

## NOTICE OF FILING

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### Details of Filing

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



*Sia Lagos*

Dated: 7/07/2021 12:49:05 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.

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Form 59  
Rule 29.02(1)

### Affidavit

Federal Court of Australia  
District Registry: New South Wales  
Division: Commercial and Corporations

No. NSD 1220 of 2021

**IN THE MATTER OF MALIVER PTY LIMITED (ACN 164 334 918)**

**AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION**

Plaintiff

**MELISSA LOUISE CADDICK and another**

Defendants

Affidavit of: **Katherine Anne HORN**

Address:

REDACTED

Occupation:

REDACTED

Date: 22 March 2021

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Filed on behalf of (name & role of party) Australian Securities and Investments Commission, Plaintiff

Prepared by (name of person/lawyer) Nicolette Bearup

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[Version 2 form approved 09/05/2013]

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2	Exhibit KAH-1, being a bundle of documents exhibited to this affidavit	3	2

I, Katherine Anne HORN of [REDACTED], [REDACTED], affirm:

1. Unless otherwise stated, I make this affidavit from information within my knowledge and from an examination of records within my possession. Where I depose to matters from information and belief, I believe those matters to be true and correct.
2. Exhibited to me at the time of affirming this affidavit and marked "KAH-1" is a bundle of documents described in this affidavit.

#### Personal background

3. I am 50 years of age.
4. I have a Bachelor of [REDACTED] from Southern Cross University and have been a [REDACTED] for 25 years. I am currently a [REDACTED], where I have worked for 14 months.
5. I do not have a detailed understanding of investment products or the financial industry. Prior to investing with Melissa Caddick (**Melissa**), I held my superannuation in an industry super fund, and had held some shares in Babcock and Brown and a mining company. I had not previously spoken to a financial adviser about my financial situation.

#### Melissa Caddick

6. I have known Melissa since the time I went to preschool. Melissa and I went to the same preschool and later we both went to Peakhurst High School. Melissa lived three doors down from me when we were growing up in Lugarno (a suburb in Sydney).
7. During my twenties, Melissa moved overseas. When she returned to Australia, we became quite good friends. I would describe Melissa as having been a long-term, close friend.




8. Many years ago, I do not remember exactly when, Melissa said to me she was studying a Masters in Finance.
9. Around 2003, Melissa told me she had a company called Wise Investments. Melissa said to me words to the effect that she "restructured the company and sold it for a large profit". I recall Melissa talking about how hard it was to employ good staff.
10. I was under the impression I invested with Melissa from 16 October 2012.
11. I use the email account [REDACTED] and my mobile number to communicate with Melissa.

#### **Maliver Pty Limited**

12. Melissa and I did not talk much about her business. I think I started investing with Melissa prior to Maliver Pty Limited (**Maliver**) being incorporated. I remember hearing about Maliver from Melissa sometime after I first invested with her. It was soon after Melissa got married to [REDACTED] on New Year's Eve in 2014.
13. I was aware that Melissa had two other people working for the company, [REDACTED] [REDACTED]. I do not know [REDACTED]. I had very little contact with either [REDACTED].
14. I do not know of any office for Maliver other than Melissa's home in Dover Heights. As far as my investments are concerned, I considered the business Maliver and Melissa to be one and the same. When referring to my investments within this affidavit, I use the words Maliver and Melissa interchangeably.
15. I do not know whether Melissa or Maliver held any licenses. Due to my long-term friendship with and trust in Melissa, I assumed that when I started investing with her that she held any licenses that she was required to hold.

#### **Opportunity to invest**

16. Just after Melissa returned from overseas in around 2012, I visited her at her home. I do not remember the exact date. Both Melissa and I were single mothers. Melissa and I had a conversation during which she said to me words to the effect of:
  - a. "I am starting up a business for people in similar positions to you and me."
  - b. "Are you interested in investing your superannuation through me?"





**MAL.2004.0001.1503, MAL.2004.0001.1508, and MAL.2004.0001.1509** are at Tabs 2 to 4 of Exhibit KAH-1.

24. In early October 2012, Melissa also helped me to set up an account with Commonwealth Bank in the name [REDACTED]. The account's BSB is [REDACTED] and the account number is [REDACTED]. An example of a bank statement for this account is at Tab xx as set out in paragraph 26 below.

