) lease payments for premises occupied by the business operated by 65 Nelson St Co;
 - (iii) operating expenses incurred by the business operated by 65 Nelson St Co;
- (b) you from directing any financial institution that holds bank accounts for any of the following entities:
 - (i) 23 Margaret Street Pty Limited ACN 623 715 373;
 - (ii) 1160 Glen Huntly Road Pty Limited ACN 639 447 984;
 - (iii) 14 Kirwin Road Morwell Pty Limited ACN 641 402 093;

- (iv) 64-66 Berkeley St Hawthorn Pty Limited ACN 643 838 662;
- (v) 14 James Street Pty Limited ACN 638 449 206;
- (vi) Forum Group Financial Services Pty Ltd ACN 623 033 705;
- (vii) Canner Investments Pty Limited ACN 624 176 049;
- (viii) 123 High Street Taradale Pty Limited ACN 639 872 512;
- (ix) 160 Murray Valley Hwy Lake Boga Pty Limited ACN 641 392 921;
- (x) 31 Ellerman Street Dimboola Pty Limited ACN 641 392 887;
- (xi) 4 Cowslip Street Violet Town Pty Limited ACN 639 872 352;
- (xii) 55 Nolan Street Maryborough Pty Limited ACN 641 392 912;
- (xiii) 89 Betka Road Mallacoota Pty Limited ACN 641 393 179;
- (xiv) 9 Gregory Street Ouyen Pty Limited ACN 641 392 707;
- (xv) 9 Main Street Derrinallum Pty Limited ACN 639 872 736;
- (xvi) 26 Edmonstone Road Pty Limited ACN 622 944 129;
- (xvii) 5 Bulkara Street Pty Limited ACN 630 982 160; and
- (xviii) 6 Bulkara Street Pty Limited ACN 639 734 473,

to make payments in respect of bona fide expenses of the following types in relation to properties owned by the entity:

- (xix) repayments of registered mortgages that were in existence before 2 July 2021;
- (xx) land tax;
- (xxi) insurance premiums;
- (xxii) council rates;
- (xxiii) water.

(c) the release of \$462,511.65 from the controlled monies account with account number 033 003 667 565 (CMA) provided such funds are applied to your reasonable legal expenses.

(11) You and the applicant may agree in writing that the exceptions in the preceding paragraph are to be varied. In that case the applicant or you must as soon as practicable file with the Court and serve on the other a minute of a proposed consent order recording the variation signed by or on behalf of the applicant and you, and the Court may order that the exceptions are varied accordingly.

(12) (a) This order will cease to have effect if you:

- (i) pay the sum of AUD\$253,766,555.76 and NZD\$44,097,969 into Court; or

- (ii) pay that sum into a joint bank account in the name of your lawyer and the lawyer for the applicant as agreed in writing between them; or
 - (iii) provide security in that sum by a method agreed in writing with the applicant to be held subject to the order of the Court.
- (b) Any such payment and any such security will not provide the applicant with any priority over your other creditors in the event of your insolvency.
- (c) If this order ceases to have effect pursuant 12(a) above, you must as soon as practicable file with the Court and serve on the applicant notice of that fact.

COSTS

- (13) The costs of this application are reserved to the Court hearing the application on the Return Date.

PERSONS OTHER THAN YOU AND THE APPLICANT

(14) Set off by banks

This order does not prevent any bank from exercising any right of set off it has in respect of any facility which it gave you before it was notified of this order.

(15) Bank withdrawals by you

No bank need inquire as to the application or proposed application of any money withdrawn by you if the withdrawal appears to be permitted by this order.

(16) Persons outside Australia

- (a) Except as provided in subparagraph (b) below, the terms of this order do not affect or concern anyone outside Australia.
- (b) The terms of this order will affect the following persons outside Australia:
 - (i) you and your directors, officers, employees and agents (except banks and financial institutions);
 - (ii) any person (including a bank or financial institution) who:
 - (A) is subject to the jurisdiction of this Court; and
 - (B) has been given written notice of this order, or has actual knowledge of the substance of the order and of its requirements; and
 - (C) is able to prevent or impede acts or omissions outside Australia which constitute or assist in a disobedience of the terms of this order; and
 - (iii) any other person (including a bank or financial institution), only to the extent that this order is declared enforceable by or is enforced by a court in a country or state that has jurisdiction over that person or over any of that person's assets.

(17) Assets located outside Australia

Nothing in this order shall, in respect of assets located outside Australia, prevent any third party from complying or acting in conformity with what it reasonably believes to be its bona fide and properly incurred legal obligations, whether contractual or pursuant to a court order or otherwise, under the law of the country or state in which those assets are situated or under the proper law of any contract between a third party and you, provided that in the

case of any future order of a court of that country or state made on your or the third party's application, reasonable written notice of the making of the application is given to the applicant.

SCHEDULE A

UNDERTAKINGS GIVEN TO THE COURT BY THE APPLICANT

- (1) The applicant undertakes to submit to such order (if any) as the Court may consider to be just for the payment of compensation (to be assessed by the Court or as it may direct) to any person (whether or not a party) affected by the operation of the order.
- (2) As soon as practicable, the applicant will file and serve upon you copies of:
 - (a) this order;
 - (b) the application for this order for hearing on the return date;
 - (c) the following material in so far as it was relied on by the applicant at the hearing when the order was made:
 - (i) affidavits (or draft affidavits);
 - (ii) exhibits capable of being copied;
 - (iii) any written submission; and
 - (iv) any other document that was provided to the Court.
 - (d) a transcript, or, if none is available, a note, of any exclusively oral allegation of fact that was made and of any exclusively oral submission that was put, to the Court;
 - (e) the originating process.
- (3) As soon as practicable, the applicant will cause anyone notified of this order to be given a copy of it.
- (4) The applicant will pay the reasonable costs of anyone other than you and the respondents which have been incurred as a result of this order, including the costs of finding out whether that person holds any of your assets.
- (5) If this order ceases to have effect the applicant will promptly take all reasonable steps to inform in writing anyone who has been notified of this order, or who the applicant has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.
- (6) The applicant will not, without leave of the Court, use any information obtained as a result of this order for the purpose of any civil or criminal proceedings, either in or outside Australia, other than this proceeding except for the purposes of any police, regulatory authority or prudential disclosure.
- (7) The applicant will not, without leave of the Court, seek to enforce this order in any country outside Australia or seek in any country outside Australia an order of a similar nature or an order conferring a charge or other security against you or your assets.

SCHEDULE B

AFFIDAVITS RELIED ON

Name of deponent

Date affidavit made

(1) Geoffrey Keith Anderson

28 June 2021; 8 July 2021

(2) Nicholas Anthony O'Brien

27 June 2021; 1 July 2021

(3) Caitlin Maria Murray

28 June 2021; 2 July 2021;
7 July 2021; 8 July 2021; 12 July
2021; 14 July 2021; 15 July
2021; 25 August 2021; 19 June
2022

NAME AND ADDRESS OF APPLICANTS' LAWYERS

The Applicants' lawyers are:

MinterEllison
Governor Macquarie Tower
Level 40, 1 Farrer Place
Sydney NSW 2000

Attention: Caitlin Murray

caitlin.murray@minterellison.com ; T +61 2 9921 8514 ; M +61 422 977 971 ; +61 2 9921 8123
ref: CMM:1353397

Annexure B

SCHEDULE OF PROPRIETARY CLAIMS AND PROPERTY VALUE / FUNDS

Company	Property (sold and now a fund unless '**')	Total Traced Amount ¹	Net asset value (** estimated asset value) ²	Amount into which no financier funds are traced ³
14 James Street Pty Ltd (in liquidation)	• Fund (sold real property, being various real properties: James Street and Parsons Street. Settlement anticipated to occur on 20 August 2022)	\$2,465,284	\$2,269,109*	\$nil
26 Edmonstone Road Pty Ltd (in liquidation)	• Fund (sold real property)	\$1,892,931	\$2,349,732.07 (funds held by Receivers)	\$456,801.07
6 Bulkarra Street Pty Ltd (in liquidation)	• Fund (sold real property)	\$4,804,000	\$9,808,169.94 (funds held by Receivers)	\$5,004,169.94
23 Margaret Street Pty Ltd	• Fund (sold real property)	\$878,355	\$1,340,866.65 (funds paid into CMA)	\$462,511.65
1160 Glen Huntley Road Pty Ltd	• Fund (MIP sold real property)	\$986,640	\$795,000 (funds paid into Victorian Supreme Court)	\$nil
8-12 Natalia Ave Oakleigh Pty Ltd	• Funds in court	\$2,862,671	\$773,000 (funds paid into court)	\$nil

¹ See affidavit of Jason Preston dated 10 June 2022.

² Unless marked with an '**', the real property has been sold and the value of the fund is known. Where marked with an '**', this indicates estimated value of the real property (less any secured debt), which amount may change depending on sale costs.

³ In working out this amount, the Total Traced Amount – All Financers calculated using the "Alternative Tracing Model" has been deducted from the Net asset value (or estimated asset value). Where the Traced Amount exceeds the net asset value a "\$nil" value is indicated.

Annexure CList of Property Interest Expenses held by Vince Tesoriero¹

	Property	Liability (approx.)	Monthly Interest Expense (approx.)	Monthly Rental Income (approx.)
Various Properties				
1.	305/308 Carlisle St, Balaclava VIC 3185	Cross collateralised loan of \$1,600,000 to the Commonwealth Bank (CBA)	\$2,000	\$3,000
2.	306/308 Carlisle St, Balaclava VIC 3185		\$2,000	\$3,200
3.	64-66 Berkley Street, Hawthorn VIC 3122	\$7,000,000 to Judo Bank (JUDO)	\$30,000	N/A
Petrol Stations				
4.	2-4 Cowslip Street, Violet Town VIC 3669	\$2,265,000 owing to JUDO. There is also a second facility that is cross collateralised amongst the petrol station properties owing to AKSARA Holdings Pty Ltd (AKSARA).	\$7,600	\$20,000
5.	269-275 High Street, Golden Square VIC 3555	\$2,300,000 owing to JUDO. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$7,500	\$21,000
6.	124 High Street, Taradale VIC 3447	\$360,000 owing to JUDO. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$1,200	\$4,000
7.	9-15 Main Street, Derrinallum VIC 3325	\$800,000 owing to JUDO. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$2,700	\$8,500
8.	55 Nolan Street, Maryborough VIC 3465	\$720,000 owing to ANZ. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$1,900	\$8,000
9.	31 Ellerman Road, Dimboola VIC 3414	\$630,000 owing to ANZ. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$1,700	\$7,000
10.	160 Murray Valley Highway, Lake Boga VIC 3584	\$1,068,000 owing to ANZ. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$2,800	\$17,200
11.	9 Gregory St, Ouyen VIC 3490	\$540,000 owing to ANZ.	\$1,500	\$6,000

¹ This is a schedule of income and expenses in respect of properties that have not been sold or otherwise subject to any form of external administration or control. The figures contained in this table have been extracted from "Annexure A – List of Interests" to the Affidavit of Vincenzo Frank Tesoriero dated 21 July 2021.

