

## Exhibit certificate

No. NSD616 of 2021

Federal Court of Australia  
District Registry: Sydney  
Division: General

**Westpac Banking Corporation ABN 33 007 457 141**

Applicant

**Forum Finance Pty Limited ACN 153 301 172 and another**

Respondents

This is the exhibit marked '**NOB-2**' now produced and shown to Nicholas Antony O'Brien at the time of swearing his affidavit on 1 July 2021 before me



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

Solicitor

---

Filed on behalf of (name & role of party)	<u>Westpac Banking Corporation, Applicant</u>
Prepared by (name of person/lawyer)	<u>Caitlin Murray</u>
Law firm (if applicable)	<u>MinterEllison</u>
Tel <u>(02) 9921 4279</u>	Tel <u>(02) 9921 4279</u>
Email	<u>caitlin.murray@minterellison.com</u>
<b>Address for service</b> (include state and postcode)	<u>Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000</u> <u>Our reference: 1353397</u>

---

**From:** Ewing, Tim [REDACTED]  
**Sent:** Monday, 28 June 2021 3:31 PM  
**To:** Carly Rossbach-Smith [REDACTED]  
**Cc:** O'Brien, Nicholas [REDACTED]; Mike Carey <[REDACTED]>  
**Subject:** RE: Forum Standing Offer pages

Hi Carly

This is very helpful for our process so thanks very much for providing and for your explanations in line with what we discussed this morning.

Regards  
Tim

**Tim Ewing**  
**Director, Structured and Asset Finance**  
**Westpac Institutional Bank**

Level 3, 275 Kent Street, Sydney, NSW, 2000  
[REDACTED]



---

**From:** Carly Rossbach-Smith [REDACTED]  
**Sent:** Monday, 28 June 2021 3:24 PM  
**To:** Ewing, Tim [REDACTED]  
**Cc:** O'Brien, Nicholas [REDACTED]; Mike Carey [REDACTED]  
**Subject:** Forum Standing Offer pages

Hi Tim,

I hope your day is going well.

Following our discussion earlier please find attached two pages from the original agreement that WesTrac legitimately had in place with Forum Group under Standing Offer CW2220212 which was signed by WesTrac on February 3<sup>rd</sup> 2016:

1. A copy of the Rental Plan page. This is in line with what you sent through under the pdf titled N11159853. The key difference being that 'Annexure' has been added under Equipment on your version. As discussed all the equipment listed in the schedule you provided did not align with any actual serial numbers for equipment that we had in place under our Forum agreement.

WesTrac version



## Rental Plan

People & Technology. Together.

Forum Finance Pty Ltd ABN 16 153 301 172 of Unit 20, 39 Herbert Street, St Leonards NSW 2065 (the "owner") enters into this Agreement with:

### Customer Details

Agreement No. \_\_\_\_\_

Customer Name WESTRAC  
 Trading Name WESTRAC PTY LTD ABN 63009342572  
 Address 129-136 GREAT EASTERN HWY, 5TH GUILDFORD WA Postcode 6055  
 Postal Address LOCKED BAG 9, MIDLAND WA Postcode 6931  
 Contact Name JARVAS CROOME Telephone [REDACTED]  
 Contact Email procurement.category@westrac.com.au Billing Email payables@westrac.com.au  
 Preferred Method of Contact  Mail  Email  
 Installation Address for Equipment AS PER WESTRAC STANDING OFFER Postcode \_\_\_\_\_  
(if different from above)

### Equipment

Product Model No.	Description	Serial No.
	<u>AS PER WESTRAC STANDING OFFER</u>	

Westpac version



## Rental Plan

People & Technology. Together.

Forum Finance Pty Ltd ABN 16 153 301 172 of Unit 20, 39 Herbert Street, St Leonards NSW 2065 (the "owner") enters into this Agreement with:

### Customer Details

Agreement No. \_\_\_\_\_

Customer Name WESTRAC PTY LTD  
 Trading Name WESTRAC PTY LTD ABN 63009342572  
 Address 129-136 GREAT EASTERN HWY, 5TH GUILDFORD WA Postcode 6055  
 Postal Address LOCKED BAG 9, MIDLAND WA Postcode 6936  
 Contact Name JARVAS CROOME Telephone [REDACTED]  
 Contact Email procurement.category@westrac.com.au Billing Email payables@westrac.com.au  
 Preferred Method of Contact  Mail  Email  
 Installation Address for Equipment AS PER WESTRAC STANDING OFFER Postcode \_\_\_\_\_  
(if different from above)

### Equipment

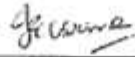
Product Model No.	Description	Serial No.
	<u>AS PER WESTRAC STANDING OFFER</u>	
	<u>ANNEXURE</u>	

2. Signature page. This is the signature page from the original standing offer. As discussed this morning it would not have been the case that the full listing of printers and photocopiers would have been available on the same day that the Standing Offer was signed. This is a screenshot of the signatures:

## 7. Execution

For and on behalf of WesTrac	
Signature	
Name	Jarvas Croome
Position	Chief Executive
Witness Signature	
Witness Name	Anna Fazzalari
Date	03.02.2016.

With reference to page 16 of pdf N11159853, these are the signatures and it would appear they have been cut across from the original agreement. There is pixilation under the signatures and also the format of the date looks exactly like the execution panel from the Standing Offer.

Renters Signature: 

Witness Name: x 

Name: JARVAS CROOME  
(DIRECTOR)

Witness Name: Anna Fazzalari  
(ASSOCIATE)

03.02.2016.