#### Rolling over funds into the [REDACTED]

25. Melissa also helped me to rollover my superannuation from First State Super to the newly set up [REDACTED] account.
26. I do not remember a lot of detail about this, but I do recall that the first rollover from First State Super was in October 2012. I rolled over \$101,963 from my First State Super fund to the [REDACTED]. A bank statement for the [REDACTED] for the period 4 October 2012 to 31 December 2012 shows that on 12 October 2012 there was a deposit \$101,963 via cheque into the [REDACTED]. This money came from my First State Super account. A copy of this statement marked **MAL.1055.0005.0022** is at Tab 5 of Exhibit KAH-1.
27. The second rollover from First State Super to the [REDACTED] was the remaining superannuation I had in the First State Super fund. On 1 July 2013, I received an email from Melissa which attached three documents from First State Super: a cover letter; a rollover benefits statement; and, a cheque in the amount of \$5,227.08 payable to the [REDACTED]. Copies of the email, cover letter, rollover benefits statement and cheque marked **MAL.2004.0001.2645, MAL.2004.0001.2653, MAL.2004.0001.2654, and MAL.2004.0001.2655** are at Tabs 6 to 9 of Exhibit KAH-1.

#### Investments

28. I arranged for the monthly bank statements to be provided to Melissa. From sometime in 2019 or 2020, Melissa's address [REDACTED] was listed on the account so that the monthly statements were mailed to her automatically. Prior to that, I sent a copy of every statement to her.

29. I did not allow Melissa to access the Commonwealth Bank account of the [REDACTED]. [REDACTED] Instead, there were three ways I made payments from my superannuation account to Melissa or Maliver:
- a. I wrote cheques and posted them to the Maliver post box;
  - b. I obtained bank cheques from the Commonwealth Bank and posted them to the Maliver post box; or
  - c. I logged into my online banking portal and made an online funds transfer to the account details provided to me by Melissa. I do not recall when Melissa first provided me with these account details. There were two bank account details that Melissa provided to me. The original account was [REDACTED]. [REDACTED] It later changed to [REDACTED], account [REDACTED]. I do not recall when the account changed. An email and attached invoices, which I received from Melissa and which contains the [REDACTED] and account number [REDACTED] is marked **MAL.1055.0004.0370**, **MAL.1055.0004.0371** and **MAL.1055.0004.0372** at Tabs 10 to 12 of Exhibit KAH-1, respectively.
30. In total, I transferred \$135,300 from the [REDACTED] to Melissa and her company Maliver for investments. I also transferred \$14,461.26 from the [REDACTED] [REDACTED] to Melissa and her company Maliver for annual management fees. A summary of the debits from this account which were paid to Melissa are below, along with the associated bank statements and cheque butts in Exhibit KAH-1:
- a. Investments:
    - (a) On 16 October 2012, \$100,000 was debited via cheque 000002. The bank statement is marked **MAL.1055.0005.0022**.
    - (b) On 21 May 2014, \$8,010 was debited via bank cheque, which I believe was inclusive of a \$10 transaction fee. The bank statement is marked **MAL.1055.0005.0009**.
    - (c) On 22 September 2016, \$10,000 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0017**.
    - (d) On 15 June 2018, \$17,300 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0018**.




Each of the above documents are at Tabs 5 and 13 to 15 of Exhibit KAH-1.

- b. Annual account management fees:
- (a) On 11 October 2013, \$1,188.73 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0023**.
  - (b) On 23 October 2014, \$1,219.95 was debited via cheque 000008. The bank statement and cheque butt are marked **MAL.1055.0005.0002** and **MAL.1055.0005.0084** at .0091, respectively.
  - (c) On 30 October 2015, \$1,561.08 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0012**.
  - (d) On 22 September 2016, \$1,967.79 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0017**.
  - (e) On 26 October 2017, \$2,019.48 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0014**.
  - (f) On 25 October 2018, \$2,515.71 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0006**.
  - (g) On 20 October 2019, \$3,988.52 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0020**.

Each of the above documents are at Tabs 14 and 16 to 22 of Exhibit KAH-1.

31. I created an excel spreadsheet which compiles the transactions referred to above. A copy of the spreadsheet titled <sup>REDACTED</sup> to Maliver.xlsx' marked **MAL.1055.0002.0004** is at Tab 23 of Exhibit KAH-1. The spreadsheet also records the transactions from my personal account to Melissa and Maliver as set out below.