		There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.		
12.	14 Kirwin Rd, Marwell VIC 3840	\$684,000 owing to ANZ. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$1,800	\$8,200
13.	89 Betka Rd, Malacoota VIC 3892	\$740,000 owing to JUDO. There is also a second facility that is cross collateralised amongst the petrol station properties to AKSARA.	\$2,200	\$7,050
Leasehold				
14.	Lease at 64 Nelson St Enterprises Trust (operates café business)	-	\$6,500	
TOTAL			\$71,400	\$113,150

Simon Brandis

From: Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>
Sent: Monday 27 June 2022 05:11 PM
To: Kang, Justin; Claire Latham; Sazz Nasimi; Melissa Passarelli; konfir.kabo@gmail.com; Prestwich, Chris; Prinsloo, Kirsty; caitlin.mctaggart@allens.com.au; forumallens@allens.com.au
Cc: Caitlin Murray; PROJECT OLYMPUS; Strack, Tamara; Sharpe, David; Daher, Liliane; Geary, Matthew; 047678 Tesoriero _ Dispute against Westpac Banking Corporation E-Mail
Subject: RE: 5 Bulkara Street, Wagstaffe NSW 2257 [DENTONS-Documents.FID10656073] [IMAN-CURRENT_MATTERS.FID668654]

Dear Mr Kang,

We refer to your below email dated 20 June 2022.

As you are aware we act for numerous entities associated with Messrs V and G Tesoriero. One such entity is Tesoriero Investment Group Pty Ltd (**Tesoriero Investment**), which holds a beneficial interest in the trust which owns the property known as 5 Bulkara Street Wagstaffe NSW 2257 (**5 Bulkara Property**).

Furthermore, our clients may also have an interest in the property by virtue of funds that they have contributed towards the purchase, maintenance or improvements to the Property. We are still investigating this but in any event our clients connection through Tesoriero Investments is sufficient to evidence an interest in the Property and therefore the proceeds from its imminent sale.

On the basis of the above, we ask that our client be included in any discussions and communications with respect to the Property and its proceeds. Further, our request is in line with previous Court orders which have recognised our clients' interest in the property and the importance of our clients being kept informed of all dealings concerning the Property.

Kind regards,

Alexandra Lawrence
Associate

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From: Kang, Justin <justin.kang@dentons.com>
Sent: Monday, 20 June 2022 10:33 PM
To: Claire Latham <Claire.Latham@minterellison.com>; Alexandra Lawrence <Alexandra.Lawrence@madgwicks.com.au>; Sazz Nasimi <Sazz.Nasimi@madgwicks.com.au>; Melissa Passarelli <Melissa.Passarelli@madgwicks.com.au>; konfir.kabo@gmail.com; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; caitlin.mctaggart@allens.com.au; forumallens@allens.com.au

Cc: Caitlin Murray <Caitlin.Murray@minterellison.com>; PROJECT OLYMPUS <PROJECTOLYMPUS@minterellison.com>; Strack, Tamara <tamara.strack@dentons.com>; Sharpe, David <david.sharpe@dentons.com>; Daher, Liliane <liliane.daher@dentons.com>; Geary, Matthew <matthew.geary@dentons.com>
Subject: RE: 5 Bulkara Street, Wagstaffe NSW 2257 [DENTONS-Documents.FID10656073]

Dear Colleagues

We refer to the correspondence below and **attached**.

Our clients (**Agents**), as agents for National Australia Bank Ltd (**NAB**) as mortgagee, have now exchanged contracts for sale of 5 Bulkara Street, Wagstaffe, NSW.

Currently it is anticipated there will be a surplus remaining on settlement of that sale after payment of the amounts secured to NAB.

As previously indicated, the Agents propose to pay any surplus either as agreed between all claimants to that surplus, or otherwise into Court absent any such agreement.

It appears to our clients that the following parties assert (or might assert) a claim to any surplus:

- Aksara Holdings Pty Ltd (**Aksara**) - represented by Kabo Lawyers;
- Westpac Banking Corporation and Westpac New Zealand Limited (collectively **Westpac**) – represented by Minter Ellison;
- Jason Ireland & Jason Preston, McGrathNicol, as liquidators/receivers (**Receivers**) – represented by Allens.

While also noting Madgwicks' correspondence on behalf of Mr Vincenzo Frank Tesoriero (**Mr Tesoriero**), the Agents are not aware of any claim by Mr Tesoriero personally to any surplus to be realised from the sale of 5 Bulkara Street, Wagstaffe, NSW.

In that regard:

- Madgwicks' **attached** email of 27 May 2022 confirmed Mr Tesoriero would not be making any application to restrain the sale of 5 Bulkara Street, Wagstaffe, NSW;
- the assertion in Madgwicks' **attached** letter dated 2 June 2022 that Aksara should be paid after NAB (which we note is not agreed by Westpac), is a matter to be taken up by Aksara if it so decides – noting Aksara is separately represented by Kabo Lawyers;
- the various items of personal property referred to in the correspondence between Madgwicks and Allens are not included in the sale by the Agents (which pertains to the land at 5 Bulkara Street, Wagstaffe, NSW), and arrangements will need to be made to remove that personal property from 5 Bulkara Street, Wagstaffe, NSW before settlement of the Agents' sale;
- it is not apparent in any event what basis Mr Tesoriero would have to assert a claim to any surplus from the sale of 5 Bulkara Street, Wagstaffe, NSW.

If, however, Mr Tesoriero does assert a claim to any surplus from the sale of 5 Bulkara Street, Wagstaffe, NSW, then we ask that Madgwicks please confirm that to us by written reply **no later than 27 June 2022** (and in doing so that Madgwicks set out the nature and basis of any claim to the surplus asserted by Mr Tesoriero).

Unless we receive correspondence from Madgwicks on or before that date notifying any such claim by Mr Tesoriero, the Agents will assume and proceed on the basis that no such claim is made by Mr Tesoriero. In those circumstances, all further correspondence regarding disbursement of any surplus from 5 Bulkara Street, Wagstaffe, NSW will only be directed to Aksara, Westpac and the Receivers by their respective legal representatives.

Regards

 **Justin Kang**
Partner

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From: Kang, Justin <justin.kang@dentons.com>

Sent: Wednesday, 8 June 2022 2:45 PM

To: Claire Latham <Claire.Latham@minterellison.com>; alexandra.lawrence@madgwicks.com.au; sazz.nasimi@madgwicks.com.au; melissa.passarelli@madgwicks.com.au; konfir.kabo@gmail.com; Prestwich, Chris <Chris.Prestwich@allens.com.au>; Prinsloo, Kirsty <Kirsty.Prinsloo@allens.com.au>; caitlin.mctaggart@allens.com.au; forumallens@allens.com.au

Cc: Caitlin Murray <Caitlin.Murray@minterellison.com>; PROJECT OLYMPUS <PROJECTOLYMPUS@minterellison.com>; Strack, Tamara <tamara.strack@dentons.com>; Canny, Elizabeth <elizabeth.canny@dentons.com>; Sharpe, David <david.sharpe@dentons.com>; Daher, Liliane <liliane.daher@dentons.com>; Geary, Matthew <matthew.geary@dentons.com>

Subject: 5 Bulkara Street, Wagstaffe NSW 2257 [DENTONS-Documents.FID10656073]

Dear Colleagues

We refer to the **attached** letters from Madgwicks dated 3 June 2022 and Minter Ellison dated 8 June 2022.

By way of response:

- our clients do not propose to provide details of any prospective sale and we will advise once any exchange of contracts has occurred;
- it is not incumbent on our clients to decide between competing claims to any surplus from the sale;
- therefore, absent agreement between all claimants to any surplus, our clients intend to pay any surplus into Court.

Regards

 大境 DENTONS

Justin Kang
Partner

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Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

Fernanda Lopes & Asociados > Guevara & Gutierrez > Paz Horowitz Abogados > Sirote > Adepetun Caxton-Martins Agbor & Segun > Davis Brown > East African Law Chambers > Eric Silwamba, Jalasi and Linyama > Durham Jones & Pinegar > LEAD Advogados > Rattagan Macchiavello Arocena > Jiménez de Aréchaga, Viana & Brause > Lee International > Kensington Swan > Bingham Greenebaum > Cohen & Grigsby > For more information on the firms that have come together to form Dentons, go to [dentons.com/legacyfirms](https://www.dentons.com/legacyfirms)

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Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