Kind Regards

**Carly Rossbach-Smith** | WesTrac Pty Ltd | Treasury Operations Manager | Finance  
 [REDACTED] | [www.westrac.com.au](http://www.westrac.com.au)



THE FIRST CHOICE IN EQUIPMENT SOLUTIONS

ACN 009 342 572 | Our applicable terms and conditions can be found at: [WesTrac Terms & Conditions](#)

*This message including any attached files is confidential and may include proprietary or privileged information. If you are not the intended recipient, you are strictly prohibited from using, reproducing, disclosing or distributing the information contained in this email. If you have received this email in error, please contact WesTrac immediately on +61 8 9377 9444 or by return email. We do not accept liability in connection with computer virus, data corruption, delay, interruption, unauthorised access or unauthorised amendment. We reserve the right to monitor all e-mail communications.*

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---

---

**From:** Kris Hopkins [REDACTED]  
**Sent:** Tuesday, 29 June 2021 9:46 AM  
**To:** O'Brien, Nicholas [REDACTED]  
**Cc:** Lourie, Andrew [REDACTED]  
**Subject:** RE: Forum Finance

Hi Nick

Please see below

**Kris Hopkins**  
Chief Operating Officer



Level 8, 447 Collins Street | Melbourne VIC 3000  
[REDACTED]

Full service | Commercially oriented | Unrivalled value

Adelaide | Brisbane | Canberra | Darwin | Hobart | Melbourne | Norwest | Perth | Sydney

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. This notice should not be deleted or altered.

---

**From:** O'Brien, Nicholas [REDACTED]  
**Sent:** Tuesday, 29 June 2021 8:35 AM  
**To:** Kris Hopkins [REDACTED]  
**Cc:** Lourie, Andrew [REDACTED]  
**Subject:** RE: Forum Finance

Kris

Thanks for the email.

Since we understand there have been some legitimate activities with Forum, I would be grateful if you could advise to the best of your knowledge:

- 1) When HWL first commenced a relationship with Forum re any payment flow to them? **Greater than 10 years**
- 2) What is the nature of the current payment flow to Forum? **We have a single printer contract with them and make one payment per month.**

Rgds

Nick

**Nicholas O'Brien**  
**Managing Director, Head of Consumer & Industrials**

**Westpac Institutional Bank**  
Level 30, 275 Kent Street, Sydney, NSW 2000

---

**From:** Kris Hopkins [REDACTED]  
**Sent:** Tuesday, 29 June 2021 8:27 AM  
**To:** O'Brien, Nicholas [REDACTED]  
**Cc:** Lourie, Andrew [REDACTED]  
**Subject:** RE: Forum Finance

Hi Nick

I can confirm our initial investigation into this has supported the comments made during our phone call that we do not believe that we have ever seen, received or executed these documents. They do not align to our print contract that we currently pay with Forum.

If you require any further information please don't hesitate to call.

Regards

**Kris Hopkins**  
Chief Operating Officer



Level 8, 447 Collins Street | Melbourne VIC 3000

Full service | Commercially oriented | Unrivalled value

Adelaide | Brisbane | Canberra | Darwin | Hobart | Melbourne | Norwest | Perth | Sydney

If you receive this communication by mistake we prohibit you from using it in any way and do not waive client legal privilege. Please notify us, delete the communication (and any attachments) and destroy all copies. We do not represent or warrant that this communication is free from computer viruses or other defects. You are responsible for all loss or damage caused directly or indirectly by the use of this communication. If you do not receive all of the email or attachments please notify us immediately by reply email. This notice should not be deleted or altered.

---

**From:** O'Brien, Nicholas [REDACTED]  
**Sent:** Monday, 28 June 2021 7:59 PM  
**To:** Kris Hopkins [REDACTED]  
**Cc:** Lourie, Andrew [REDACTED]  
**Subject:** Forum Finance

Hi Kris

Just wondering if there have been any further developments in regard to HWL's review of the Forum Finance matter.

Rgds

Nick

**Nicholas O'Brien**  
**Managing Director, Head of Consumer & Industrials**

**Westpac Institutional Bank**  
Level 30, 275 Kent Street, Sydney, NSW 2000



---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---



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

From: [REDACTED]  
Sent: Tuesday, 29 June 2021 5:55 PM  
To: Lourie, Andrew [REDACTED]  
Subject: "HWL EBSWORTH LAWYERS" - "General Business" - "Follow up call with Kris Hopkins Re Forum Finance"

This is a private Call Report and it should only be emailed to within the Call Report team.

You have requested the following call report details:

**CALL REPORT KEY INFORMATION:**

Call Report Name: Follow up call with Kris Hopkins Re Forum Finance Call Report Date/Time: 06/29/2021 Call Type: Phone Call  
Location:

**SALES DETAIL INFORMATION:**

Public / Private: Private  
Organisation: HWL EBSWORTH LAWYERS  
Opportunity:  
Call Report Author: Andrew Lourie  
Created By: Andrew Lourie, 06/29/2021 17:52:58  
Others:

**TOPICS DISCUSSED:**

- 1: General Business
- 2:

3:

OBJECTIVES AND NEXT STEPS:

Objectives: Nick O'Brien & Andrew Lourie joined a call with Kris Hopkins (HWL Ebsworth COO) Next Steps: - NoB to sent through Federal Court of Aust Proceedings information

- HWLE to consider seeking legal advise around suppression order and planned proceedings

Status: Completed

Details:

Key points discussed include:

- NoB read out script relating to Westpac commencing legal proceedings against Forum finance and Bill Papas. With HWLE mentioned in these proceedings as a customer of Forum Finance and Westpac has obtained from the Federal Court a suppression order of the HWLE name which will expire on Friday 2 July (5pm) - this designed to give HWLE the opportunity to seek orders from the Court regarding the suppression of HWLE's name in connection with Court issues. Reference was also made to Westpac's solicitor (Caitlin Murray from Minter Ellison) as a point of contact for HWLE.