**Melissa's involvement with my self managed super fund**

32. Sometimes Melissa provided me with advice on the amount of contributions I should make to the <sup>REDACTED</sup>. A copy of a one page email dated 13 May 2013 titled 'SUPER CONTRIBUTION PRE: 30 JUNE 2013' marked **MAL.2004.0001.2575** is at Tab 24 of Exhibit KAH-1.



33. From 2012 to 2020, Melissa assisted me with the administration and management of my self managed super fund. In particular, she organised for the [REDACTED] [REDACTED] to be audited via a superannuation accounting company. I received numerous emails from Melissa which contained documents from the companies Super Concepts and Superannuation Accounting Services, which had provided services to the [REDACTED]. Some examples of these emails and documents are as follows:
- a. an email from [REDACTED] on behalf of Melissa to me containing an attachment of a letter from the Super Concepts Auditor for [REDACTED] [REDACTED] a company called Engage Super Audits. A copy of a one page email and attachment dated 24 November 2014 titled [REDACTED] [REDACTED] marked MAL.2004.0001.7025 and MAL.2004.0001.7026 are at Tabs 25 and 26 of Exhibit KAH-1, respectively.
  - b. an email from Melissa to me with self managed super fund compliance documents prepared by Superannuation Accounting Services which I was required to sign. A copy of a one-page email and attachment dated 8 July 2019 titled 'SMSF Checklist & Compliance Documentation to Sign' marked MAL.1055.0004.0017 and MAL.1055.0004.0018 are at Tabs 27 and 28 of Exhibit KAH-1, respectively.

#### **Investing money in my own name with Melisa and Maliver**

34. About one month after I started investing my superannuation with Melissa, she asked me in words to the effect of "Would you like to create an investment portfolio for me to manage?" I understood this to me mean that Melissa was offering to invest the savings which I held outside of my superannuation account. I understood this investment portfolio would be separate from my superannuation investment.
35. I recall that Melissa told me that the dividends from my shares would go into the cash section of my investment portfolio, and that she would then reinvest those dividends. It was because of this arrangement that I did not expect to have funds transferred back into my account.
36. I told Melissa that I was happy for her to create and manage an investment portfolio for me. I trusted that she had my best interests at heart, and I understood she had experience in investing. My goal was to build up enough money to help my children pay for a house deposit when they were older, and I believed that Melissa may be able to help me do that.




37. I had a <sup>REDACTED</sup> Smart Access account in my name (**Personal CBA Account**). I transferred funds from my Personal CBA Account to Melissa and Maliver by the same methods outlined at paragraph 29 above.
38. A summary of the debits from this account which were paid to Melissa and Maliver are below:
- a. Investments:
- (a) On 15 November 2012, \$33,000 was debited.
  - (b) On 17 May 2013, \$25,010 was debited via bank cheque, which I believe was inclusive of a \$10 transaction fee. The bank statement marked **MAL.1055.0005.0025** at .0026.
  - (c) On 26 July 2013, \$70,000 was debited. The bank statement marked **MAL.1055.0005.0025** at.0028.
  - (d) On 21 October 2014, \$10,000 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0034** at .0036.
  - (e) On 22 October 2014, \$10,000 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0034** at .0036.
  - (f) On 23 October 2014, \$10,000 was debited via online funds transfer. The bank statement is marked **MAL.1055.0005.0034** at .0037.
  - (g) On 30 March 2015, \$50,010 was debited via bank cheque, which I believe was inclusive of a \$10 transaction fee. The bank statement marked **MAL.1055.0005.0038** at .0040.
  - (h) On 1 December 2015, \$25,000 was debited via online funds transfer. The bank statement marked **MAL.1055.0005.0048** at .0049.
  - (i) On 2 December 2015, \$25,000 was debited via online funds transfer. The bank statement marked **MAL.1055.0005.0048** at .0049;



- (j) On 30 August 2016, \$30,000 was debited via online funds transfer. The bank statement marked **MAL.1055.0005.0053** at .0054.
- (k) On 31 August 2016, \$30,000 was debited via online funds transfer. The bank statement marked **MAL.1055.0005.0053** at .0054.
- (l) On 28 March 2019, \$170,030 was debited via bank cheque, which I believe was inclusive of a \$30 transaction fee. The bank statement marked **MAL.1055.0005.0064** at .0067.

