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ΕΙΣΑΓΓΕΛΙΑ ΠΡΩΤΟΔΙΚΩΝ ΘΕΣΣΑΛΟΝΙΚΗΣ
ΤΜΗΜΑ ΔΙΚΑΣΤΙΚΗΣ ΣΥΝΔΡΟΜΗΣ & Ε.Ε.Ε.
Αριθ. Εισαγ. 3659
Ημερομηνία: 16/8/2022



Form 25
Rules 10.64(2)(a); 10.64(4); 10.66(2)(a); 10.76(4)(a) & (b)

Request for service abroad of judicial documents and certificate

No. NSD616 of 2021

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

Handwritten signature and Greek stamp: ΕΠΙΔΙΟΙΚΗΤΗΣ - ΔΥΡΟΚΟΛΛΗΘΗΚΕ ΔΡΑ... ΣΤΗ ΘΕΣ/ΜΙΚΗ 23/8/2022 Ο ΕΠΙΔΙΟΥΣ

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

Applicants

FORUM FINANCE PTY LIMITED (in liquidation) (receivers appointed) ACN 153 301 172 and others named in the schedule

Respondents

Part 1 Request for service abroad of judicial documents

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, done at The Hague on 15 November 1965

identity and address of the forwarding authority requesting service
Registrar
Federal Court of Australia
Level 17, Law Courts Building, Queens Square
Sydney NSW 2000
Australia
nswreg@fedcourt.gov.au

identity and address of receiving authority
Hellenic Ministry of Justice
Directorate of Special Legal Affairs
Department of Private International Law
96 Mesogeion Avenue
Athens 11527
Greece
civilunit@justice.gov.gr
gkouvelas@justice.gov.gr

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 +61 2 9921 4279 Fax +61 2 9921 8123
Email caitlin.murray@minterellison.com
Address for service Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000, Australia
(include state and postcode) Our reference: 1353397

The undersigned forwarding authority, on the application of Westpac Banking Corporation and Westpac New Zealand (together, **Westpac**) c/- Caitlin Murray of MinterEllison, Level 40, Governor Macquarie Tower 1 Farrer Place, NSW 2000 Australia has the honour to transmit - in duplicate - the documents listed below and, in conformity with Article 5 of the abovementioned Convention, requests prompt service of one copy thereof on the addressee, i.e.:

(identity and address)

Anastasios Giamouridis, at Eirinis 50, Evosmos 56224 Thessaloniki, Greece

in accordance with the provisions of subparagraph (a) of the first paragraph of Article 5 of the Convention.

The receiving authority, the Central Authority, is requested to return or to have returned to the forwarding authority a copy of the documents with a certificate as provided in Part 2 of this Form.

List of documents

Fourth Further Amended Originating Application, submitted for filing on 5 November 2021 at 5:58:21 PM AEDT, and filed on 11 November 2021 at 12:19:14 PM AEDT in Federal Court of Australia Proceeding no. NSD616 of 2021

Second Further Amended Statement of Claim, submitted for filing on 5 November 2021 at 5:58:21 PM AEDT, and filed on 11 November 2021 at 12:19:21 PM AEDT in Federal Court of Australia Proceeding no. NSD616 of 2021

Done at Sydney the 12th of July, 2022

Signature or stamp (or both) of forwarding authority.



Part 2 Certificate

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, done at The Hague on 15 November 1965

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention:

1. that the documents listed in Part 1 have been served*

- the (date)

.....
at (place, street, number)

.....
in one of the following methods authorised by Article 5:

- a) in accordance with the provisions of subparagraph (a) of the first paragraph of Article 5 of the Convention*,

- b) in accordance with the following particular method*:

- c) by delivery to the addressee, who accepted it voluntarily*.

The document referred to in the request, has been delivered to:

- (identity and description of person)

- relationship to the addressee (family, business or other)

.....
2. that the document has not been served, by reason of the following facts*

In conformity with the second paragraph of Article 12 of the Convention, the forwarding authority is requested to pay or reimburse the expenses detailed in the attached statement*.