- NoB advised he would then email this wording out to HWLE (Kris and also Managing Partner, Juan Martinez) as soon as the call finished.

- KH confirmed again (further to email from 8.27am morning of 29/6) that he does not believe HWLE have seen, received or executed the documents that were provided to him for review.

- In relation to signing documents, KH indicated that the latest docs signed were Sep/Oct 2020 when in lockdown and were electronic sigs - these being quite different to the "unknown" docs which appear to have wet ink sigs.

- KH confirmed that current business with Forum Finance is a monthly payment.

- KH also confirmed that Forum Finance have been a customer of HWLE's in the past - currently no major dealings happening (Work In progress of only \$300) and the firm will need to consider its legal position - KH at this stage resisted providing further clarification on HWLE letterhead.



This email was automatically generated by MyClient.

---

Confidential communication

Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)

Westpac Institutional Bank is a division of Westpac Banking Corporation

---

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

From: [REDACTED]  
Sent: Monday, 28 June 2021 3:04 PM  
To: O'Brien, Nicholas [REDACTED]  
Subject: "SCENTRE SHOPPING CENTRE MANAGEMENT PTY LTD" - "CIB - Asset Finance" - "Eqwe/Forum Finance Programme"

This is a private Call Report and it should only be emailed to within the Call Report team.

You have requested the following call report details:

CALL REPORT KEY INFORMATION:

Call Report Name: Eqwe/Forum Finance Programme Call Report Date/Time: 06/28/2021 Call Type: Phone Call  
Location:

SALES DETAIL INFORMATION:

Public / Private: Private  
Organisation: SCENTRE SHOPPING CENTRE MANAGEMENT PTY LTD  
Opportunity:  
Call Report Author: Michael Davidson  
Created By: Michael Davidson, 06/28/2021 15:03:18  
Others:

TOPICS DISCUSSED:

- 1: CIB - Asset Finance
- 2:
- 3:

OBJECTIVES AND NEXT STEPS:

Objectives: Update on internal investigations by Scentre Group Next Steps: Scentre Group to advise of any subsequent information (if any) to be uncovered as investigations continue  
Status: Completed

Details:

Further to a MS Teams meeting/call on 25/6/21 (separate call report dated 25/6/21 refers), CIB Relationship

Manager, Michael Davidson ("MD"), received a phone call from Scentre Group's ("Scentre") Group Treasurer, Richard Williams ("RW").

RW advised MD that whilst the Scentre team has not yet finalised its investigations into this matter, preliminary investigations indicate:

1. They haven't been able to locate a copy of any contracts or agreements entered into in relation to the Eqwe Pty Ltd ("Eqwe") and Forum Finance Pty Ltd ("Forum Finance") programme; and
2. There is no regular payment(s) set up in Scentre's accounts payable system that appears to relate to the Eqwe/Forum Finance programme.

RW will advise us further if or when any information is uncovered.

MD thanked RW for providing an update.



This email was automatically generated by MyClient.

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---

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

From: [REDACTED]  
Sent: Tuesday, 29 June 2021 5:24 PM  
To: O'Brien, Nicholas [REDACTED]  
Subject: "SCENTRE SHOPPING CENTRE MANAGEMENT PTY LTD" - "CIB - Asset Finance" - "Forum Finance Update Meeting"

This is a private Call Report and it should only be emailed to within the Call Report team.

You have requested the following call report details:

**CALL REPORT KEY INFORMATION:**

Call Report Name: Forum Finance Update Meeting Call Report Date/Time: 06/29/2021 Call Type: Meeting  
Location:

**SALES DETAIL INFORMATION:**

Public / Private: Private  
Organisation: SCENTRE SHOPPING CENTRE MANAGEMENT PTY LTD  
Opportunity:  
Call Report Author: Michael Davidson  
Created By: Michael Davidson, 06/29/2021 17:23:35  
Others:

**TOPICS DISCUSSED:**

- 1: CIB - Asset Finance
- 2:
- 3:

**OBJECTIVES AND NEXT STEPS:**

Objectives: Update from Westpac and by Scentre Group Next Steps: Meeting to discuss further progress on 6/7/21 at 3.00pm  
Status: Completed

**Details:**

MS Teams video meeting with WBC's Nick O'Brien ("N'OB") & Michael Davidson ("MD"), and Scentre Group's Group

Treasurer, Richard Williams ("RW") and Deputy Group Counsel, Sheridan Joel ("SJ").

