



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 and others named in the Schedule
Respondents

Affidavit of: Gregory Miles

Address: c/- 85 Castlereagh Street, Sydney NSW 2000

Occupation: Consultant

Date: 19 January 2022

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I, Gregory Miles, c/- 85 Castlereagh Street, Sydney NSW 2000, Consultant, say on oath:

- Exhibited to me at the time of swearing this affidavit is a paginated bundle of documents marked 'Exhibit GM-1' (**GM-1**). Throughout this affidavit I refer to documents which appear within GM-1.

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 Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000
 (include state and postcode) Our reference: CMM:AGS:1353397

Version 3 form approved 02/05/2019

2. In the period from November 2015 until December 2019, I was the Chief Operating Officer (**COO**) for Scentre Group Limited (**Scentre Group**).
3. In October 2019, I announced my resignation as COO of Scentre Group. I left Scentre Group on 19 December 2019. A copy of the Scentre Group ASX announcement dated 16 October 2019 in relation to my retirement is at ~~page 1 of GM-1~~. [WES.5004.0001.0063](#)
4. In the period from 1 June 2018 to 31 December 2019, I was a director of the Shopping Centre Council of Australia.

Scentre Group

5. Scentre Group owns and operates retail real estate assets in Australia and New Zealand, including 42 Westfield shopping centres.
6. Scentre Group is the listed parent entity of a number of other companies within the group, including Scentre Shopping Centre Management Pty Limited (**SSCM**). A copy of the historical and current ASIC extract for SSCM is at ~~pages 2 to 24 of GM-1~~. [WES.5004.0001.0074](#)
7. Throughout the period that I was the COO for Scentre Group there was a board charter that was, and I understand remains, available on the website for Scentre Group. A copy of the Board Charter dated August 2016 is at ~~pages 25 to 34 of GM-1~~. [WES.5004.0001.0064](#)

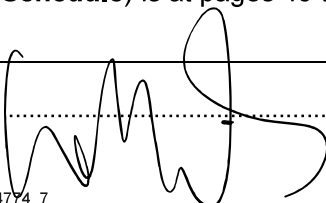
Contract with NMF

8. Shown to me at the time of making this affidavit is a document (bearing Document ID [SEC.5000.0020.4201](#)) titled "Rental Agreement" between SSCM and Northern Managed Finance Pty Ltd (**NMF**), which is at ~~pages 35 to 44 of GM-1~~. Pages 1 and 8 of that document purport to be signed by me and witnessed on page 1 by Michael Rapley and page 8 by Benjamine Duncan. With respect to this document:
 - (a) the signatures purporting to be mine are not mine;
 - (b) I did not authorise anyone to sign or affix an electronic signature on my behalf;
 - (c) I do not recall a person named Michael Rapley (who has purportedly witnessed my and Benjamine Duncan's signatures on page 1 of the document); and
 - (d) the first I saw this document was when it was shown to me for the purpose of making this affidavit.

Contract with Forum Finance

9. A copy of a document titled "Payment Schedule" dated 2 October 2018 (**Payment Schedule**) is at ~~pages 45 to 48 of GM-1~~. [CB.F.I.1 pF.I.8 Ln 12](#)

Signed:



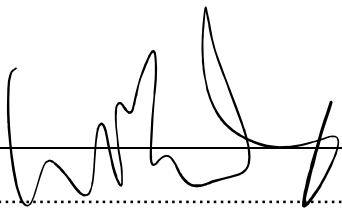
Taken by:



ME_189394774_7

10. A copy of a document titled "Certificate of Acceptance of Delivery" dated 5 October 2018 (**Delivery Certificate**) is at ~~page 49 of GM-1~~. **CB.F.I.1 pF.I.8 Ln 12**
11. When I reviewed the Payment Schedule and the Delivery Certificate, I observed that each document includes an acknowledgment and agreement purportedly for and on behalf of SSCM with a signature above my name in handwriting. I also observed that the Payment Schedule includes an amendment that purports to be initialled by me.
12. The signatures and the initials on the amendment purporting to be mine on each of the Payment Schedule and the Delivery Certificate are not mine. I did not sign or initial those documents and I did not authorise anyone to sign or initial or affix an electronic signature on my behalf on those documents.
13. The first time I saw the Payment Schedule and the Delivery Certificate was when they were emailed to me by Mr Paul Giugni, who I know to be the current General Counsel of Scentre Group. Mr Giugni emailed the documents to me on about 8 July 2021, and I responded to Mr Giugni's email that same day. A copy of my email exchange with Mr Giugni is at ~~page 50 of GM-1~~. **WES.5004.0001.0062**
14. I have also been provided with a copy of a letter from Forum Finance Pty Ltd addressed to me dated 12 October 2018 which refers to the Payment Schedule, a copy of which is at ~~page 51 of GM-1~~. I do not recall ever having received this letter in October 2018 or at any time until Mr Giugni showed it to me. **CB.F.I.1 pF.I.8 Ln 12**
15. I have never met a person named Bill Papas. I have never met a person named Tas Papas.
16. I have never dealt with a company called Forum Finance or a company called Forum Enviro.
17. I have never heard of a company called BHO or BHD. I have never heard of a company called EQWE.

**MIN.5000.0007.0001
Section 50 Summary
of Fraudulent
Transaction
Documents CB.F.I.1**

Signed: 

Taken by: 

Sworn by the deponent
at Sydney
in New South Wales
on 19 January 2022

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Signature of deponent

Before me:



Signature of witness
Simon Henry Brandis
Solicitor

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 confirmed the deponent's identity using the following identification document: Driver's License

Schedule of Parties

No. NSD616/2021

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

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

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 4/02/2022 4:12:06 PM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
File Number: 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



A handwritten signature in blue ink that reads 'Sia Lagos'.

Dated: 4/02/2022 4:18:21 PM AEDT

Registrar

Important Information

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

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