Transaction to Trace		Debit										Credit										Balance Higher Level Category										Sub Level Category										Traced																					
Account Number	Branch Reference	Date	Description																																																												
84-848-3695	082-080	13/09/2018	INTER-BANK CREDIT RTGS (WBC-003111) WESTPAC ABS OPERATIOSYDNEY 2000 AU											6,651,084.00										6,655,892.11										Financier										Westpac										Yes									
84-848-3695	082-080	14/09/2018	INTER-BANK CREDIT RTGS (WBC-002876) WESTPAC ABS OPERATIOSYDNEY 2000 AU											1,029,585.00										1,389,859.51										Financier										Westpac										Yes									
84-848-3695	082-080	19/09/2018	INTER-BANK CREDIT WBC 3349952 WBC OLP FORUM FINANCE PT											4,177,994.00										4,188,955.35										Financier										Westpac										Yes									
84-848-3695	082-080	20/09/2018	INTER-BANK CREDIT INV SALE OF REC 3405428 WBC OLP FORUM FINANCE PT											2,890,533.00										7,079,488.35										Financier										Westpac										Yes									
84-848-3695	082-080	21/09/2018	INTER-BANK CREDIT INV ALH002 3438810 WBC OLP FORUM FINANCE PT											1,918,035.00										8,998,190.68										Financier										Westpac										Yes									
84-848-3695	082-080	25/09/2018	INTER-BANK CREDIT RTGS (WBC-002958) WESTPAC ABS OPERATIOSYDNEY 2000 AU											5,050,745.00										5,068,741.47										Financier										Westpac										Yes									
84-848-3695	082-080	04/10/2018	INTER-BANK CREDIT WBC 3784126 WBC OLP FORUM FINANCE PT											2,566,723.00										2,573,570.21										Financier										Westpac										Yes									
84-848-3695	082-080	05/10/2018	INTER-BANK CREDIT WBC 3827204 WBC OLP FORUM FINANCE PT											2,789,601.00										5,363,171.21										Financier										Westpac										Yes									
84-848-3695	082-080	09/10/2018	INTER-BANK CREDIT WESTPAC 3902248 WBC OLP FORUM FINANCE PT											2,453,022.00										2,550,840.81										Financier										Westpac										Yes									
84-848-3695	082-080	15/10/2018	INTER-BANK CREDIT INV VEOLIA004 3070944 WBC OLP FORUM FINANCE PT											4,719,301.00										4,778,922.45										Financier										Westpac										Yes									
84-848-3695	082-080	15/10/2018	INTER-BANK CREDIT INV 1 3071162 WBC OLP FORUM FINANCE PT											2,384,880.00										7,163,802.45										Financier										Westpac										Yes									
84-848-3695	082-080	25/10/2018	INTER-BANK CREDIT WBC 3395862 WBC OLP FORUM FINANCE PT											2,988,535.00										2,995,135.67										Financier										Westpac										Yes									
84-848-3695	082-080	31/10/2018	INTER-BANK CREDIT INV VEOLIA005 3570312 WBC OLP FORUM FINANCE PT											2,887,703.00										2,899,637.39										Financier										Westpac										Yes									
84-848-3695	082-080	31/10/2018	INTER-BANK CREDIT INV CATH002 3582766 WBC OLP FORUM FINANCE PT											1,804,815.00										4,704,452.39										Financier										Westpac										Yes									
84-848-3695	082-080	01/11/2018	INTER-BANK CREDIT INV ALH 003 3615908 WBC OLP FORUM FINANCE PT											1,957,664.00										6,662,711.39										Financier										Westpac										Yes									
84-848-3695	082-080	22/11/2018	INTER-BANK CREDIT VEOLIA006 3213682 WBC OLP FORUM FINANCE PT											5,246,792.00										5,263,900.78										Financier										Westpac										Yes									
84-848-3695	082-080	14/12/2018	INTER-BANK CREDIT VEOLIA007 3919674 WBC OLP FORUM FINANCE PT											5,623,559.00										5,695,133.47										Financier										Westpac										Yes									
84-848-3695	082-080	14/12/2018	INTER-BANK CREDIT COLES 004 3918686 WBC OLP FORUM FINANCE PT											1,752,708.00										7,447,841.47										Financier										Westpac										Yes									
84-848-3695	082-080	14/12/2018	INTER-BANK CREDIT ALH004 3918432 WBC OLP FORUM FINANCE PT											1,436,092.00										8,883,933.47										Financier										Westpac										Yes									
84-848-3695	082-080	01/02/2019	INTER-BANK CREDIT RTGS (WBC-001976) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,042,853.00										3,049,908.83										Financier										Westpac										Yes									
84-848-3695	082-080	22/02/2019	INTER-BANK CREDIT RTGS (WBC-000598) WESTPAC ABS OPERATIOSYDNEY 2000 AU											4,323,373.00										4,376,789.89										Financier										Westpac										Yes									
84-848-3695	082-080	07/03/2019	INTER-BANK CREDIT RTGS (WBC-001690) WESTPAC ABS OPERATIOSYDNEY 2000 AU											1,953,976.00										1,979,620.25										Financier										Westpac										Yes									
84-848-3695	082-080	15/03/2019	INTER-BANK CREDIT RTGS (WBC-003374) WESTPAC ABS OPERATIOSYDNEY 2000 AU											5,253,571.00										5,299,193.27										Financier										Westpac										Yes									
84-848-3695	082-080	12/04/2019	INTER-BANK CREDIT RTGS (WBC-003221) WESTPAC ABS OPERATIOSYDNEY 2000 AU											8,987,580.00										9,075,424.79										Financier										Westpac										Yes									
84-848-3695	082-080	29/04/2019	INTER-BANK CREDIT RTGS (WBC-001969) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,354,858.00										3,360,368.40										Financier										Westpac										Yes									
84-848-3695	082-080	16/05/2019	INTER-BANK CREDIT RTGS (WBC-001056) WESTPAC ABS OPERATIOSYDNEY 2000 AU											8,958,428.00										8,963,297.61										Financier										Westpac										Yes									
84-848-3695	082-080	07/06/2019	INTER-BANK CREDIT VEOLIA016 017 3870816 WBC OLP FORUM FINANCE											8,650,054.00										8,680,502.14										Financier										Westpac										Yes									
84-848-3695	082-080	18/06/2019	INTER-BANK CREDIT RTGS (WBC-003252) WESTPAC ABS OPERATIOSYDNEY 2000 AU											1,541,812.00										1,589,007.33										Financier										Westpac										Yes									
84-848-3695	082-080	24/06/2019	INTER-BANK CREDIT RTGS (WBC-001861) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,613,307.00										3,661,801.12										Financier										Westpac										Yes									
84-848-3695	082-080	25/06/2019	INTER-BANK CREDIT RTGS (WBC-001528) WESTPAC ABS OPERATIOSYDNEY 2000 AU											4,649,845.00										8,311,646.12										Financier										Westpac										Yes									
84-848-3695	082-080	28/06/2019	INTER-BANK CREDIT RTGS (WBC-005329) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,906,717.00										3,961,760.46										Financier										Westpac										Yes									
84-848-3695	082-080	16/07/2019	INTER-BANK CREDIT RTGS (WBC-002895) WESTPAC ABS OPERATIOSYDNEY 2000 AU											9,483,803.00										9,496,481.15										Financier										Westpac										Yes									
84-848-3695	082-080	24/07/2019	INTER-BANK CREDIT RTGS (WBC-002610) WESTPAC ABS OPERATIOSYDNEY 2000 AU											4,432,952.00										4,448,687.33										Financier										Westpac										Yes									
84-848-3695	082-080	24/07/2019	INTER-BANK CREDIT RTGS (WBC-002510) WESTPAC ABS OPERATIOSYDNEY 2000 AU											2,365,922.00										6,814,609.33										Financier										Westpac										Yes									
84-848-3695	082-080	29/07/2019	INTER-BANK CREDIT RTGS (WBC-005473) WESTPAC ABS OPERATIOSYDNEY 2000 AU											2,934,490.00										2,952,065.53										Financier										Westpac										Yes									
84-848-3695	082-080	08/08/2019	INTER-BANK CREDIT RTGS (WBC-002264) WESTPAC ABS OPERATIOSYDNEY 2000 AU											6,070,155.00										6,075,267.03										Financier										Westpac										Yes									
84-848-3695	082-080	10/09/2019	INTER-BANK CREDIT RTGS (WBC-000818) WESTPAC ABS OPERATIOSYDNEY 2000 AU											5,842,898.00										5,895,314.14										Financier										Westpac										Yes									
84-848-3695	082-080	01/10/2019	INTER-BANK CREDIT INV 00006500 3274138 WBC OLP FORUM FINANCE PT											3,662,137.00										3,680,915.51										Financier										Westpac										Yes									
84-848-3695	082-080	08/10/2019	INTER-BANK CREDIT RTGS (WBC-002669) WESTPAC ABS OPERATIOSYDNEY 2000 AU											4,872,261.00										4,900,474.17										Financier										Westpac										Yes									
84-848-3695	082-080	21/10/2019	INTER-BANK CREDIT RTGS (WBC-001620) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,554,375.00										3,569,436.13										Financier										Westpac										Yes									
84-848-3695	082-080	11/11/2019	INTER-BANK CREDIT RTGS (WBC-001034) WESTPAC ABS OPERATIOSYDNEY 2000 AU											5,789,751.00										5,823,227.23										Financier										Westpac										Yes									
84-848-3695	082-080	26/11/2019	INTER-BANK CREDIT RTGS (WBC-002227) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,923,543.00										3,997,020.03										Financier										Westpac										Yes									
84-848-3695	082-080	06/12/2019	INTER-BANK CREDIT RTGS (WBC-000327) WESTPAC ABS OPERATIOSYDNEY 2000 AU											7,206,730.00										7,291,060.65										Financier										Westpac										Yes									
84-848-3695	082-080	20/12/2019	INTER-BANK CREDIT RTGS (WBC-002864) WESTPAC ABS OPERATIOSYDNEY 2000 AU											4,434,823.00										4,441,899.48										Financier										Westpac										Yes									
84-848-3695	082-080	14/01/2020	INTER-BANK CREDIT RTGS (WBC-002611) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,705,351.94										3,730,611.58										Financier										Westpac										Yes									
84-848-3695	082-080	20/01/2020	INTER-BANK CREDIT RTGS (WBC-003385) WESTPAC ABS OPERATIOSYDNEY 2000 AU											2,321,478.00										2,332,049.40										Financier										Westpac										Yes									
84-848-3695	082-080	28/01/2020	INTER-BANK CREDIT RTGS (WBC-003254) WESTPAC ABS OPERATIOSYDNEY 2000 AU											1,972,718.00										1,987,176.32										Financier										Westpac										Yes									
84-848-3695	082-080	05/02/2020	INTER-BANK CREDIT RTGS (WBC-000753) WESTPAC ABS OPERATIOSYDNEY 2000 AU											4,933,003.00										4,937,194.66										Financier										Westpac										Yes									
84-848-3695	082-080	14/02/2020	INTER-BANK CREDIT RTGS (WBC-001078) WESTPAC ABS OPERATIOSYDNEY 2000 AU											2,116,680.00										2,123,453.82										Financier										Westpac										Yes									
84-848-3695	082-080	24/02/2020	INTER-BANK CREDIT RTGS (WBC-001042) WESTPAC ABS OPERATIOSYDNEY 2000 AU											3,024,554.00										3,034,535.26										Financier										Westpac										Yes									
84-848-3695	082-080	28/02/2020	INTER-BANK CREDIT RTGS (WBC-000299) WESTPAC ABS OPERATIOSYDNEY 2000 AU											1,543,160.00										1,555,535.76										Financier										Westpac										Yes									