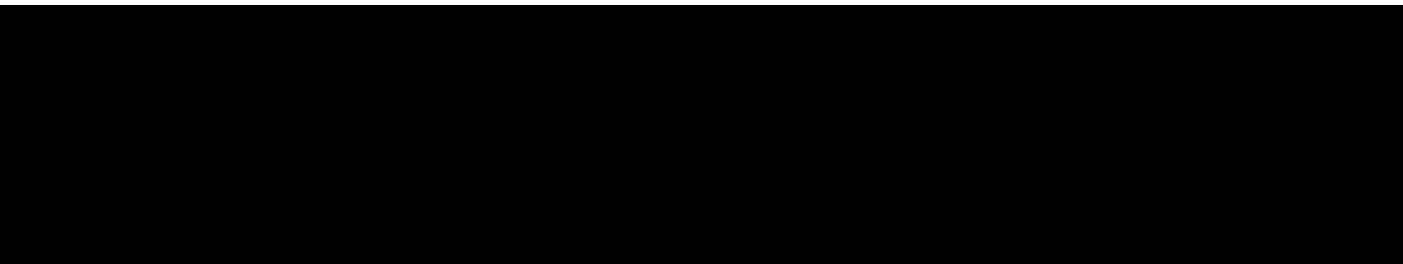
After introductions, etc, RW and SJ provided initial responses to WBC's questions issued by MD's email dated Tue 29/06/2021 10:02 AM:

- 1) Has Scentre Group made any payments to Northern Managed Finance in the last 4 years?; RW has answered "no".
- 2) Noting you mentioned yesterday that the equipment listed in the previously provided Payment Schedule is not actually located at the Westfield shopping centres listed, is the team able to advise whether Scentre Group actually has any Waste Digester/ORCA machines at any of the Westfield shopping centre sites?

During the conversation which included various information and commentary in response to question 2 from both RW and SJ on Scentre's waste management technology at various of its shopping centres, relationships with Forum Finance (or related a related company) and waste management solution providers Veloia and Iugis were discussed by them at length.

NO'B also provided a scripted (by WBC's legal counsel) response to WBC's current legal proceedings via the Federal Court, the current suppression order expiring Friday 2 July at 5.00pm suppressing the use of Scentre's name and Scentre's right to apply for an extension via the Federal Court. This has subsequently been confirmed to Scentre via NO'Bs email dated Tue 29/06/2021 2:54 PM.

We are to reconvene for an update MS Teams meeting scheduled for Tuesday 6/7/21 at 3.00pm.



This email was automatically generated by MyClient.

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---

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

From: [REDACTED]

Sent: Thursday, 1 July 2021 11:13 AM

To: [REDACTED]

Subject: "COLES GROUP LIMITED" - "Risk Management" - "Project 2106"

This is a private Call Report and it should only be emailed to within the Call Report team.

You have requested the following call report details:

**CALL REPORT KEY INFORMATION:**

Call Report Name: Project 2106

Call Report Date/Time: 06/29/2021

Call Type: Video Conference

Location:

**SALES DETAIL INFORMATION:**

Public / Private: Private

Organisation: COLES GROUP LIMITED

Opportunity:

Call Report Author: Nick O'Brien

Created By: Nick O'Brien, 07/01/2021 11:11:40

Others:

**TOPICS DISCUSSED:**

1: Risk Management

2:

3:

OBJECTIVES AND NEXT STEPS:

Objectives:

Next Steps:

Status: Completed

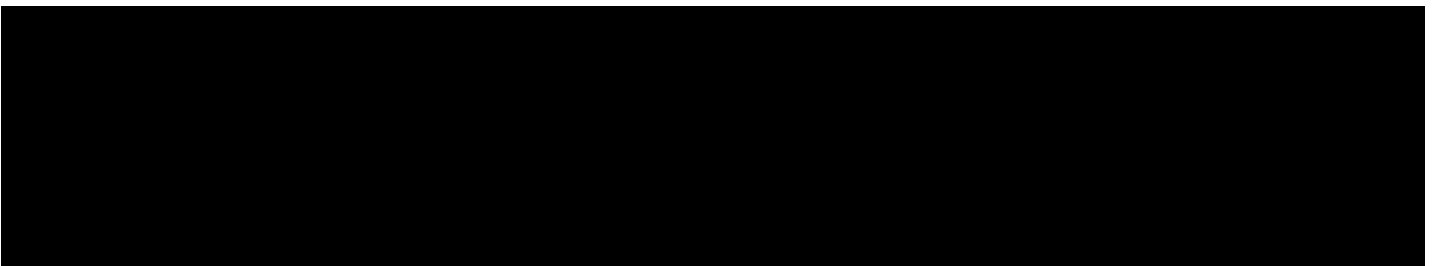
Details:

Met with Cameron Newell (Coles Legal) and Shane Healey via VC.

I read the prepared script from Comms/Legal re updating them concerning the matter with Forum Finance advising that I would be sending a subsequent email with the same detail. The key piece was the lifting of the Suppression Order at 17:00 on Friday July 2.

Shane confirmed that Coles had not seen the documentation before re the leases that Westpac had provided them; the repayment schedules did not reconcile to their records. The Coles individual on the contract is an employee though. They did have a "legitimate" arrangement with Forum re Orca equipment. This relationship commenced just prior to when the suspected fraudulent contracts were executed.

They are very keen to support Westpac with our investigations and stand ready to provide assistance.



This email was automatically generated by MyClient.

---

Confidential communication

Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)

Westpac Institutional Bank is a division of Westpac Banking Corporation

---



---

**From:** Akhurst, Stuart [REDACTED]  
**Sent:** Tuesday, 29 June 2021 8:05 PM  
**To:** Collier, Suzy [REDACTED]; O'Brien, Nicholas [REDACTED]  
**Subject:** FW: "ALH GROUP PTY LTD" - "General Business" - "Update on Legal Proceedings"

Nick/Suzy

Call report attached.