Each of the above documents are at Tabs 29 to 34 of Exhibit KAH-1.

b. Annual account management fees:

- (a) On 11 October 2013, \$662.51 was debited via online funds transfer. Bank statement marked **MAL.1055.0005.0030** at .0032;
- (b) On 20 October 2014, \$580.85 was debited via online funds transfer. Bank statement marked **MAL.1055.0005.0034** at .0036;
- (c) On 30 October 2015, \$1,287.55 was debited via online funds transfer. Bank statement marked **MAL.1055.0005.0044** at .0047;
- (d) On 22 September 2016, \$2,312.49 was debited via online funds transfer. Bank statement marked **MAL.1055.0005.0053** at .0055;
- (e) On 26 October 2017, \$2,579 was debited via online funds transfer. Bank statement marked **MAL.1055.0005.0057** at .0059;
- (f) On 25 October 2018, \$2,805.92 was debited via online funds transfer. Bank statement marked **MAL.1055.0005.0060** at .0062;  
and
- (g) On 20 October 2019, \$6,409.65 was debited via online funds transfer. Bank statement marked **MAL.1055.0005.0071** at .0076.

Each of the above documents are at Tabs 30, 33 and 35 to 39 of Exhibit KAH-1.

39. It is possible I made other investment related payments to Melissa which I have not yet identified.

**My term deposit**



40. Melissa only asked me to invest more money with her once. Around March 2019, I told Melissa about a term deposit I had and she said to me words to the effect of "The interest rate isn't very good. I can invest this for you."
41. After this conversation, I withdrew from the term deposit and sent a bank cheque to Melissa for \$170,000, which relates to the payment I describe in paragraph [38, a. (1)]. The bank statement marked **MAL.1055.0005.0064** at .0067 is at Tab 34 of Exhibit KAH-1 and shows this \$170,000 being drawn from my Smart Access account. This was the last investment payment I made to Melissa because I was happy with the amount I thought my investment was worth based on Melissa's quarterly updates.
42. I did make other payments to Melissa after this as noted in paragraphs [38, b (g) and 30, b (g)], but they were for annual fees and were relatively small in comparison.

**Payments to my investment portfolio from my family**

43. In 2019 and 2020, I was aware of payments my family were making into my investment portfolio with Melissa. These payments did not go into my personal account, but were paid from my family directly to Melissa for the purpose of being invested in my investment portfolio.
44. Before my father passed away, he had a collection of old bank notes. After he passed away, my mother took possession of these. I understood based on conversations with my family that after my father passed away, my mother **REDACTED** decided to divide the proceeds of the sale of my father's bank note collection between her, me and my brothers **REDACTED**. I do not remember the exact details of the conversations I had, however I understood that some of the proceeds from the bank notes sale were going to be transferred from my mother's account to my investment portfolio with Melissa.
45. I believe the first transaction was 23 September 2019 for \$100,000 and the second was 6 December 2019 for \$100,000.
46. In a quarterly report I received from Melissa, marked **MAL.1055.0004.0236** at .0240 at Tab 40 of Exhibit KAH-1, I saw the first corresponding credit being received in the portfolio valuation.
47. In another quarterly report I received from Melissa, marked **MAL.1055.0004.0243** at .0247 at Tab 41 of Exhibit KAH-1, I saw the second corresponding credit being received in the portfolio valuation.



48. Sometime before 6 May 2020, I spoke to my brother, [REDACTED] about an amount of \$500,000 that my mother was going to transfer to my investment portfolio with Melissa. I do not remember the exact details of this conversation, however I understood that the investment of these funds on my behalf had been arranged between Melissa, [REDACTED] and my mother. On 29 May 2020, I received an email from Melissa that attached a portfolio statement. A copy of the email and portfolio statement marked **MAL.1055.0004.0281** and **MAL.1055.0004.0282** are at Tabs 42 and 43 of Exhibit KAH-1. At page .0286 of MAL.1055.0004.0282, there is an entry described as "6/5/20 Interbank Transfer" and under the column 'Credit' there is a corresponding amount of \$500,000. I understood this to be confirmation that my mother had transferred \$500,000 to Melissa to manage my investment portfolio.
49. The spreadsheet referred to at paragraph 31 above (**MAL.1055.0002.0004**) also compiles the transactions between by Personal CBA Account to Melissa and Maliver.