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

84-848-3695	082-080	04/03/2020	INTER-BANK CREDIT RTGS (WBC-000247) WESTPAC ABS OPERATIOSYDNEY 2000 AU	6,240,047.00	6,264,202.82	Financier	Westpac	Yes
84-848-3695	082-080	18/03/2020	INTER-BANK CREDIT INV FORUM 3075764 WBC OLP FORUM FINANCE PT	2,017,251.00	2,029,579.49	Financier	Westpac	Yes
84-848-3695	082-080	01/04/2020	INTER-BANK CREDIT RTGS (WBC-000486) WESTPAC ABS OPERATIOSYDNEY 2000 AU	5,929,591.00	5,959,379.96	Financier	Westpac	Yes
84-848-3695	082-080	14/04/2020	INTER-BANK CREDIT RTGS (WBC-000654) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,057,234.00	2,087,430.29	Financier	Westpac	Yes
84-848-3695	082-080	17/04/2020	INTER-BANK CREDIT INV BHO FUNDING 3818584 WBC OLP FORUM FINANCE PT	1,803,002.00	1,803,441.52	Financier	Westpac	Yes
84-848-3695	082-080	24/04/2020	INTER-BANK CREDIT RTGS (WBC-001589) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,093,576.00	2,096,830.42	Financier	Westpac	Yes
84-848-3695	082-080	30/04/2020	INTER-BANK CREDIT RTGS (WBC-000260) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,535,519.00	2,540,562.92	Financier	Westpac	Yes
84-848-3695	082-080	06/05/2020	INTER-BANK CREDIT RTGS (WBC-001294) WESTPAC ABS OPERATIOSYDNEY 2000 AU	5,257,288.00	5,262,729.25	Financier	Westpac	Yes
84-848-3695	082-080	18/05/2020	INTER-BANK CREDIT RTGS (WBC-000293) WESTPAC ABS OPERATIOSYDNEY 2000 AU	1,740,612.00	1,788,086.01	Financier	Westpac	Yes
84-848-3695	082-080	22/05/2020	INTER-BANK CREDIT RTGS (WBC-001626) WESTPAC ABS OPERATIOSYDNEY 2000 AU	4,101,675.00	4,149,149.01	Financier	Westpac	Yes
84-848-3695	082-080	04/06/2020	INTER-BANK CREDIT BHO FUNDING 3129972 WBC OLP FORUM FINANCE PT	1,257,362.00	1,306,061.01	Financier	Westpac	Yes
84-848-3695	082-080	11/06/2020	INTER-BANK CREDIT RTGS (WBC-000366) WESTPAC ABS OPERATIOSYDNEY 2000 AU	3,831,433.00	3,897,281.51	Financier	Westpac	Yes
84-848-3695	082-080	12/06/2020	INTER-BANK CREDIT RTGS (WBC-000569) WESTPAC ABS OPERATIOSYDNEY 2000 AU	3,478,849.00	3,546,066.64	Financier	Westpac	Yes
84-848-3695	082-080	26/06/2020	num of INTER-BANK CREDIT RTGS (WBC-000640) WESTPAC ABS OPERATIOSYDNEY 2000 AU	3,853,375.00	3,931,599.54	Financier	Westpac	Yes
84-848-3695	082-080	06/07/2020	INTER-BANK CREDIT RTGS (WBC-000230) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,587,414.00	2,690,292.64	Financier	Westpac	Yes
84-848-3695	082-080	13/07/2020	INTER-BANK CREDIT INV BHO 3160416 WBC OLP FORUM FINANCE	1,538,174.00	1,649,943.95	Financier	Westpac	Yes
84-848-3695	082-080	15/07/2020	INTER-BANK CREDIT RTGS (WBC-002081) WESTPAC ABS OPERATIOSYDNEY 2000 AU	1,256,543.00	1,296,185.86	Financier	Westpac	Yes
84-848-3695	082-080	24/07/2020	INTER-BANK CREDIT RTGS (WBC-000217) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,784,226.00	2,828,380.64	Financier	Westpac	Yes
84-848-3695	082-080	05/08/2020	INTER-BANK CREDIT RTGS (WBC-000425) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,525,328.00	2,576,523.11	Financier	Westpac	Yes
84-848-3695	082-080	14/08/2020	INTER-BANK CREDIT RTGS (WBC-000298) WESTPAC ABS OPERATIOSYDNEY 2000 AU	1,005,152.00	1,021,938.72	Financier	Westpac	Yes
84-848-3695	082-080	17/08/2020	INTER-BANK CREDIT RTGS (WBC-000428) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,453,968.00	2,470,754.72	Financier	Westpac	Yes
84-848-3695	082-080	09/09/2020	INTER-BANK CREDIT RTGS (WBC-000731) WESTPAC ABS OPERATIOSYDNEY 2000 AU	3,952,395.00	3,957,397.66	Financier	Westpac	Yes
84-848-3695	082-080	29/09/2020	INTER-BANK CREDIT RTGS (WBC-001740) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,032,513.00	2,054,574.99	Financier	Westpac	Yes
84-848-3695	082-080	07/10/2020	INTER-BANK CREDIT RTGS (WBC-002329) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,339,357.00	2,372,253.85	Financier	Westpac	Yes
84-848-3695	082-080	15/10/2020	INTER-BANK CREDIT RTGS (WBC-002700) WESTPAC ABS OPERATIOSYDNEY 2000 AU	4,951,445.00	4,991,684.14	Financier	Westpac	Yes
84-848-3695	082-080	28/10/2020	INTER-BANK CREDIT RTGS (WBC-000468) WESTPAC ABS OPERATIOSYDNEY 2000 AU	1,898,911.00	1,944,711.20	Financier	Westpac	Yes
1-3695	082-080	02/11/2020	INTER-BANK CREDIT RTGS (WBC-000619) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,135,491.00	2,197,225.90	Financier	Westpac	Yes
1-3695	082-080	04/11/2020	INTER-BANK CREDIT RTGS (WBC-000961) WESTPAC ABS OPERATIOSYDNEY 2000 AU	4,703,288.00	4,766,552.54	Financier	Westpac	Yes
1-3695	082-080	27/11/2020	INTER-BANK CREDIT RTGS (WBC-000744) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,945,845.00	3,030,625.56	Financier	Westpac	Yes
84-848-3695	082-080	02/12/2020	INTER-BANK CREDIT INV 001 3049734 WBC OLP FORUM FINANCE	1,921,796.00	2,008,529.53	Financier	Westpac	Yes
84-848-3695	082-080	08/12/2020	INTER-BANK CREDIT RTGS (WBC-002523) WESTPAC ABS OPERATIOSYDNEY 2000 AU	3,191,555.00	3,288,339.50	Financier	Westpac	Yes
84-848-3695	082-080	18/12/2020	INTER-BANK CREDIT RTGS (WBC-000574) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,097,685.00	2,211,152.87	Financier	Westpac	Yes
84-848-3695	082-080	22/12/2020	INTER-BANK CREDIT LUNGISAMAZON&LUNGI 3640260 WBC OLP FORUM FINANCE PT	4,024,390.00	4,139,205.37	Financier	Westpac	Yes
84-848-3695	082-080	25/01/2021	INTER-BANK CREDIT RTGS (WBC-001164) WESTPAC ABS OPERATIOSYDNEY 2000 AU	4,358,149.00	4,384,172.86	Financier	Westpac	Yes
84-848-3695	082-080	04/02/2021	INTER-BANK CREDIT RTGS (WBC-001063) WESTPAC ABS OPERATIOSYDNEY 2000 AU	4,286,810.00	4,321,994.54	Financier	Westpac	Yes
84-848-3695	082-080	16/02/2021	INTER-BANK CREDIT INV 001 3966752 WBC OLP FORUM FINANCE	3,050,174.00	3,099,161.85	Financier	Westpac	Yes
84-848-3695	082-080	18/02/2021	INTER-BANK CREDIT INV BHO WBC 3033900 WBC OLP FORUM FINANCE	2,229,141.00	2,278,128.85	Financier	Westpac	Yes
84-848-3695	082-080	18/02/2021	INTER-BANK CREDIT INV BHO WBC 3033330 WBC OLP FORUM FINANCE	712,173.00	2,990,301.85	Financier	Westpac	Yes
84-848-3695	082-080	09/03/2021	INTER-BANK CREDIT RTGS (CBA-002107) 1/FORUM FINANCE PTY 3/AU/SYDNEY 2000	4,128,757.00	4,200,558.64	Financier	Societe Generale	Yes
84-848-3695	082-080	11/03/2021	INTER-BANK CREDIT RTGS (WBC-003919) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,250,528.00	2,325,470.88	Financier	Westpac	Yes
84-848-3695	082-080	26/03/2021	INTER-BANK CREDIT INV 002 3071522 WBC OLP FORUM FINANCE	2,852,437.00	2,933,306.96	Financier	Westpac	Yes
84-848-3695	082-080	26/03/2021	INTER-BANK CREDIT INV ALH ORGANIC 3076860 WBC OLP FORUM FINANCE	2,759,802.00	5,693,108.96	Financier	Westpac	Yes
84-848-3695	082-080	13/04/2021	INTER-BANK CREDIT WESTPAC VEOLIA 3497230 WBC OLP FORUM FINANCE PT	3,232,024.00	3,239,345.41	Financier	Westpac	Yes
84-848-3695	082-080	13/04/2021	INTER-BANK CREDIT WBC VEOLIA 3497796 WBC OLP FORUM FINANCE PT	757,506.00	3,996,851.41	Financier	Westpac	Yes
84-848-3695	082-080	14/04/2021	INTER-BANK CREDIT INV 001 3540624 WBC OLP FORUM FINANCE	2,121,902.00	6,119,420.74	Financier	Westpac	Yes
84-848-3695	082-080	06/05/2021	INTER-BANK CREDIT WESTPAC 3159206 WBC OLP FORUM FINANCE	2,211,892.00	2,234,879.75	Financier	Westpac	Yes
84-848-3695	082-080	07/05/2021	INTER-BANK CREDIT RTGS (WBC-003693) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,517,132.00	4,752,011.75	Financier	Westpac	Yes
84-848-3695	082-080	07/05/2021	INTER-BANK CREDIT RTGS (CBA-002639) 1/FORUM FINANCE PTY 3/AU/SYDNEY 2000	2,299,539.00	7,051,550.75	Financier	Societe Generale	Yes
84-848-3695	082-080	18/05/2021	INTER-BANK CREDIT WESTPAC 3462962 WBC OLP FORUM FINANCE	1,658,725.00	1,685,485.55	Financier	Westpac	Yes
84-848-3695	082-080	21/05/2021	INTER-BANK CREDIT WESTPAC 3594884 WBC OLP FORUM FINANCE PT	4,050,405.00	4,077,163.55	Financier	Westpac	Yes
84-848-3695	082-080	24/05/2021	INTER-BANK CREDIT RTGS (CBA-002732) 1/FORUM FINANCE PTY 3/AU/SYDNEY 2000	2,558,902.00	6,636,065.55	Financier	Societe Generale	Yes
84-848-3695	082-080	09/06/2021	INTER-BANK CREDIT RTGS (WBC-001299) WESTPAC ABS OPERATIOSYDNEY 2000 AU	2,750,277.00	2,797,348.75	Financier	Westpac	Yes
82-508-1722	082-080	30/07/2020	INTER-BANK CREDIT RTGS (SMB-001786) SMBC LEASING AND FINUNITED STATES OF AME	9,994,866.18	10,441,466.98	Financier	SMB	Yes
82-508-1722	082-080	26/08/2020	INTER-BANK CREDIT RTGS (SMB-001586) SMBC LEASING AND FINUNITED STATES OF AME	9,056,366.96	9,057,412.68	Financier	SMB	Yes

82-508-1722	082-080	30/09/2020	INTER-BANK CREDIT RTGS (SMB-001618) SMBC LEASING AND FINUNITED STATES OF AME	3,256,276.09	6,003,488.58	Financier	SMBC	Yes
82-508-1722	082-080	17/11/2020	INTER-BANK CREDIT RTGS (SMB-001740) SMBC LEASING AND FINUNITED STATES OF AME	11,190,576.14	11,228,769.32	Financier	SMBC	Yes
82-508-1722	082-080	23/12/2020	INTER-BANK CREDIT RTGS (SMB-002845) SMBC LEASING AND FINUNITED STATES OF AME	11,068,731.55	11,402,069.34	Financier	SMBC	Yes
82-508-1722	082-080	05/02/2021	INTER-BANK CREDIT RTGS (SMB-001983) SMBC LEASING AND FINUNITED STATES OF AME	6,649,113.79	6,820,939.84	Financier	SMBC	Yes
82-508-1722	082-080	11/03/2021	INTER-BANK CREDIT RTGS (SMB-002234) SMBC LEASING AND FINUNITED STATES OF AME	12,302,332.01	12,347,773.12	Financier	SMBC	Yes
82-508-1722	082-080	22/04/2021	INTER-BANK CREDIT RTGS (SMB-001563) SMBC LEASING AND FINUNITED STATES OF AME	11,431,380.14	14,289,931.42	Financier	SMBC	Yes
82-508-1722	082-080	26/05/2021	INTER-BANK CREDIT RTGS (SMB-002023) SMBC LEASING AND FINUNITED STATES OF AME	9,044,264.61	9,087,233.27	Financier	SMBC	Yes
84-548-0595	082-080	08/08/2018	INTER-BANK CREDIT 101201892 FLEXIRENT CAPITA FORUM ENVIRO AU	7,689,015.40	7,732,425.49	Broker	Flexi	Yes
84-548-0595	082-080	17/09/2018	INTER-BANK CREDIT 101204972 FLEXIRENT CAPITA FORUM ENVIRO AU	3,844,507.70	3,888,380.10	Broker	Flexi	Yes
84-548-0595	082-080	25/10/2018	INTER-BANK CREDIT 101208169 FLEXIRENT CAPITA FORUM ENVIRO AU	5,649,073.10	5,702,340.15	Broker	Flexi	Yes
84-548-0595	082-080	20/12/2018	INTER-BANK CREDIT 101213408 FLEXIRENT CAPITA FORUM ENVIRO AU	5,901,264.60	5,936,907.45	Broker	Flexi	Yes
84-548-0595	082-080	21/06/2018	101087989 Flexirent Capita 121821	4,435,587.20	4,556,984.09	Broker	Flexi	Yes
84-548-0595	082-080	25/06/2018	101088130 Flexirent Capita 121821	2,217,793.60	2,270,884.35	Broker	Flexi	Yes
Total				463,816,245.01				