Stuart

## Stuart Akhurst

Director, Consumer & Industrials  
Westpac Institutional Bank

[REDACTED]  
Level 30, 275 Kent Street, Sydney NSW 2000



**W GROUP**

*Our Risk Purpose: to provide leading risk oversight, insight and control*

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

**From:** [REDACTED]  
**Sent:** Tuesday, 29 June 2021 8:02 PM  
**To:** Akhurst, Stuart [REDACTED]  
**Subject:** "ALH GROUP PTY LTD" - "General Business" - "Update on Legal Proceedings"

This is a private Call Report and it should only be emailed to within the Call Report team.

You have requested the following call report details:

**CALL REPORT KEY INFORMATION:**

Call Report Name: Update on Legal Proceedings Call Report Date/Time: 06/29/2021 Call Type: Video Conference  
Location:

SALES DETAIL INFORMATION:

Public / Private: Private

Organisation: ALH GROUP PTY LTD

Opportunity:

Call Report Author: Stuart Akhurst

Created By: Stuart Akhurst, 06/29/2021 19:57:10

Others:

TOPICS DISCUSSED:

1: General Business

2:

3:

OBJECTIVES AND NEXT STEPS:

Objectives: Update Woolworths (WOW) & Endeavour Group (EDV) on legal proceedings relating to Forum Finance

Next Steps: - Nick O'Brien to forward email with details discussed in this meeting

- EDV to update their legal counsel (Peter Atkins)

- Tricia to send email on behalf of Shane confirming contracts are fraudulent.

Status: Completed

Details:

- Nick O'Brien, Suzy Collier and Stuart Akhurst (Internal)
- Tricia Ho Hudson (Woolworths Treasurer) & Shane Gannon (EDV CFO)
- 7.30pm Microsoft teams call 29/06/2021

Nick provided updated on progress of Westpac's legal proceedings and the impact of those proceedings as they relate to WOW & EDV.

- Westpac has commenced a proceeding against Forum Finance and its principal in the Federal Court of Australia.
- Your organisations have been named as a relevant Customer of Forum Finance in evidence in that proceeding.
- Court undertakings prevent the fact of the proceedings being disclosed and which prevent the respondents to the proceedings being named in any communication unless the communication is for the purposes of the proceedings.
- This means that you can discuss with us the proceedings against Forum Finance, but you can't discuss or disclose the proceedings to anyone else.
- Westpac obtained from the Federal Court a suppression order of WOW & EDV, which order will expire at 5pm on Friday, 2 July.
- WOW & EDV were advised that they now have the opportunity to consider whether you wish to seek orders from the Court regarding the suppression.
- Nick advised that Westpac did not presently intend to seek any extension of that suppression order.
- Any application will be able to be made before Justice Lee in the Federal Court on Friday at 9.30am.
- Westpac's solicitor is Caitlin Murray of Minter Ellison and should be contact for any further questions. Her contact details to be provided in subsequent email.

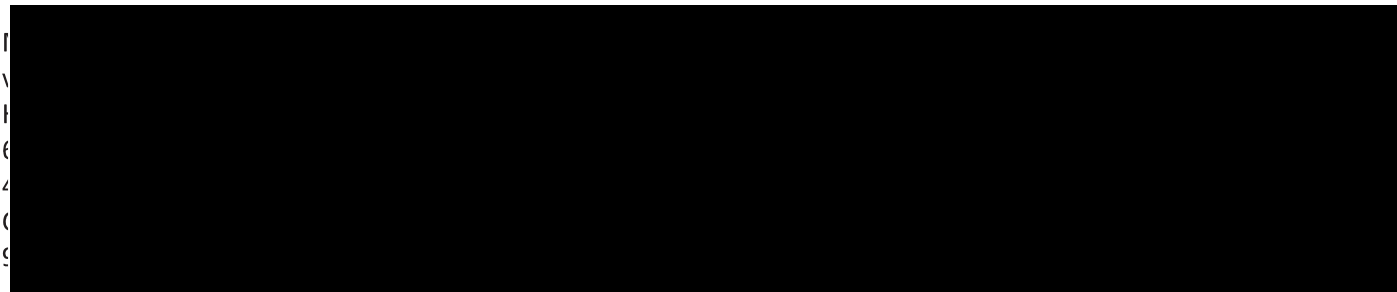
Update from EDV

- Claims on EDV have been reviewed.
- EDV cannot support claims made from finance company with exception of initial finance in 2017.
- Shane to forward email confirming these points.
- Tricia confirmed that they did have a relationship with Enviro Forum for the digesters however relationship pre-dated the dates in question.
- Payments made by EDV & WOW started in 2017.

- Nick advised Tricia & Shane to compare signatures from legitimate contracts to the non-legitimate contracts forwarded by Westpac.

Tricia & Shane advised that they would update their legal counsel, Peter Atkins and provide him contact details for Caitlyn.

Nick subsequently forward email to all participants on the call at 7.17pm.



This email was automatically generated by MyClient.

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---

---

**From:** Tricia Ho-Hudson [REDACTED]  
**Sent:** Tuesday, 29 June 2021 7:52 PM  
**To:** O'Brien, Nicholas [REDACTED]  
**Cc:** Shane Gannon [REDACTED]; Peter Atkin [REDACTED]; Collier, Suzy [REDACTED]  
[REDACTED] Akhurst, Stuart [REDACTED]  
**Subject:** ALH - payments to certain counterparties

Hi Nick

Thanks for the call this evening.

As mentioned, Shane has asked me to confirm to you the results of the internal investigation we have done of Australian Leisure & Hospitality Group Pty Limited's (ALH) exposure to certain counterparties.