#### **Conversations with Melissa**

50. During the Relevant Period, I would talk to Melissa about once a fortnight however our conversations were mostly personal in nature. It was uncommon for us to talk about business.
51. A few years ago, I think around 2015, I had a conversation with Melissa about wills. Melissa said to me that she was leaving her business Maliver to [REDACTED]. This conversation led me to believe that Melissa really cared about her friends and their financial wellbeing and contributed to my trust in her.

#### **Quarterly reports**

52. After I began investing money with Melissa, I received approximately quarterly emails from her with updates on my investments. I would receive two separate documents which I refer to as 'portfolio valuations'. One was in respect of the CommSec that Melissa had purportedly set up for the [REDACTED]. The other was in respect of my own name and which received funds from my Personal CBA Account. I did not pay a lot of attention to these emails. Below are some examples of the quarterly update emails and attachments which I received from Melissa:
- a. A copy of a one-page email dated 30 July 2013 titled [REDACTED] Valuation' and its attachment marked **MAL.2011.0001.0095** and **MAL.2011.0001.0096** are at Tabs 44 and 45 of Exhibit KAH-1, respectively. In the email, Melissa states that she has invested \$70,000 on my behalf,



which relates to the payment I describe in paragraph [38, a. (c)]. I also note that the account number listed on the portfolio statement is 573114.

- b. The most recent quarterly report I received was attached to an email I received from Melissa on 30 September 2020. The email marked **MAL.1055.0004.0340** is at Tab 46 of Exhibit KAH-1. The attachments are marked **MAL.1055.0004.0341** and **MAL.1055.0004.0347** and are at Tabs 47 and 48 of Exhibit KAH-1, respectively. The account number listed on the portfolio statement is REDACTED

#### **CommSec Accounts**

53. When I received the quarterly reports from Melissa such as those in paragraph [52], I saw that there were CommSec account numbers REDACTED. I understood that Melissa had established these CommSec accounts in order to use my superannuation funds to invest in shares.

#### **Annual reviews**

54. Every year around October, Melissa and I would meet for an annual review of my investments. We would usually meet for lunch in the Sydney suburb of Brighton Le Sands, halfway between Melissa's house and my house. During these annual reviews Melissa would tell me what shares she invested in. Sometimes she would tell me why she invested in particular shares, but not always. I do not remember these conversations in detail, however she said such things as "JB Hi Fi are really good, they are low maintenance".
55. Through our ongoing conversations between 2012 and 2020, I had told Melissa that my goal from the investments was to set my children up for the future. From our conversations I believe Melissa was aware that I intended to give my children a deposit for their own home, but that I thought my children needed time to mature first.
56. During my last annual review with Melissa in October 2020, Melissa said, "I know you wanted to help your children. Where are you up to with that?" I said words effect of, "They are now 21 and 23, so I would like to wait a little bit longer for my children to mature." Melissa spoke about the potential to withdraw money from my investment for my kids. She said words to the effect of, "You should give them small amounts to start off and let them work towards it."



**Fees to Melissa**

57. As I mentioned in paragraph [16, d], Melissa charged me a fee of 0.5 percent of funds under management. Melissa sent invoices to me for these fees around the same time as our annual reviews in October. I would receive two invoices, one for my superannuation investments and one for my separate investment portfolio. I paid these invoices by making funds transfers to Melissa's account. The payments I made for these fees are reflected in paragraphs [30, b] and [38, b]. Some example of these invoices marked **MAL.1055.0004.0363** and **MAL.1055.0004.0364** are in Tabs 49 and 50 of Exhibit KAH-1. I paid these invoices with payments described in paragraph [38, b (g)] and paragraph [30, b (g)], respectively.