Orca Transactions

54,889,185

Grand Total

518,705,430.01

Transaction to Trace		Account Number	Branch Reference	Date	Description	Debit	Credit	Balance	Higher Level Category	Sub Level Category
	FGFS xx8642	082-080	11/01/2019	RTGS (ANZ-000793)	Orca Enviro Solution 188 Quay St		2,448,940.00	9,119,240.83	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	28/02/2019	RTGS (ANZ-004068)	Orca Enviro Solution Australia		1,554,770.00	4,481,668.99	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	8/05/2019	RTGS (ANZ-002890)	Orca Enviro Solution North Sydney, Au		1,388,675.00	2,393,148.46	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	12/06/2019	RTGS (ANZ-003703)	Orca Enviro Solution New South Wales Aust		5,800,000.00	14,402,714.83	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	30/07/2019	INTER-BANK CREDIT RTGS (ANZ-002236)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,000,000.00	4,947,543.30	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	16/08/2019	INTER-BANK CREDIT RTGS (ANZ-001843)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,000,000.00	5,708,439.60	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	17/09/2019	INTER-BANK CREDIT RTGS (ANZ-002811)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,100,000.00	5,500,246.37	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	17/10/2019	INTER-BANK CREDIT RTGS (ANZ-001374)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,200,000.00	5,731,950.06	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	8/11/2019	INTER-BANK CREDIT RTGS (ANZ-003450)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,600,000.00	1,707,354.53	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	5/12/2019	INTER-BANK CREDIT RTGS (ANZ-001526)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,400,000.00	1,619,844.04	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	20/12/2019	INTER-BANK CREDIT RTGS (ANZ-004178)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		800,000.00	7,617,233.42	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	13/01/2020	INTER-BANK CREDIT RTGS (ANZ-002850)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,550,000.00	2,108,203.14	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	7/02/2020	INTER-BANK CREDIT RTGS (ANZ-002356)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,200,000.00	5,674,493.76	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	27/02/2020	INTER-BANK CREDIT RTGS (ANZ-002968)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		250,000.00	3,879,387.52	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	10/03/2020	INTER-BANK CREDIT RTGS (ANZ-003159)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,300,000.00	3,265,304.87	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	20/03/2020	INTER-BANK CREDIT RTGS (ANZ-002678)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,300,000.00	3,110,428.36	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	24/04/2020	INTER-BANK CREDIT RTGS (ANZ-001461)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,550,000.00	5,246,612.59	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	4/05/2020	INTER-BANK CREDIT RTGS (ANZ-001507)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,500,000.00	3,849,482.16	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	10/06/2020	INTER-BANK CREDIT RTGS (ANZ-002097)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,475,000.00	4,738,531.04	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	17/08/2020	INTER-BANK CREDIT RTGS (ANZ-002572)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,200,000.00	6,830,389.21	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	21/09/2020	INTER-BANK CREDIT RTGS (ANZ-001774)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,500,000.00	3,870,040.01	Orca Enviro Solutions	Orca Enviro xx3014
	xx8642	082-080	28/09/2020	INTER-BANK CREDIT RTGS (ANZ-004470)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,600,000.00	2,725,309.14	Orca Enviro Solutions	Orca Enviro xx3014
	xx8642	082-080	30/10/2020	INTER-BANK CREDIT RTGS (ANZ-003706)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,500,000.00	6,329,249.82	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	1/12/2020	INTER-BANK CREDIT RTGS (ANZ-001161)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,800.00	10,224,746.73	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	2/12/2020	INTER-BANK CREDIT RTGS (ANZ-001010)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,800,000.00	7,167,700.99	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	18/12/2020	INTER-BANK CREDIT RTGS (ANZ-003164)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,200,000.00	5,323,360.73	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	26/02/2021	INTER-BANK CREDIT RTGS (ANZ-003340)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		2,250,000.00	6,822,968.01	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	29/03/2021	INTER-BANK CREDIT RTGS (ANZ-003266)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,800,000.00	17,034,481.60	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	15/04/2021	INTER-BANK CREDIT RTGS (ANZ-001542)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		1,100,000.00	9,986,267.80	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	17/06/2021	INTER-BANK CREDIT RTGS (ANZ-001432)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		3,000,000.00	3,000,844.53	Orca Enviro Solutions	Orca Enviro xx3014
	FGFS xx8642	082-080	24/06/2021	INTER-BANK CREDIT RTGS (ANZ-000699)	ORCA ENVIRO SOLUTIONNEW SOUTH WALES AUST		520,000.00	870,857.60	Orca Enviro Solutions	Orca Enviro xx3014
	Total						54,889,185.00			

Exhibit Bundle CMM-25 to the Affidavit of Caitlin Murray (sworn 28 June 2022)

#	Entity	Transaction Number	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds	Total	Check
26	1 1160 Glen Huntly Road Pty Ltd ACN 639 447 984		705,740	236,692	31,359	12,849	(0)	986,640	-
14	2 123 High Street Tareadale Pty Ltd ACN 639 872 512		60,123	7,387	2,329	-	0	69,840	(0)
35	3 14 James Street Pty Ltd (in liquidation) ACN 638 449 206		2,136,707	326,111	2,466	-	(0)	2,465,284	-
5	4 14 Kiwin Road Morwell Pty Ltd ACN 641 402 093		248,103	3,289	4,389	-	0	255,782	-
8	5 160 Murray Valley Hwy Lake Boga Pty Ltd ACN 641 392 921		195,024	5,313	1,525	-	0	201,862	-
1	6 193 Carlisle Street Enterprises Pty Ltd ACN 612 615 237		22,477	7,827	0	-	-	30,305	(0)
57	7 23 Margaret Street Pty Ltd ACN 623 715 373		530,221	108,212	187,349	20,006	32,567	878,355	(0)
74	8 26 Edmondstone Road Pty Ltd (in liquidation) ACN 622 944 129		1,553,815	166,546	70,281	6,248	96,042	1,892,931	0
13	9 275 High Street Golden Square Pty Ltd ACN 639 870 545		233,864	38,216	15,134	178	0	287,392	-
25	10 286 Carlisle Street Pty Limited ACN 610 042 343		90,287	12,136	15,749	2,530	86,598	207,300	(0)
7	11 31 Ellerman Street Dimboola Pty Ltd ACN 641 392 887		119,794	5,599	1,657	-	(0)	127,050	-
13	12 4 Cowslip Street Violet Town Pty Ltd ACN 639 872 352		228,797	39,870	10,066	178	0	278,910	0
51	13 5 Bularka Street Pty Ltd (in liquidation) ACN 630 982 160		1,123,201	324,128	444,078	12,442	30,000	1,933,850	-
3	14 55 Nolan Street Maryborough Pty Ltd ACN 641 392 912		129,282	2,844	151	-	-	132,277	-
15	15 6 Bularka Street Pty Ltd (in liquidation) ACN 639 734 473		2,488,329	616,105	1,438,896	260,670	0	4,804,000	-
21	16 64-66 Berkeley St Hawthorn Pty Ltd ACN 643 838 662		592,485	159,929	1,011,743	10,774	(0)	1,774,931	-
45	17 8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626		2,014,780	256,643	529,208	26,919	35,121	2,862,671	-
3	18 89 Betka Road Mallacoota Pty Ltd ACN 641 393 179		117,271	1,614	16,844	-	-	135,729	(0)
1	19 9 Gregory Street Ouyen Pty Ltd ACN 641 392 707		4,214	959	227	-	0	5,400	(0)
13	20 9 Main Street Derrinalum Pty Ltd ACN 639 872 736		109,109	15,390	9,077	-	0	133,576	(0)
33	21 Anastasio's Giannouridis		11,159,091	1,534,421	2,484,461	1,801,742	(0)	16,979,714	-
5	22 Aromatika Fyfa Tsai Olympou Theion Ike		99,142	32,989	370,732	32,137	290,578	825,578	-
29	23 Basile Papadimitriou		2,193,130	848,724	284,743	213	177,065	3,503,875	-
-	24 Canner Investments Pty Ltd ACN 624 176 049		-	-	-	-	-	-	-
-	25 D&D Group OE		-	-	-	-	-	-	-
-	Eric Constantinidis		-	-	-	-	-	-	-
163	Forum Enviro (Aust) Pty Ltd (provisional liquidators appointed) ACN 607 484 364		82,411,759	16,758,827	34,011,377	2,407,599	3,219,448	138,809,011	-
18	Forum Enviro Pty Ltd (provisional liquidators appointed) ACN 168 709 840		14,546,709	1,059,535	26	-	(0)	15,606,270	-
13	Forum Finance Pty Limited (in liquidation) ACN 153 301 172		2,170,213	840,802	747,220	-	178	3,758,412	-
3	Forum Fleet Pty Ltd (in liquidation) ACN 155 440 994		100,000	-	190,000	-	-	290,000	-
68	31 Forum Group Financial Services Pty Ltd (provisional liquidators appointed) ACN 623 033 705		1,991,929	190,866	261,700	41,892	0	2,486,387	-
201	32 Forum Group Pty Ltd (Receivers Appointed) (in liquidation) ACN 153 336 997		102,652,850	18,155,910	38,744,354	2,399,140	8,113	161,960,368	-
35	Giovanni (John) Tesoriero		384,805	52,632	257,426	64,970	49,893	809,727	-
34	Imagotec Financial Services Pty Ltd (in liquidation) ACN 111 978 182		-	-	-	-	-	-	-
19	Imagotec Solutions Australia Pty Ltd (in liquidation) ACN 074 715 718		1,490,861	-	1,385,211	-	21,259	2,897,330	-
13	Intrashield Pty Ltd (in liquidation) ACN 133 426 534		909,072	41,209	28,655	209	(0)	979,145	-
19	lugis (UK) Limited (Company Number 10745974)		1,539,310	97,309	666,690	40,108	(0)	2,343,417	-
2	lugis Energy SA		81,806	-	437,226	39,390	(0)	558,422	-
-	lugis Finance Limited (Company Number 11124046)		-	-	-	-	-	-	-
40	lugis Global Financial Services Limited (Company Number: 11785331)		-	-	-	-	-	-	-
41	lugis Hellas IKE		329,563	143,364	291,618	5,760	(0)	770,305	-
26	lugis Holdings Limited (Company Number 11123437)		2,509,795	510,504	1,227,034	38,524	(0)	4,285,856	-
94	lugis Pty Ltd (in liquidation) ACN 632 882 243		11,155,368	3,010,413	5,112,760	168,064	1,113	19,447,718	-
2	lugis Waste Solutions Pty Ltd (in liquidation) ACN 647 212 299		104,910	14,514	1,010,820	22,756	(0)	1,153,000	-
18	Louisa Maria Agostino		218,921	12,949	9,970	-	0	241,840	0
-	Mangusta (Vic) Pty Ltd ACN 631 520 682		-	-	-	-	-	-	-
46	Mazcon Investments Hellas IKE		5,352,972	303,264	5,630,901	609,817	137,110	12,034,065	-
17	Moussa (Tony) Boudahine		52,522	29,090	15,390	899	2,500	100,400	0
49	Palante Pty Ltd ACN 135 344 151		1,768,331	339,364	334,895	32,910	0	2,475,500	-
3	Spartan Consulting Group Pty Ltd (in liquidation) ACN 168 989 544		893,273	6	33,031	7,943	0	934,253	-
24	Tesoriero Investment Group Pty Ltd ACN 161 088 115		2,123,091	68,482	67,933	-	74,839	2,334,345	-
30	The Forum Group of Companies Pty Ltd (in liquidation) ACN 151 964 626		6,663,618	1,004,884	3,416,089	15,913	2,392	11,102,896	-
17	Vincenzo Frank Tesoriero		1,034,012	347,489	2,794,444	24,861	141,000	4,341,806	-
1,353	Total		266,640,676	47,732,360	103,607,232	8,107,640	4,405,816	430,493,724	-