We have conducted an accounting system search for arrangements with the following companies and have not found any relationship:

- Eqwe Pty Ltd (formerly named BHO Funding Pty Ltd)
- Forum Finance Pty Ltd

We have found a relation with the following company which has supplied Orcas or other food waste solution to us since 2017:

- Forum Enviro Pty Limited

The first record of payments we have is in August 2017 and payments continue to be made until the present time. They are invoiced by Forum Enviro in the last week of every month and paid by ALH approximately 14 days later. This appears to relate to equipment located in 6 venues, although we would have to check this with the business team at an appropriate time as the accounting system codes may cover more than one location.

Should you have any queries, please do hesitate to contact Shane, Peter or myself.

Kind regards

Tricia

Tricia Ho-Hudson  
Group Treasurer

*Awarded Best Treasury Team in Asia Pacific 2019 by Corporate Treasurer magazine*

WOOLWORTHS GROUP



Woolworths Group Limited

M: [REDACTED]  
E: [REDACTED] (direct)  
E: [grouptreasury@woolworths.com.au](mailto:grouptreasury@woolworths.com.au) (team)  
Google Chat: Not used

1 Woolworths Way, Bella Vista NSW 2153  
PO Box 8000, Baulkham Hills NSW 2153

**CAUTION:** This email, links and files included in its transmission by Woolworths Group Limited ABN 88 000 014 675 and its group of companies (Woolworths Group) are solely intended for the use of the addressee(s) and may contain information that is confidential and privileged. If you receive this email in error, please advise us immediately and delete it without reading or copying the contents contained within. Woolworths Group does not accept liability for the views expressed within or the consequences of any computer malware that may be transmitted with this email. The contents are also subject to copyright. No part of it should be reproduced, adapted or transmitted without the written consent of the copyright owner.

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---

---

**From:** [REDACTED]  
**Sent:** Tuesday, June 29, 2021 8:08:55 PM  
**To:** Dundovic, Natalie [REDACTED]  
**Subject:** "VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD" - "Legal/Compliance/Reg" - "Private and Sensitive"

This is a private Call Report and it should only be emailed to within the Call Report team.

You have requested the following call report details:

**CALL REPORT KEY INFORMATION:**

Call Report Name: Private and Sensitive

Call Report Date/Time: 06/29/2021

Call Type: Video Conference

Location:

**SALES DETAIL INFORMATION:**

Public / Private: Private

Organisation: VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD

Opportunity:

Call Report Author: Natalie Dundovic

Created By: Natalie Dundovic, 06/29/2021 19:59:44

Others:

**TOPICS DISCUSSED:**

1: Legal/Compliance/Reg

2:

3:

OBJECTIVES AND NEXT STEPS:

Objectives:

Next Steps:

Status: Completed

Details:

Date: 29 June 2021 (3.00pm-3.30pm) - Video Call - three people involved.

Attendees:

Westpac

Nick O'Brien

Natalie Dundovic

Jane Sandilands – Internal Legal for Veolia

Purpose of the meeting: update Veolia on progress made and Nick O'Brien read the suppression order.

Key discussion points:

- Jane advised that there were two contracts one for ORCA and one for Surficeside/NoTouch. Confirmed that there were 240 orca and 12 Surficeside/NoTouch units.
- Letter from Canadian law firm - Jane was provided this several months ago, not several weeks ago as she previously stated on video call with Westpac on Friday 25 June 21 – copy will be emailed to Nick O'Brien.
- Jane confirmed that LUGIS should not be distributing these goods and the structure of the LUGIS entities is highly complicated. Veolia stopped ordering the ORCA's at the beginning of the year.
- She confirmed that Soc Gen is also involved; she believes they completed a transaction with Forum earlier in the year but could not confirm exact timeframe with certainty.
- The COO Tony Roderick was clear that he wanted to cease arrangement with Forum as no monetary benefit for Veolia re ORCA profitability anylonger. He has been looking into what rights does Veolia have to pull the pin on these contracts. Had not moved beyond 200 units. Stopped paying at the beginning of the year.
- Jane confirmed that other banks have been involved in the funding.
- Soc Gen have a similar issue to Westpac. Re fraudulent nature of the contracts.

Other information provided by Jane to Westpac:

- There was a restructuring where ORCA become part of LUGIS group. It is our understanding that Bill Pappas' brother has an affiliation with LUGIS and there was a restructuring event where ORCA became part of/affiliated with LUGIS Group this is what I believe Jane is alluding to.
- In respect to Bill Papas – he sent an email to Laurie on 9 DEC 2020 advising Veolia that LUGIS has been appointed as an agent for billing and collecting on behalf of Forum Finance. Jane's feedback is that Laurie Kozlovic has been a constant throughout the time of the events, however he is now employed by Woolworths. She has asked for his emails to be retrieved from archives so they can be reviewed.
- Tony has met with Bill Papas twice.
- 

**Confidential**

- LUGIS is a UAE Company – LUGIS UK LIMITED ultimately owns LUGIS – Bill Papas communicated this to Veolia. His brother is involved with LUGIS.
- Problem extends to NZ as well – no ORCA products should be provided in NZ; certainly not the \$70m as Westpac has been advised.
- Jane provided her feedback on whether Veolia had seen any signs of the alleged fraud. Her feedback is that "there was concern on the contracts not being viable - commercial viability. Maybe an environmental body doesn't like what ORCA does".
- New CFO David Gerrard has finished his 2 week quarantine period today (previously resided and worked for Veolia in the UK). He is aware of this issue and so is the Australian CEO and Head Office in Paris.
- Jane again mentioned that the constant here from Veolia's perspective is Laurie Kozlovic (previously Head of

Growth and Strategy for Veolia Australia). Charlie Crane reported to Laurie.