Annexes

Documents returned:

In appropriate cases, documents, establishing the service:

Done at _____, the

Signature or stamp, (or both).

*Delete if inappropriate.

Schedule

No. NSD616 of 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) (receivers appointed) 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 (Company Number 10745974)
Thirty-Third Respondent	Iugis Holdings Limited (Company Number 11123437)
Thirty-Fourth Respondent	Iugis Global Financial Services Limited (Company Number 11785331)
Thirty-Fifth Respondent	Iugis Finance Limited (Company Number 11124046)
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

Form 26
Rules 10.64(2)(c); 10.73(2)(b)



Summary of the document to be served

No. NSD616 of 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 (in liquidation) (receivers appointed) ACN 153 301 172
and others named in the schedule

Respondents

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, done at The Hague on 15 November 1965

(Article 5, fourth paragraph)

Identity and address of the addressee:

Anastasios Giamouridis
Eirinis 50, Evosmos 56224, Thessaloniki, Greece

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE SUMMARY OF THE DOCUMENT TO BE SERVED WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

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	+61 2 9921 4279	Fax	+61 2 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, Australia		
	Our reference: 1353397		

[Version 2 form approved 06/11/2020]



LAW ACCESS NSW

Postal Address: PO Box 620, Parramatta, NSW 2124, Australia

Phone: +61 1300 888 529

Fax: +61 2 8833 3101

LEGAL AID CENTRAL SYDNEY OFFICE:

Postal Address: 323 Castlereagh Street, Haymarket, NSW 2000, Australia

Phone: +61 2 9219 5000

Email: clientcommunication@legalaid.nsw.gov.au and LSOsCivil@legalaid.nsw.gov.au

SUMMARY OF THE DOCUMENT TO BE SERVED

Name and address of the forwarding authority

Registrar

Federal Court of Australia

Level 17, Law Courts Building

Queens Square

SYDNEY NSW 2000

AUSTRALIA

Phone: +61 1300 720 980

Email: nswreg@fedcourt.gov.au

Particulars of the parties

On application of Westpac Banking Corporation ABN 33 007 457 141 and Westpac New Zealand Limited (company registration number 1763882) (together, **Westpac**) c/- Caitlin Murray of MinterEllison, Level 40, Governor Macquarie Tower, 1 Farrer Place, NSW 2000 Australia. Please see the Schedule at the end of this document for a full list of the respondents in these proceedings.

JUDICIAL DOCUMENTS

Nature and purpose of the document

Fourth Further Amended Originating Application, submitted for filing on 5 November 2021 at 5:58:21 PM AEDT, and filed on 11 November 2021 at 12:19:14 PM AEDT in Federal Court of Australia Proceeding no. NSD616 of 2021 (**4FAOA**) commences court proceedings, and sets out the relief and final orders that Westpac seeks against, amongst others, Mr Giamouridis as twenty-ninth respondent.

Second Further Amended Statement of Claim, submitted for filing on 5 November 2021 at 5:58:21 PM AEDT, and filed on 11 November 2021 at 12:19:21 PM AEDT in Federal Court of Australia Proceeding no. NSD616 of 2021 (**2FASOC**) sets out Westpac's claims against, amongst others, Mr Giamouridis.



Nature and purpose of the proceedings and, when appropriate, the amount in dispute

Federal Court of Australia proceedings in which Westpac contends that Mr Giamouridis received as a volunteer at least AUD \$10,712,140.34 in funds, which funds Westpac contends can be traced as coming from money which was stolen from it. In the proceedings, Westpac contends that:

(a) AUD \$341,107,896.94 was fraudulently obtained from Westpac Banking Corporation by Forum Finance Pty Ltd (in liquidation) ACN 153 301 172; and

(b) NZD \$58,763,504.70 was fraudulently obtained from Westpac New Zealand Limited by Iugis (NZ) Limited (previously known as ORCA Enviro Solutions NZ Limited) New Zealand company no. 6765037,

and these funds were held on trust for Westpac. In breach of trust those funds were transferred to an account in the name Forum Group Financial Services Pty Ltd (In liquidation) (**FGFS**) and other companies in the Forum group and then at least AUD \$10,712,140.34 was transferred from FGFS to Mr Giamouridis. Westpac says Mr Giamouridis holds on trust and is liable to account to Westpac, or in the alternative is liable to pay equitable compensation to Westpac for the funds he has received.