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Transaction Listing - High Level Category - 1160 Glen Huntly Road

Account Name	Account BSB	Account Number	Cell Reference	Date	Description	Debit (\$)	Credit (\$)	Account Balance	Higher Level Category	Sub Level Category	Worksheet Name	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
FGFS x8642	082-080	27-105-8642	X827	15/11/2019	TRANSFER DEBITS Internet Transfer PYMT-ID 149150721 Deposit 1160 Glen Huntly	152,000.00		3,988,768.54	1160 Glen Huntly Road	Crabtree's Real Estate	Trace - FGFS	120,803	31,197	0	-	-
FGFS x8642	082-080	27-105-8642	X1042	10/02/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 154133070 1160Glen Huntly Ad	1,434.97		5,654,426.51	1160 Glen Huntly Road	Crabtree's Real Estate	Trace - FGFS	879				
FGFS x8642	082-080	27-105-8642	X1334	25/05/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 160935499 Glen Huntly Dep2	100,000.00		5,675,600.33	1160 Glen Huntly Road	Crabtree's Real Estate	Trace - FGFS	98,597	1,403			
FGFS x8642	082-080	27-105-8642	X1371	05/06/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 161180378 1160 Glen Huntly	1,485.00		3,929,618.80	1160 Glen Huntly Road	Francisdaniel Lawyers	Trace - FGFS	1,471				
FGFS x8642	082-080	27-105-8642	X1378	10/06/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 161371215 Glen Huntly S02	3,600.00	11,407	4,738,445.17	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	78	36			0
FGFS x8642	082-080	27-105-8642	X1379	10/06/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 161371061 Glen Huntly S01	91,960.00		4,734,845.17	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	2,456	1,144			0
FGFS x8642	082-080	27-105-8642	X1380	10/06/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 161371385 Glen Huntly S03	525,575.79		4,642,885.17	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	62,731	29,229			0
FGFS x8642	082-080	27-105-8642	X1383	10/06/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 161371552 Glen Huntly S05	6,000.00		3,746,036.45	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	358,522	167,054			0
FGFS x8642	082-080	27-105-8642	X1394	15/06/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 161598484 1160 Glen NY Fin	1,650.00		8,796,349.10	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	5,562	438			0
FGFS x8642	082-080	27-105-8642	X1408	16/06/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 161718212 1160 Glen Huntly	7,410.00		6,439,357.13	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	7,309				0
FGFS x8642	082-080	27-105-8642	X1499	10/07/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 163249294 1160 Glen Huntly	7,410.00		2,836,460.52	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	5,126	101	0		0
FGFS x8642	082-080	27-105-8642	X1601	10/08/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 165013971 1160 Glen Huntly	1,540.00		3,864,177.54	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	943	4	2,280		0
FGFS x8642	082-080	27-105-8642	X1658	20/08/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 165682135 1160 Glen Opteon	7,410.00		2,882,898.29	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	4,636	524	73		0
FGFS x8642	082-080	27-105-8642	X1722	09/09/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 166872755 1160 Glen Huntly	1,000.00		8,181,256.60	1160 Glen Huntly Road	Nicholas James Lawyers Trust	Trace - FGFS	4,211	204	2,570		0
FGFS x8642	082-080	27-105-8642	X1816	09/10/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 168715904 1160 Glen Huntly	7,410.00		5,629,119.18	1160 Glen Huntly Road	Property Exchange Australia	Trace - FGFS	892	950	2,248		0
FGFS x8642	082-080	27-105-8642	X1879	29/10/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 169904254 Loan to 1160	7,410.00		4,310,815.61	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	6,823	32	76		0
FGFS x8642	082-080	27-105-8642	X1927	10/11/2020	TRANSFER DEBITS Nicholas James Lawyer170519492 1160 Glen Huntly	7,410.00		7,688,167.77	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	4,501	538	48		0
FGFS x8642	082-080	27-105-8642	X2043	08/12/2020	TRANSFER DEBITS Internet Transfer PYMT-ID 172413907 1160 Glen Huntly	7,410.00		11,292,711.92	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	304	1,119	1,790		0
FGFS x8642	082-080	27-105-8642	X2118	11/01/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 174290179 1160 Glen Huntly	7,410.00		14,783,800.74	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	2,905	69	7,037		0
FGFS x8642	082-080	27-105-8642	X2234	10/02/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 176123368 1160 Glen Huntly	3,000.00		9,911,674.17	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	1,590	990	420		0
FGFS x8642	082-080	27-105-8642	X2321	03/03/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 177490005 Loan to Glen Hunt	5,000.00		241,229.29	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	732			10,000	
FGFS x8642	082-080	27-105-8642	X2336	09/03/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 177844965 Loan to 1160 Glen	8,000.00		6,964,887.12	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	3,591			3,915	353
FGFS x8642	082-080	27-105-8642	X2405	24/03/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 178823603 Loan to 1160	5,000.00		11,254,712.77	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	3,140	962	3,162	285	
FGFS x8642	082-080	27-105-8642	X2458	08/04/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 179710705 Loan to 1160	5,000.00		5,848,068.29	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	3,140	5	339	1,515	
FGFS x8642	082-080	27-105-8642	X2579	11/05/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 181773490 Loan to 1160 Glen	10,000.00		8,902,537.15	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	6,409	0	2,895	696	
FGFS x8642	082-080	27-105-8642	X2700	09/06/2021	TRANSFER DEBITS Internet Transfer PYMT-ID 183791282 Loan to 1160 Glen	986,640		6,609,037.97	1160 Glen Huntly Road	1160 Glen Huntly Rd xx5778	Trace - FGFS	705,740	236,692	31,359	12,849	
Total						986,640		705,740				705,740	236,692	31,359	12,849	0

Account Name	Account BSB	Account Number	Cell Reference	Description	Date	Debit (\$)	Credit (\$)	Account Balance	Higher Level Category	Sub Level Category	Worksheet Name	Westpac Funds	Westpac NZ Funds	SocGen Funds	Other Funds
FGFS xx8642	082-080	27-105-8642	X85	Internet Transfer	26/09/2018	2,500.00		2,500.00	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	2,500			
FGFS xx8642	082-080	27-105-8642	X114	Internet Transfer	28/11/2018	5,000.00		4,793,927.71	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	5,000			
FGFS xx8642	082-080	27-105-8642	X130	Internet Transfer	5/12/2018	15,000.00		1,105,602.25	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	15,000			
FGFS xx8642	082-080	27-105-8642	X168	Internet Transfer	31/01/2019	20,000.00		2,478,047.84	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	6,721	5,371	7,908	
FGFS xx8642	082-080	27-105-8642	X178	Internet Transfer	14/02/2019	7,555.50		3,974,089.93	23 Margaret Street, Rozelle	Raymond Panetta Architects	Trace - FGFS	5,909	666	981	
FGFS xx8642	082-080	27-105-8642	X205	Internet Transfer	5/03/2019	13,566.66		3,441,936.84	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	9,729	5,231	40	
FGFS xx8642	082-080	27-105-8642	X232	Internet Transfer	1/05/2019	13,566.66		3,441,936.84	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	13,554	12	0	
FGFS xx8642	082-080	27-105-8642	X322	Internet Transfer	16/05/2019	10,000.00		8,946,953.05	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	14,994	6	0	
FGFS xx8642	082-080	27-105-8642	X358	Internet Transfer	31/05/2019	10,000.00		3,854,326.33	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	9,996	4	0	
FGFS xx8642	082-080	27-105-8642	X371	Internet Transfer	3/06/2019	13,566.66		1,404,742.01	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	13,561	6	0	
FGFS xx8642	082-080	27-105-8642	X459	TRANSFER DEBITS Internet Transfer	01/07/2019	13,566.66		10,097,051.23	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	12,127	1,440	0	
FGFS xx8642	082-080	27-105-8642	X539	TRANSFER DEBITS Internet Transfer	01/08/2019	13,566.66		2,679,190.70	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	8,065	5,502	0	
FGFS xx8642	082-080	27-105-8642	X541	TRANSFER DEBITS Internet Transfer	01/08/2019	40,000.00		2,621,052.86	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	23,779	16,221	0	
FGFS xx8642	082-080	27-105-8642	X611	TRANSFER DEBITS Internet Transfer	02/09/2019	20,000.00		5,275,845.44	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	15,717	4,283	0	
FGFS xx8642	082-080	27-105-8642	X624	TRANSFER DEBITS Internet Transfer	04/09/2019	13,566.66		3,386,381.74	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	10,661	2,905	0	
FGFS xx8642	082-080	27-105-8642	X702	TRANSFER DEBITS Internet Transfer	02/10/2019	13,566.66		6,757,941.50	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	11,137	2,429	0	
FGFS xx8642	082-080	27-105-8642	X776	TRANSFER DEBITS Internet Transfer	30/10/2019	10,000.00		4,309,849.18	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	9,758	242	0	
FGFS xx8642	082-080	27-105-8642	X815	TRANSFER DEBITS Internet Transfer	14/11/2019	13,566.66		7,201,763.74	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	10,782	2,784	0	
FGFS xx8642	082-080	27-105-8642	X843	TRANSFER DEBITS Internet Transfer	22/11/2019	10,000.00		2,263,513.24	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	3,674	2,326	0	
FGFS xx8642	082-080	27-105-8642	X883	TRANSFER DEBITS Internet Transfer	04/12/2019	13,566.66		785,112.16	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	7,948	2,052	0	
FGFS xx8642	082-080	27-105-8642	X954	TRANSFER DEBITS Internet Transfer	02/01/2020	10,000.00		187,259.38	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	12,671	896	0	
FGFS xx8642	082-080	27-105-8642	X979	TRANSFER DEBITS Internet Transfer	15/01/2020	13,566.66		4,111,258.33	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	8,487	1,513	0	
FGFS xx8642	082-080	27-105-8642	X1029	TRANSFER DEBITS Internet Transfer	06/02/2020	13,566.66		5,646,426.51	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	13,567	-	-	
FGFS xx8642	082-080	27-105-8642	X1043	TRANSFER DEBITS Internet Transfer	10/02/2020	6,000.00		384,979.14	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	3,674	2,326	0	
FGFS xx8642	082-080	27-105-8642	X1114	TRANSFER DEBITS Internet Transfer	02/03/2020	13,566.66		11,204,331.71	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	12,616	951	0	
FGFS xx8642	082-080	27-105-8642	X1364	TRANSFER DEBITS Internet Transfer	05/03/2020	20,000.00		6,325,925.46	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	19,999	1	0	
FGFS xx8642	082-080	27-105-8642	X1364	TRANSFER DEBITS Internet Transfer	01/04/2020	13,566.66		7,434,972.07	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	12,241	1,325	0	
FGFS xx8642	082-080	27-105-8642	X1278	TRANSFER DEBITS Internet Transfer	04/05/2020	13,566.66		3,815,638.01	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	3,944	9,623	0	
FGFS xx8642	082-080	27-105-8642	X1475	TRANSFER DEBITS Internet Transfer	02/06/2020	13,566.66		2,813,032.83	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	13,376	190	0	
FGFS xx8642	082-080	27-105-8642	X1572	TRANSFER DEBITS Internet Transfer	02/07/2020	13,566.66		2,228,755.22	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	13,017	549	0	
FGFS xx8642	082-080	27-105-8642	X1572	TRANSFER DEBITS Internet Transfer	03/08/2020	13,566.66		11,204,331.71	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	2,120	21	11,426	
FGFS xx8642	082-080	27-105-8642	X1694	TRANSFER DEBITS Internet Transfer	01/09/2020	13,566.66		3,993,170.30	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	1,584	880	11,102	
FGFS xx8642	082-080	27-105-8642	X1780	TRANSFER DEBITS Internet Transfer	01/10/2020	10,000.00		7,390,805.74	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	2,623	2,191	5,185	
FGFS xx8642	082-080	27-105-8642	X1781	TRANSFER DEBITS Internet Transfer	16/10/2020	13,566.66		6,845,803.32	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	7,949	609	1,441	
FGFS xx8642	082-080	27-105-8642	X1857	TRANSFER DEBITS Internet Transfer	22/10/2020	10,000.00		6,369,902.51	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	7,949	609	1,441	
FGFS xx8642	082-080	27-105-8642	X1893	TRANSFER DEBITS Internet Transfer	02/11/2020	13,566.66		6,151,237.37	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	6,649	6,350	568	
FGFS xx8642	082-080	27-105-8642	X1997	TRANSFER DEBITS Internet Transfer	27/11/2020	13,566.66		10,389,566.10	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	5,150	97	8,320	
FGFS xx8642	082-080	27-105-8642	X2087	TRANSFER DEBITS Internet Transfer	22/12/2020	8,000.00		5,899,957.38	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	4,258	3,026	715	
FGFS xx8642	082-080	27-105-8642	X2111	TRANSFER DEBITS Internet Transfer	05/01/2021	15,000.00		3,878,652.03	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	11,705	2,665	630	
FGFS xx8642	082-080	27-105-8642	X2124	TRANSFER DEBITS Internet Transfer	12/01/2021	13,566.66		14,818,288.97	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	557	127	12,883	
FGFS xx8642	082-080	27-105-8642	X2168	TRANSFER DEBITS Internet Transfer	28/01/2021	5,000.00		8,406,520.53	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	2,612	23	2,384	
FGFS xx8642	082-080	27-105-8642	X2294	TRANSFER DEBITS Internet Transfer	01/02/2021	15,000.00		6,804,839.01	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	7,088	63	6,415	
FGFS xx8642	082-080	27-105-8642	X2305	TRANSFER DEBITS Internet Transfer	26/02/2021	15,000.00		5,813,870.35	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	7,949	4,948	2,102	
FGFS xx8642	082-080	27-105-8642	X2408	TRANSFER DEBITS Internet Transfer	01/03/2021	60,000.00		11,099,449.14	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	8,790	4,475	1,901	
FGFS xx8642	082-080	27-105-8642	X2425	TRANSFER DEBITS Internet Transfer	29/03/2021	20,000.00		17,014,051.00	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	8,978	2,405	7,995	
FGFS xx8642	082-080	27-105-8642	X2460	TRANSFER DEBITS Internet Transfer	08/04/2021	13,566.66		5,821,501.63	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	6,090	1,632	4,83	
FGFS xx8642	082-080	27-105-8642	X2507	TRANSFER DEBITS Internet Transfer	21/04/2021	50,000.00		3,408,517.17	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	37,273	8,207	4,147	
FGFS xx8642	082-080	27-105-8642	X2534	TRANSFER DEBITS Internet Transfer	09/05/2021	10,000.00		8,947,065.51	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	659	145	9,189	
FGFS xx8642	082-080	27-105-8642	X2545	TRANSFER DEBITS Internet Transfer	03/05/2021	13,566.66		8,693,231.45	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	894	197	12,467	
FGFS xx8642	082-080	27-105-8642	X2616	TRANSFER DEBITS Internet Transfer	19/05/2021	60,000.00		5,372,507.17	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	47,467	37	2,287	
FGFS xx8642	082-080	27-105-8642	X2655	TRANSFER DEBITS Internet Transfer	28/05/2021	14,000.00		16,060,315.07	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	3,570	0	8,408	
FGFS xx8642	082-080	27-105-8642	X2671	TRANSFER DEBITS Internet Transfer	01/06/2021	13,566.66		10,424,326.76	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	3,459	0	8,148	
FE xx0595	082-080	84-548-0595	CK327	TRANSFER DEBITS Internet Transfer	05/10/2018	13,566.66		2,539,268.44	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - FGFS	13,567	-	-	
26 Edmonstone	1082-080	33-371-9902	AG25	Internet Transfer	24/09/2018	6,000.00		8,426.41	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - 26 Edmonstone	-	-	-	6,000
26 Edmonstone	1082-080	33-371-9902	AG28	Internet Transfer	28/09/2018	13,000.00		11,384.41	23 Margaret Street, Rozelle	23 Margaret Street xx4593	Trace - 26 Edmonstone	-	-	-	13,000
Total						878,355		530,221				108,212	187,349	20,006	32,567