**Tax obligation payment**

58. Other than a \$15,000 transaction I received back from Melissa in order to pay a tax obligation, on 12 October 2020, I do not recall receiving any funds back. I did not expect for the investment returns to be paid back to me because of the conversation I had with Melissa in paragraph 35. Bank statement for account [REDACTED], account [REDACTED] showing funds transfer credit of \$15,000 on 20 October 2020 marked **MAL.1055.0005.0015** is at Tab 51 of Exhibit KAH-1

**Melissa's other clients**

59. I never encouraged anyone to invest with Melissa, however my family were aware of my investments with her through conversations I had with them over the years. My brothers [REDACTED] asked me about Melissa's business. I heard in conversations I had with my family and Melissa that in June 2015, [REDACTED] and my mother [REDACTED] had started investing with Melissa and Maliver.
60. Around June 2015, Melissa began speaking to me more about her clients. She said to me words to the effect of "I had to let some clients go because they were not diligent with their paperwork," "I am blessed to have you as a client," and "Don't tell your friend about your investments in case they want to invest with me too. I can't take on any additional clients." Due to what Melissa said, I was convinced I was part of an exclusive group of investors, lucky to have my financial interests looked after by someone so successful.

**Request to be a reference**

61. In early 2020, before 10 April 2020, Melissa sent me a text message. She asked me words to the effect of "Can I use you as a contact for a new client as a referee of my business?" I said to Melissa "Yes that's fine, tell them to give me a call. I can sing your praises." I was surprised to get this request from Melissa because she had given me the impression of being very selective about her clients. I never received a call from a prospective investor.

#### **Last contact with Melissa**

62. The last time I saw Melissa was on the 16 October 2020, for my 50<sup>th</sup> birthday celebration. The last time I was in contact with Melissa was 11 November 2020. I sent Melissa a text message about a lunch we were organising with my mother [REDACTED] and Melissa's mother [REDACTED]. On the day Melissa was raided by the Australian Federal Police, Melissa texted me in reply, saying she was all good for the lunch. She did not say what was happening at the time.
63. On 13 November 2020, I received a phone call from the Bondi Beach Police Station in which I was told that Melissa was missing. The day after this, [REDACTED] Melissa's brother, called me and said that Melissa's house had been raided by the Australian Federal Police. Initially, I was not concerned about my investments as I could not believe Melissa had done anything wrong. As more media releases came out, I became more worried. On Saturday morning, 4 December 2020, I saw a Sydney Morning Herald article which outlined Melissa had created fake CommSec accounts.

#### **Personal impact**

64. Since 2012, I paid \$149,761.26 from the account of [REDACTED] and \$504,637.97 from my Personal CBA Account to Melissa and Maliver. These are inclusive of \$31,099.23 in annual management fees, which I mentioned in paragraphs [30] and [38].
65. Of the total \$579,518.60 I paid to Melissa, I only recall receiving \$15,000 back which was to pay a tax liability. The money I paid to Melissa represents my life savings, and the majority of my superannuation.
66. I was under the impression that as of 30 September 2020 my superannuation investments were valued at \$831,688.06, and my separate investment portfolio was valued at \$1,960,976.72. I drew this conclusion based on the quarterly update I received from Melissa, marked **MAL.1055.0004.0347** at .0349 and **MAL.1055.0004.0341** at .0343 at Tabs 48 and 47 of Exhibit KAH-1, respectively.






- 67. I had been working as a [REDACTED], however changed careers to a [REDACTED] [REDACTED] about 14 months ago. As a [REDACTED] I earn less than I did as a [REDACTED] [REDACTED] I only made this career change because I felt financially secure from the apparent success of my investment portfolio with Melissa. I had planned to pass on some of my accumulated wealth to my children, and so I believe the money I have lost from Melissa will even impact their futures. I have suffered emotional distress over the past few months because I am worried that I will not have enough superannuation to live on after I retire.
- 68. In addition to the emotional pain and betrayal I feel resulting from Melissa's actions, I feel guilty towards my family since they came to know Melissa through my friendship with her and they invested money with her. It has been difficult watching my family go through the same thing I am, particularly my mother who is elderly.
- 69. Another aspect of how Melissa's actions have affected me is sentimental in nature. Due to the loss of wealth which my father accumulated over his life, such as the bank notes I mentioned in paragraph [44], there are times when I feel like I betrayed the sacrifices he made to provide for my family by allowing myself to be deceived.

Affirmed by the deponent  
 at Level 5, 100 Market Street, Sydney  
 in the State of New South Wales  
 on 22 March 2021  
 Before me:

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 \_\_\_\_\_  
 Signature of deponent

  
 \_\_\_\_\_  
 Signature of witness  
 Stephen Johnson  
 Solicitor of the Supreme Court of New South Wales