• **Confidential**

- Jane confirms there is PPSA register by LUGIS on certain kit (Surficeside related). Registered security interest over kit that Veolia do not lease. Jane will send to Natalie.

Nick provided a run down of Westpac's legal position as per a prepared script.

This email was automatically generated by MyClient.

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---



---

**From:** Deutsch, Peter [REDACTED]  
**Sent:** Wednesday, 30 June 2021 10:45 AM  
**To:** O'Brien, Nicholas [REDACTED]; Clark, Greg [REDACTED]  
**Subject:** FW: Project 2106

FYI

Email from Laurie at Veolia to Bill at bottom.

Peter Deutsch  
Executive Director, Head of Trade & Asset Finance  
Corporate & Institutional Banking  
Level 30, 275 Kent St, Sydney, NSW 2000  
[REDACTED]



---

**From:** Anderson, Geoffrey [REDACTED]  
**Sent:** Wednesday, 30 June 2021 10:37 AM  
**To:** Deutsch, Peter [REDACTED]  
**Subject:** Project 2106

FW: Veolia Authority to Sign - Laurie

Geoff Anderson  
Director, Asset Finance  
Westpac Institutional Bank  
Level 30, 275 Kent Street, Sydney, 2000  
[REDACTED]



**From:** Luke Price [REDACTED]  
**Sent:** Friday, 21 June 2019 2:35 PM  
**To:** Daniel, Michael [REDACTED]; Anderson, Geoffrey [REDACTED]  
 Quach, Lily [REDACTED]  
**Cc:** Mike Sheeran [REDACTED]; katrina Constable [REDACTED]  
**Subject:** Veolia Authority to Sign - Laurie

Mike/Geoff/Lily,

The promised Authority, signed by Preet and Danny, both directors. See email below:



Organisation and Mana

**Current Directors**

**Total: 5**

Director Name	BRAR, GURPREET	File Number	4153
Appointment Date	29 Jun 2018	Resident Overseas	N
Date of Birth	25 May 1979	Address	25 A WILL
Place of Birth	INDORE INDIA	Document Number	0EBI
Gender	MALE		
Director Name	CONLON, DANIEL GERARD	File Number	4121
Appointment Date	01 May 2018	Resident Overseas	N
Date of Birth	27 Jul 1971	Address	8 GA NSW
Place of Birth	SYDNEY NSW	Document Number	6E67
Gender	MALE		

**Luke Price**

Director | BHO Finance

Level 1, Suite 2 | 118 Christie Street | St Leonards NSW 2065 | AUSTRALIA



[www.bhofinance.com](http://www.bhofinance.com)

Please note that the information in this e-mail and any attachments ("the information") is not, and should not be considered to be, advice and whilst we believe the information to be true and correct, neither BHD Leasing Pty Limited (trading as BHO Finance) nor any of their directors, officers, employees, related companies, affiliates or consultants (together "BHO") make any representations as to the truth, accuracy or completeness of the information, or the suitability or consequences of any proposed investment for you, your organisation or your clients, and you should conduct your own due diligence to the extent you believe it necessary to satisfy yourself of the merits of the information and any investment proposal.

The information is confidential and may be privileged. If you are not an intended recipient of this e-mail you must not copy, distribute or take any further action in reliance upon it and you should delete it and notify the sender. E-mail is not a secure method of communication. BHO disclaims any responsibility or liability for the information failing to be true, accurate or complete and for the consequences of any investment proposal. This transmission could contain viruses, be corrupted, destroyed, incomplete, intercepted, lost or arrive late. If verification of this e-mail is sought then please request a hard copy. This e-mail is intended for information purposes only and is not a solicitation or offer to buy or sell securities or related financial instruments.

**From:** Kozlovic, Laurie [REDACTED]  
**Sent:** Wednesday, May 22, 2019 4:12 PM  
**To:** Bill Papas <[BPapas@forumgroup.com.au](mailto:BPapas@forumgroup.com.au)>  
**Subject:** Authority to sign

Signed by Preet and Danny.....  
See you Sunday

--

**Laurie Kozlovic**  
Chief Strategic Development & Innovation Officer  
**Veolia Australia and New Zealand**  
A: Level 4/65 Pirrama Road | Pyrmont | NSW | 2009  
[REDACTED]

The email message and any attachments are confidential. If you are not the intended recipient, any use, interference with, disclosure or copying of this material is unauthorised and prohibited. This email and any attachments are also subject to copyright. No part of them may be reproduced, adapted or transmitted without the written permission of the owner. If you have received this email in error, please immediately advise the sender by return email and delete the message from your system. It is your responsibility to check this email and any attachments for viruses. *Please consider the environment before printing this email.*

---

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

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

---

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

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---



**Veolia Environmental Services (Australia) Pty Ltd**

ABN 20 051 316 584

Level 4, 65 Pirrama Road, Pyrmont, NSW 2009

Tel: 02 8571 0000

www.veolia.com.au

Forum Finance Pty Limited  
ABN: 16 153 301 172  
Level 5, 141 Walker Street  
North Sydney NSW 2060

Date: *22nd* May 2019

**Authorised Signatories – ORCA Products**

Each of the following persons is an authorised signatory of Veolia Environmental Services (Australia) Pty Ltd (the “Company”), and is authorised by the Company to execute documents entered into in connection with the supply of ORCA units from Forum Finance Pty Limited, including (without limitation), payment schedules and certificates of acceptance of delivery.