Account Name	Account BSB	Account Number	Cell Reference	Date	Description	Debit (\$)	Credit (\$)	Account Balance	Higher Level Category	Sub Level Category	Worksheet Name	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
FGFS x8642	082-080	27-105-8642	X133	7/12/2018	Internet Transfer Pymt-id 128666849 Metier3 9513 bal	31,056.80		1,054,282.45	8-12 Natalia Avenue	Melier3	Trace - FGFS	31,057				
FGFS x8642	082-080	27-105-8642	X160	18/01/2019	Internet Transfer Pymt-id 130852685 Metier 9534, 9549	102,153.70		4,182,524.19	8-12 Natalia Avenue	Melier3	Trace - FGFS	34,327	27,433	40,393		
FGFS x8642	082-080	27-105-8642	X420	25/06/2019	Internet Transfer Pymt-id 140179199 Metier Inv 9661	19,430.14		11,753,584.88	8-12 Natalia Avenue	Melier3	Trace - FGFS	14,734	4,696	0		
FGFS x8642	082-080	27-105-8642	X636	12/09/2019	TRANSFER DEBITS Internet Transfer PWT-ID 145161966 Metier 9694	16,742.00		8,840,257.23	8-12 Natalia Avenue	Melier3	Trace - FGFS	15,522	1,220	0		
FGFS x8642	082-080	27-105-8642	X711	04/10/2019	TRANSFER DEBITS Internet Transfer PWT-ID 146567370 Metier Inv 9708	47,378.48		3,115,731.54	8-12 Natalia Avenue	Melier3	Trace - FGFS	38,894	8,484	0		0
FGFS x8642	082-080	27-105-8642	X902	08/11/2019	TRANSFER DEBITS Internet Transfer PWT-ID 148708483 Metier 9712	45,348.65		1,620,251.65	8-12 Natalia Avenue	Melier3	Trace - FGFS	42,566	2,782	0		
FGFS x8642	082-080	27-105-8642	X870	28/11/2019	TRANSFER DEBITS Internet Transfer PWT-ID 149940674 Metier Inv 9722	42,651.34		5,650,321.73	8-12 Natalia Avenue	Melier3	Trace - FGFS	39,836	2,816	0		
FGFS x8642	082-080	27-105-8642	X917	19/12/2019	TRANSFER DEBITS Internet Transfer PWT-ID 151425123 Metier 9727	44,000.00		3,233,542.22	8-12 Natalia Avenue	Melier3	Trace - FGFS	37,492	6,508	0		
FGFS x8642	082-080	27-105-8642	X919	19/12/2019	TRANSFER DEBITS Internet Transfer PWT-ID 151345975 Deposit 12 Natalia	586,000.00		2,382,410.42	8-12 Natalia Avenue	Buxton Sales Trust	Trace - FGFS	499,320	86,680	0		
FGFS x8642	082-080	27-105-8642	X1297	08/05/2020	TRANSFER DEBITS Internet Transfer PWT-ID 159468383 Metier 9792	11,191.13		6,341,265.53	8-12 Natalia Avenue	Melier3	Trace - FGFS	9,789	1,402			
FGFS x8642	082-080	27-105-8642	X1302	08/05/2020	TRANSFER DEBITS Internet Transfer PWT-ID 159468442 Metier 9744 Half	44,000.00		6,215,465.53	8-12 Natalia Avenue	Melier3	Trace - FGFS	38,486	5,514			
FGFS x8642	082-080	27-105-8642	X1315	14/05/2020	TRANSFER DEBITS Internet Transfer PWT-ID 159782939 Metier 9744 9771	132,000.00		1,409,060.77	8-12 Natalia Avenue	Melier3	Trace - FGFS	115,458	16,542			
FGFS x8642	082-080	27-105-8642	X1375	09/08/2020	TRANSFER DEBITS Internet Transfer PWT-ID 161267269 Natalia Deposit	586,000.00		3,263,531.04	8-12 Natalia Avenue	Buxton Sales Trust	Trace - FGFS	580,408	5,592			
FGFS x8642	082-080	27-105-8642	X1412	16/06/2020	TRANSFER DEBITS Internet Transfer PWT-ID 161693895 Metier 9790	88,000.00		6,295,424.44	8-12 Natalia Avenue	Melier3	Trace - FGFS	81,577	6,423	0		0
FGFS x8642	082-080	27-105-8642	X1492	08/07/2020	TRANSFER DEBITS Internet Transfer PWT-ID 163094000 Metier 9817	44,000.00		3,633,557.69	8-12 Natalia Avenue	Melier3	Trace - FGFS	43,398	602	0		
FGFS x8642	082-080	27-105-8642	X1556	29/07/2020	TRANSFER DEBITS Internet Transfer PWT-ID 164264032 Metier 9806	88,000.00		1,570,935.38	8-12 Natalia Avenue	Melier3	Trace - FGFS	87,987	13	0		
FGFS x8642	082-080	27-105-8642	X1588	04/08/2020	TRANSFER DEBITS Internet Transfer PWT-ID 164670895 Natalia Payment	200,000.00		3,420,986.45	8-12 Natalia Avenue	Buxton Sales Trust	Trace - FGFS	31,256	308	168,436		
FGFS x8642	082-080	27-105-8642	X1597	05/08/2020	TRANSFER DEBITS Internet Transfer PWT-ID 164769889 Metier 9825	44,000.00		3,894,132.34	8-12 Natalia Avenue	Melier3	Trace - FGFS	30,439	25	13,536		
FGFS x8642	082-080	27-105-8642	X1628	12/08/2020	TRANSFER DEBITS Internet Transfer PWT-ID 165093509 Metier 9823	37,046.63		1,210,618.46	8-12 Natalia Avenue	Melier3	Trace - FGFS	22,991	26	14,030		
FGFS x8642	082-080	27-105-8642	X1707	03/09/2020	TRANSFER DEBITS Internet Transfer PWT-ID 166576555 Metier 9832	44,000.00		4,791,987.87	8-12 Natalia Avenue	Melier3	Trace - FGFS	5,138	2,855	36,007		0
FGFS x8642	082-080	27-105-8642	X1736	15/09/2020	TRANSFER DEBITS Internet Transfer PWT-ID 167219455 Metier 9841	42,542.50		2,124,096.16	8-12 Natalia Avenue	Melier3	Trace - FGFS	26,616	1,170	14,757		
FGFS x8642	082-080	27-105-8642	X1742	16/09/2020	TRANSFER DEBITS Internet Transfer PWT-ID 167294637 Natalia 0124448	16,500.00		1,986,320.41	8-12 Natalia Avenue	Charter Keck Cramer	Trace - FGFS	10,323	454	5,723		
FGFS x8642	082-080	27-105-8642	X1769	29/09/2020	TRANSFER DEBITS Internet Transfer PWT-ID 168021435 Peopl Group 1211	1,650.00		4,755,694.64	8-12 Natalia Avenue	Peopl Group Pty Ltd	Trace - FGFS	898	750	1		0
FGFS x8642	082-080	27-105-8642	X1810	07/10/2020	TRANSFER DEBITS Internet Transfer PWT-ID 168581819 Metier 9836 9875	27,918.00		3,500,488.33	8-12 Natalia Avenue	Melier3	Trace - FGFS	7,324	6,118	14,476		
FGFS x8642	082-080	27-105-8642	X1850	16/10/2020	TRANSFER DEBITS Internet Transfer PWT-ID 169181232 Metier 9859	47,000.25		6,753,803.07	8-12 Natalia Avenue	Melier3	Trace - FGFS	37,362	2,863	6,775		0
FGFS x8642	082-080	27-105-8642	X1882	29/10/2020	TRANSFER DEBITS Internet Transfer PWT-ID 169904516 Loan to Natalia	1,000.00		4,307,815.61	8-12 Natalia Avenue	8-12 Natalia Avenue x9116	Trace - FGFS	892	32	76		0
FGFS x8642	082-080	27-105-8642	X1922	06/11/2020	TRANSFER DEBITS Internet Transfer PWT-ID 170450088 Metier 9862/9864	31,891.75		7,701,248.66	8-12 Natalia Avenue	Melier3	Trace - FGFS	29,367	2,317	207		
FGFS x8642	082-080	27-105-8642	X2077	21/12/2020	TRANSFER DEBITS Internet Transfer PWT-ID 173337577 Traffic G 133034	7,150.00		6,461,302.30	8-12 Natalia Avenue	Traffic Group	Trace - FGFS	3,806	2,705	639		0
FGFS x8642	082-080	27-105-8642	X2210	03/02/2021	TRANSFER DEBITS Internet Transfer PWT-ID 175712180 loan to Natalia	10,000.00		844,221.44	8-12 Natalia Avenue	8-12 Natalia Avenue x9116	Trace - FGFS	-	-	-		10,000
FGFS x8642	082-080	27-105-8642	X2211	03/02/2021	TRANSFER DEBITS Internet Transfer PWT-ID 175715236 Metier 9881	25,121.25		819,100.19	8-12 Natalia Avenue	Melier3	Trace - FGFS	-	-	-		25,121
FGFS x8642	082-080	27-105-8642	X2236	10/02/2021	TRANSFER DEBITS Internet Transfer PWT-ID 176124187 Metier9891/9890/89	27,333.63		9,862,340.54	8-12 Natalia Avenue	Melier3	Trace - FGFS	10,715	-	16,619		0
FGFS x8642	082-080	27-105-8642	X2264	17/02/2021	TRANSFER DEBITS Internet Transfer PWT-ID 176534399 Traffic 139556	2,475.00		6,757,649.46	8-12 Natalia Avenue	Traffic Group	Trace - FGFS	1,697	-	778		0
FGFS x8642	082-080	27-105-8642	X2324	03/03/2021	TRANSFER DEBITS Internet Transfer PWT-ID 177490953 Metier 9919/9920	31,736.38		193,992.91	8-12 Natalia Avenue	Melier3	Trace - FGFS	16,819	10,469	4,448		
FGFS x8642	082-080	27-105-8642	X2383	18/03/2021	TRANSFER DEBITS Internet Transfer PWT-ID 178513059 Metier 9918	32,736.00		12,812,108.25	8-12 Natalia Avenue	Melier3	Trace - FGFS	4,796	-	25,631	2,309	
FGFS x8642	082-080	27-105-8642	X2406	24/03/2021	TRANSFER DEBITS Internet Transfer PWT-ID 178006953 Metier 9921	45,263.63		11,209,449.14	8-12 Natalia Avenue	Melier3	Trace - FGFS	6,631	-	35,440	3,193	
FGFS x8642	082-080	27-105-8642	X2435	31/03/2021	TRANSFER DEBITS Internet Transfer PWT-ID 179258750 Metier 9923	45,263.63		14,610,443.13	8-12 Natalia Avenue	Melier3	Trace - FGFS	20,319	5,443	17,890	1,612	0
FGFS x8642	082-080	27-105-8642	X2461	08/04/2021	TRANSFER DEBITS Internet Transfer PWT-ID 179737442 METIER 9932/9933	22,741.13		5,798,760.50	8-12 Natalia Avenue	Melier3	Trace - FGFS	10,209	2,735	8,988	810	
FGFS x8642	082-080	27-105-8642	X2477	14/04/2021	TRANSFER DEBITS Internet Transfer PWT-ID 180094147 METIER 9934	24,018.50		8,216,787.69	8-12 Natalia Avenue	Melier3	Trace - FGFS	19,336	1,022	3,358	303	0
FGFS x8642	082-080	27-105-8642	X2525	28/04/2021	TRANSFER DEBITS Internet Transfer PWT-ID 180948969 9964/65/68/89/91	23,520.75		13,015,532.66	8-12 Natalia Avenue	Melier3	Trace - FGFS	1,550	341	21,614	16	0
FGFS x8642	082-080	27-105-8642	X2564	06/05/2021	TRANSFER DEBITS Internet Transfer PWT-ID 181782006 Metier 9966	32,914.75		3,150,203.46	8-12 Natalia Avenue	Melier3	Trace - FGFS	2,218	488	30,185	24	
FGFS x8642	082-080	27-105-8642	X2587	12/05/2021	TRANSFER DEBITS Internet Transfer PWT-ID 181933794 Metier 9967	15,974.75		7,657,576.79	8-12 Natalia Avenue	Melier3	Trace - FGFS	10,032	18	1,084	4,840	
FGFS x8642	082-080	27-105-8642	X2613	19/05/2021	TRANSFER DEBITS Internet Transfer PWT-ID 18237228 9990/9992/9993	13,934.25		5,476,507.17	8-12 Natalia Avenue	Melier3	Trace - FGFS	11,024	9	531	2,371	0
FGFS x8642	082-080	27-105-8642	X2648	26/05/2021	TRANSFER DEBITS Internet Transfer PWT-ID 182799071 9994	42,603.00		16,696,901.04	8-12 Natalia Avenue	Melier3	Trace - FGFS	10,863	1	25,586	6,152	0
FGFS x8642	082-080	27-105-8642	X2680	02/06/2021	TRANSFER DEBITS Internet Transfer PWT-ID 183343910 loan to Natalia	35,000.00		5,386,329.81	8-12 Natalia Avenue	8-12 Natalia Avenue x9116	Trace - FGFS	8,925	1	21,020	5,054	0
FGFS x8642	082-080	27-105-8642	X2688	09/06/2021	TRANSFER DEBITS Internet Transfer PWT-ID 183808312 10030	3,382.50		6,628,633.32	8-12 Natalia Avenue	Melier3	Trace - FGFS	2,168	-	979	235	-
Total						2,862,671		2,014,780				256,643	26,919	529,208	26,919	35,121

