

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 12/07/2021 1:48:03 PM AEST and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Interlocutory Application - Form 35 - Rule 17.01(1)(a)
File Number:	NSD616/2021
File Title:	WESTPAC BANKING CORPORATION ABN 33 007 457 141 v FORUM FINANCE PTY LIMITED & ORS
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	Interlocutory Hearing
Time and date for hearing:	15/07/2021, 2:30 PM
Place:	Court Room Not Assigned, Level 17, Law Courts Building 184 Phillip Street Queens Square, Sydney



Sia Lagos

Dated: 13/07/2021 8:34:13 AM AEST

Registrar

Important Information

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

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

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

Form 35
Rule 17.01(1)



Interlocutory application

No. NSD616/2021

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

Westpac Banking Corporation ABN 33 007 457 141

Applicant

Forum Finance Pty Limited ACN 153 301 172 and others names in the schedule

Respondents

To National Australia Bank Limited ABN 12 004 044 937

The Applicant applies for the interlocutory orders set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Time and date for hearing:

Place:

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

[Form approved 01/08/2011]



The Court ordered that the time for serving this application be abridged to

Date: 12 July 2021

.....
Signed by an officer acting with the authority
of the District Registrar



Interlocutory orders sought

Preliminary orders

1. An order that the Applicant be granted leave to file:
 - (a) this Interlocutory Application dated 12 July 2021; and
 - (b) affidavit of Caitlin Maria Murray sworn on 12 July 2021.
2. An order that paragraphs 1 to 4 of this Interlocutory application be returnable *instanter*.
3. An order pursuant to rule 1.39 of the *Federal Court Rules 2011* (Cth) (**FCR**) abridging the time for service of the interlocutory application and the supporting affidavits to 4 pm on 12 July 2021.
4. This interlocutory application be listed for further hearing at 9:30am on 13 July 2021.

Bankers Trust Co v Shapira [1980] 1 WLR 1274 / non-party discovery orders

5. An order pursuant to section 23 of the *Federal Court of Australia Act 1976* (Cth) and/or rule 7.22 of the FCR and/or rule 20.23 of the FCR that the National Australia Bank Limited ABN 12 004 044 937 (**NAB**) give discovery to the Applicant by 4pm on 15 July 2021 or such other date as the Court orders of all bank statements for transactions from 1 September 2018 to date for any account held with the NAB or any of its subsidiaries in the name of any of the persons or entities named in Annexure A to this interlocutory application.
6. The Applicant is to pay NAB's costs and expenses in complying with these orders, as agreed or (failing agreement) as determined by the Court.

General orders

7. Leave to enter these orders forthwith.
8. Such further or other orders as the Court deems fit or necessary.

Service on the Respondents

It is not intended to serve this application on the Respondents until after determination of the ex parte application.



Date: 12 July 2021

A handwritten signature in blue ink, appearing to read "Caitlin Murray".

Signed by Caitlin Murray
Lawyer for the Applicant

**Schedule of Parties**

No. NSD616/2021

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

Applicants

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

Respondents

First Respondent **Forum Finance Pty Limited ACN 153 301 172**

Second Respondent: **Basile Papadimitriou**

Third Respondent: **Vincenzo Frank Tesoriero**



Annexure A

	Name	Company number
1.	The Forum Group of Companies Pty Limited (Administrators Appointed)	ACN 151 964 626
2.	Forum Group Pty Ltd (Receivers Appointed) (Administrators Appointed)	ACN 153 336 997
3.	Forum Group (QLD) Pty Ltd (Administrators Appointed)	ACN 103 609 678
4.	Forum Group (VIC) Pty Ltd (Administrators Appointed)	ACN 153 062 018
5.	Forum Fleet Pty Limited (Administrators Appointed)	ACN 155 440 994
6.	Forum Enviro Pty Ltd (Administrators Appointed)	ACN 168 709 840
7.	Forum Direct Pty Ltd (Administrators Appointed)	ACN 054 890 710
8.	Forum Enviro (Aust) Pty Ltd (Administrators Appointed)	ACN 607 484 364
9.	Forum Group Financial Services Pty Ltd (Administrators Appointed)	ACN 623 033 705
10.	Iugis Pty Ltd (Administrators Appointed)	ACN 632 882 243
11.	Iugis Investments Pty Ltd (Administrators Appointed)	ACN 647 627 745
12.	Iugis (NZ) Limited	Registration number 6765037 and NZBN number 9429046666581
13.	Iugis Waste Services Pty Ltd (Administrators Appointed)	ACN 647 212 299
14.	Imagetec Financial Services Pty Ltd (Administrators Appointed)	ACN 111 978 182
15.	Imagetec Solutions Australia Pty Ltd (Administrators Appointed)	ACN 074 715 718
16.	Onesource Australia Holdings Pty Limited (Administrators Appointed)	ACN 120 463 541
17.	Smartprint Fleet Management Pty Ltd (Administrators Appointed)	ACN 132 807 080
18.	Autonomous Energy Pty Ltd (Administrators Appointed)	ACN 113 593 383