Full Name	Position	Specimen Signature
Laurie Kozlovic	Executive General Manager	

Signed For and on Behalf of  
VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD  
ABN: 20 051 316 584

)  
)  
) .....  
Director

)  
) .....  
Director/~~Secretary~~

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

From: [REDACTED]  
Sent: Thursday, 1 July 2021 10:33 AM  
To: O'Brien, Nicholas <[REDACTED]>  
Subject: "CATHOLIC HEALTHCARE LIMITED" - "Legal/Compliance/Reg" - "CHL\_Project 2106"

This is a private Call Report and it should only be emailed to within the Call Report team.

You have requested the following call report details:

CALL REPORT KEY INFORMATION:  
Call Report Name: CHL\_Project 2106  
Call Report Date/Time: 06/28/2021  
Call Type: Video Conference  
Location:

SALES DETAIL INFORMATION:

Public / Private: Private

Organisation: CATHOLIC HEALTHCARE LIMITED

Opportunity:

Call Report Author: David Dixon Hughes

Created By: David Dixon Hughes, 06/28/2021 17:02:09

Others:

TOPICS DISCUSSED:

1: Legal/Compliance/Reg

2:

3:

OBJECTIVES AND NEXT STEPS:

Objectives:

Next Steps: CHL to respond with details of their investigations

Status: Completed

Details:

Subject: Follow up on Orca waste equipment finance arrangements

With Nicholas O'Brien Managing Director, Head of Consumer & Industrials spoke with Stacy Flanagan (Financial Controller) and Matthew Randall (Head of Financial Assurance) from Catholic Healthcare (CHL).

Purpose of meeting was to confirm with Stacy where she and the team were up to in relation to their investigations into the Orca waste equipment finance arrangements with BHO Finance (Eqwe)/Forum Finance (Forum Finance). Westpac's understanding of these arrangements were as outlined in Geoff Anderson's (Director, Asset Finance) email to Stacy of 23rd June 2021, and we have requested CHL to confirm if this information matched with their records as well as amending payment account.

RM introduced Nick to Stacy and Matthew, advised his role and explained he is also the executive that has carriage of this matter in Westpac.

- Nick provided a brief pre prepared legal summary that Westpac was investigating various financial arrangements with Forum Finance and that we had suspicion that fraud was involved. We needed their investigation to see if the financial arrangement we have record of being made between them and Forum were legitimate or not.

- Stacy advised in terms of their investigations to date that;

\* Investigation had only just commenced and had not yet been completed,

\* she was not aware of the relationship between Forum and CHL around September 2018. Due to staff movement many of the senior staff whom would have been involved in a transaction of this nature have moved on from the organisation.

\* Check of the CHL systems (Vendor systems, invoices and accounting) as well as checking the accounts had not yet located any payments or details related to Forum Finance.

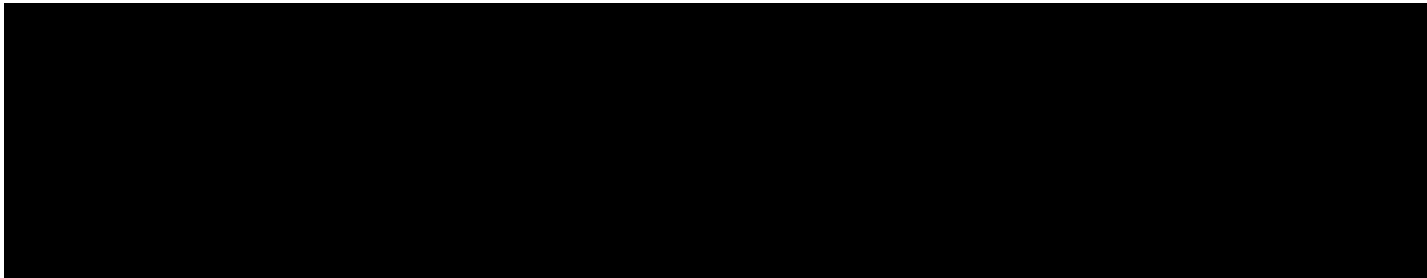
\* They had not yet been able to find their copies of any contract information in regard to this equipment / Forum Finance.

\* she understood that they likely had some Orca waste equipment as they have an agreement with Veolia to service the equipment at \$400 pm per machine. They were looking at cancelling that agreement as they do not feel it was providing value. They are looking to see if they can find that agreement.

- Nick further outlined that a number of Westpac clients had been impacted, the magnitude was significant, and that we would appreciate if they could escalate their review. The review will assist in determining if their 2 contracts for \$2.5M each were legitimate or not.

- Nick confirmed there was no liability in respect to this investigation on CHL, all related costs and issues would be for Westpac's care on the assumption that CHL did not knowingly enter the contracts we provided.

- If issues were found, we would ultimately need written details from them and their name would be disclosed as part of any proceedings.
- Whilst there is no current direct contacts with Forum, that Stacy was aware of, we asked them both to not discuss these matters with Forum and it associates.
  
- Stacy did mention not long after she started at some time seeing some document(s) that indicated that the finance arrangements with a financier - Forum ? had been finalised and no further liability / payment was required. She thought that odd at the time and is also searching their records for this information as well.
  
- Meeting was closed, thanking Stacy and Matthew for their time and reinforcing if this matter could be investigated at their end as quickly as possible, that they keep matter confidential and not advise Forum of our discussions / investigations and that any queries to be directed either to Nick or myself."



This email was automatically generated by MyClient.

---

Confidential communication  
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)  
Westpac Institutional Bank is a division of Westpac Banking Corporation

---