From: Bill Papas </O=FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BILL PAPAS>
To: Vince Tesoriero; Bill Papas
Sent: 14/11/2019 3:38:54 PM
Subject: RE: 1160 Glen Huntly Road Glen Huntly
Attachments: Contract of Sale - 1160 Glen Huntly Road Glen Huntly.pdf

Hey Vince,

See attached. Does Bill definitely need to sign this, it only has your name noted? Let me know and I can add his in.

Thanks,
Suzi

From: Vince Tesoriero <vtesoriero@forumgroup.com.au>
Sent: Thursday, 14 November 2019 4:23 PM
To: Suzi Phillips <sphillips@forumgroup.com.au>; Bill Papas <BPapas@forumgroup.com.au>
Subject: Fwd: 1160 Glen Huntly Road Glen Huntly

Suzi sorry to bother... do you mind to please assist with getting Bill and I to sign this...

Bill can I forward to Tony for eft or leave with you?

Vince Tesoriero
Director
m. +61 411 137 849 e.vtesoriero@forumgroup.com.au
Building 1, Level 5, 658 Church Street. Richmond VIC 3121
w. www.forumgroup.com.au



Begin forwarded message:

From: Rodney King <rodney@crabtrees.com.au>
Subject: 1160 Glen Huntly Road Glen Huntly
Date: 14 November 2019 at 2:35:18 pm AEDT
To: 'Vince Tesoriero' <vtesoriero@forumgroup.com.au>
Cc: Anne Burton <Anne@crabtrees.com.au>

Hi Vince,

Congratulations on your purchase!

Please sign the attached section 32/vendor statement, then the sale page at the front. Then scan the whole document and send it back.

Please arrange to transfer into our Trust Account the 10% deposit of \$152,000

Crabtrees Real Estate Trust Account
BSB: 183 334
Account: 2707 94563

Regards,



Rodney King | Senior Executive | Licensed Estate Agent | Auctioneer
Oakleigh | 20-22 Atherton Road Oakleigh VIC 3166 | [0422 839 870](tel:0422839870) | [03 9567 8888](tel:0395678888)
Dandenong | 1/11-15 Smeaton Avenue Dandenong South VIC 3175 | [03 8795 4888](tel:0387954888)
crabtrees.com.au |



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-----Original Message-----

From: reception@crabtrees.com.au <reception@crabtrees.com.au>
Sent: Thursday, 14 November 2019 3:19 PM
To: Anne Burton <Anne@crabtrees.com.au>; Rodney King <rodney@crabtrees.com.au>
Subject: Message from "RNP002673EB70AF"

This E-mail was sent from "RNP002673EB70AF" (Pro C5200S).

Scan Date: 11.14.2019 14:18:35 (+1000)
Queries to: reception@crabtrees.com.au

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au>

[Report this message as spam](#)

From: Brandon Chin <bchin@iugis.com>
To: Rodney King
CC: Bill Papas; Vince Tesoriero; anne@crabtrees.com.au
Sent: 15/11/2019 2:42:07 PM
Subject: 1160 Glen Huntly Road Glen Huntly - Payment Remittance
Attachments: SKM_C454e19111514380.pdf

Hi Rodney,

Hope you are well

Please see attached the remittance for the \$152,000 deposit as discussed with Vince.

Thank you

Kind Regards,



Brandon Chin
Assistant Accountant

P +61 2 9002 4080

A Level 5, 141 Walker Street, North Sydney NSW 2060

iugis.com



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NAB Connect - Domestic payment report

Payment ID 149150721

When 15/11/2019

Status Requires authorisation(0/1 done)

Total amount (AUD) \$152,000.00

Authorisation details

Authoriser name

Signature

TONY

Payment details

Payment type

Pay anyone (Domestic)

Payment method

Overnight payment

From

Account name	BSB	Account	Description for you	Amount (AUD)	Status
FORUM GRP FS	082-080	271058642	Deposit 1160 Glen	\$152,000.00	DR Valid

To

Account name	BSB	Account	Description for payee	Amount (AUD)	Status
Crabtrees Real Estate Trust Account	183-334	270794563	1160 Glen Huntly	\$152,000.00	CR Valid

End of report