Date and place for entering appearance

Appearance by way of a Notice of Address for Service (Form 10) to be filed in the Registry of the Federal Court of Australia, Level 17, Law Courts Building, Queens Square, SYDNEY NSW 2000 AUSTRALIA before attending Court or taking any other steps in the proceeding (as stated in the 4FAOA).

Defence to be filed with the Registry of the Federal Court of Australia, Level 17, Law Courts Building, Queens Square, SYDNEY NSW 2000 AUSTRALIA, within 28 days after service of the 2FASOC and 4FAOA.

Court documents may be filed with the Federal Court of Australia:

1. Electronically, through the Court's eLodgment facility;
2. In person; or
3. By post of fax.

Further information with respect to filing Court documents with the Federal Court of Australia is available via its website: <https://www.fedcourt.gov.au/forms-and-fees/filing>.

The proceedings are listed for final hearing at the Federal Court of Australia, Law Courts Building, Queens Square, SYDNEY NSW 2000 AUSTRALIA commencing at 10.15am AEDT on **10 October 2022** and, subject to further order, continue until the conclusion of the hearing day on 28 October 2022.

Court in which proceedings pending/judgment given

The Court in which the proceedings are pending is the Federal Court of Australia.

The proceedings are pending in the New South Wales District Registry of the Federal Court of Australia, which is located in the Law Courts Building, Queens Square, Sydney, NSW 2000 Australia. As at 16 May 2022, the proceedings are listed for final hearing at the Federal Court of Australia, Law Courts Building, Queens Square, SYDNEY NSW 2000 AUSTRALIA commencing at 10.15am AEDT on 10 October 2022 and, subject to further order, continue until the conclusion of the hearing day on 28 October 2022.

A record of documents filed in the proceedings and copies of all court orders made are available on the Commonwealth Law Court Portal which can be accessed via the following URL:



<https://www.comcourts.gov.au/public/eseach>, and searching for proceeding "NSD616/2021".

The Federal Court of Australia maintains an online public interest case court file in relation to these proceedings which can be accessed by the following URL:

<https://www.fedcourt.gov.au/services/access-to-files-and-transcripts/online-files/forum-finance#westpac> . The online public interest case court file contains copies of the pleadings, submissions and affidavit evidence read to date in these proceeding.

Time limits stated in the document

The 4FAOA and 2FASOC describe the hearing time and date as 'to be advised' which was the case at the time of filing on 11 November 2021. The proceedings are now listed for a final hearing on 10 October 2022 at 10.15am AEDT.

Schedule

No. NSD616 of 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 1763882)

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 Third Respondent: Vincenzo Frank Tesoriero
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 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
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Thirty-Second Respondent	Iugis (UK) Limited (Company Number 10745974)
Thirty-Third Respondent	Iugis Holdings Limited (Company Number 11123437)
Thirty-Fourth Respondent	Iugis Global Financial Services Limited (Company Number 11785331)
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Forty-Seventh Respondent	Louisa Maria Agostino
Forty-Eighth Respondent	D&D Group O.E
Forty-Ninth Respondent	Aromatika Fyta Tsai Olympou Theion Ike

FEDERAL COURT OF AUSTRALIA
EXHIBIT / ~~MEI~~ No. 1

JUDGE: CHEESEMAN J DATE: 8/2/23
Westpac Banking Corporation ~~vs~~ *Forum Finera Pty Ltd (in liq)*

FILE NO. *NSD 616* OF *2021* *605*

RETURN TO:

(party / non-party, if produced on subpoena)

ASSOCIATE: *Nicholas Moses*