

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 30/07/2021 2:02:16 PM AEST and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
File Number: NSD616/2021
File Title: WESTPAC BANKING CORPORATION ABN 33 007 457 141 v FORUM
FINANCE PTY LIMITED & ORS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF
AUSTRALIA



Sia Lagos

Dated: 30/07/2021 4:29:15 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.

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 59
Rule 29.02(1)

Affidavit

No. 616 of 2021

Federal Court of Australia
District Registry: NSW
Division: General

Westpac Banking Corporation

Applicant

Forum Finance Pty Ltd (In Liquidation) and others

Respondents

Affidavit of: **Basile Papadimitriou**
Address: 23 Margaret St Rozelle New South Wales
Occupation: Company Director
Date: 29th July 2021

I Basile Papadimitriou, company director, say on oath:

1. I am the Second Respondent in this proceeding.
2. I make this affidavit in response to order 8 of the freezing orders made against me by order 6 on 28 June 2021 (as varied on 2 July 2021, 9 July 2021 and 15 July 2021) to provide an affidavit setting out to the best of my ability all my assets in Australia, giving their value, location and details (including any mortgages, charges or other encumbrances to which they are subject) and the extent of my interest in the assets.
3. In making this my affidavit it is not my intention to waive any claim for legal professional privilege nor to waive privilege against self incrimination.
4. I have prepared a separate affidavit as contemplated by the Orders set out in paragraph 2 above in respect of matters that I have been advised would be appropriate to claim privilege in respect of self-incrimination in terms of s. 128 and s. 128A of the *Evidence Act* 1995.

Problems with access to information


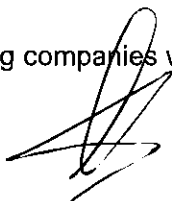
Filed on behalf of (name & role of party) Basile Papadimitriou, Second Respondent
 Prepared by (name of person/lawyer) Rocco Panetta, Lawyer
 Law firm (if applicable) Panetta Lawyers
 Tel 02 9159 9048 Fax 02 8572 9992
 Email law@panetta.com.au
Address for service
 (include state and postcode) Level 6, 111 Elizabeth St Sydney NSW 2000

[Form approved 01/08/2011]

5. I am presently in Greece and have been here since in or around 21 June 2021.
6. I was informed that on 28 June 2021 search orders were executed at my place of residence in Australia and all devices with electronic storage were seized.
7. I have been unable to comply with the Orders due to the following issues:
 - (a) I have had limited access to technology and secure and reliable internet;
 - (b) I have an older laptop with me that has at times been unable to open large documents;
 - (c) I have no access to my accounting records and records in relation to entities such as trusts that I am associated with because my accountants will no longer assist me to obtain such records. I do not have such records on the computer with me;
 - (d) on or about 9 or 10 July 2021, I lost access to my emails bpapas@forumgroup.com.au and bpapas@iugis.com.au. These emails are contained on an exchange server and are not stored on my laptop. I am unable to access past records which were stored in those emails;
 - (e) on or about 9 or 10 July 2021, I lost remote access to the servers maintained for the companies in the Forum group;
 - (f) on or about 12 or 13 July 2021 when I attempted to access my bank accounts I became aware that such access was suspended. I am presently unable to access bank accounts online.
8. Because of the matters set out in paragraphs 5 to 7 of this affidavit, I make the balance of this affidavit on my own belief unless otherwise specified.

Australian Assets

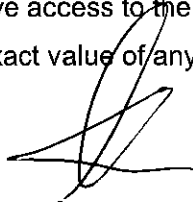
9. My assets, whether they are in my name and whether they are solely or co-owned, consist of:
 - (a) 3 jet skis of approximate value of \$15,000 each, which are unencumbered, and located at 5 Bulkara Street Wagstaff New South Wales;
 - (b) 1 camper trailer of approximate value of \$15,000, which is unencumbered, and located at 5 Bulkara Street Wagstaff New South Wales;
 - (c) personal effects, clothes and furniture at 23 Margaret St Rozelle New South Wales;
 - (d) cash in a bank account of approximately \$206,000 located at National Australia Bank;
 - (e) shares in the following companies which are recorded with ASIC:



- (i) One (1) ordinary share in Forum Group Financial Services Pty Ltd (Administrators Appointed) ACN 623 033 705, which I presently estimate to be valued at nil;
- (ii) Ten (10) ordinary shares in Eros Management Pty Ltd (Administrators Appointed) ACN 622 296 346, which I presently estimate to be valued at nil;
- (iii) One (1) ordinary share in Palante Pty Ltd ACN which I am unable to estimate the value of because I do not currently have access to the accounts of that company;
- (iv) One (1) ordinary share in Spartan Consulting Group Pty Ltd (Administrators Appointed) ACN 168 989 544 which I presently estimate to be valued at nil;
- (v) Fifty (50) ordinary shares in 14 James Street Pty Ltd (Administrators Appointed) ACN 638 449 206, which I presently estimate to be valued at \$50.00.
- (vi) One (1) ordinary share in 5 Bulkara Sreet Pty Ltd (Administrators Appointed) ACN 630 982 160 which I presently estimate to be valued at nil;
- (vii) One (1) ordinary share in 26 Edmonstone Road Pty Ltd (Administrators Appointed) ACN 622 944 129 which I presently estimate to be valued at nil;
- (viii) Two (2) ordinary shares in Aramia Holdings Pty Ltd (Administrators Appointed) ACN 114 958 717, which I presently estimate to be valued at nil;
- (ix) Fifty (50) ordinary shares in 64-66 Berkely St Hawthorn Pty Ltd ACN 643 838 662, which I presently estimate to be valued at \$50.00.
- (x) One (1) ordinary share in 6 Bulkara Sreet Pty Ltd (Administrators Appointed) ACN 639 734 473 , which I presently estimate to be valued at nil.

Overseas assets

- 10. I have been provided with the affidavit of Caitlin Marie Murray number 9 sworn 15 July 2021 in these proceedings and her Exhibit CMM-8 which exhibits a report as to assets which I am said to have an interest in overseas.
- 11. I can confirm that most of the entities referred to in that affidavit and exhibit are entities I am associated with that hold assets over which I have some control. I disclose the full details below. I do not have access to the books and records of these entities so I cannot comment on the exact value of any assets associated with these entities.




Singapore

12. I am a director and 100% shareholder of Environmental Solutions International Pte. Ltd (Company Number 201621588Z).

New Zealand

13. In relation to entities registered in New Zealand:
- (a) I am a director of Forum Group NZ Limited (Company Number 9429048598200);
and
- (b) a director and the 100% shareholder of iugis (NZ) Limited (Company Number 9429046666581).

Germany

14. I am the sole director and shareholder of iugis (EU) Gmbh Germany (Company Number 4390971)

United Kingdom

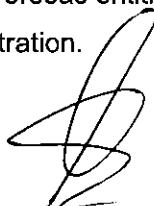
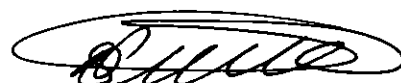
15. In relation to entities registered in the United Kingdom, I am:
- (a) the sole director and 100% shareholder of iugis (UK) Limited (Company Number 10745974);
- (b) a director and 75% shareholder of iugis Global Financial Services Limited (Company Number 11785331);
- (c) the sole director and 100% shareholder of iugis Holdings Limited (Company Number 11123437);
- (d) the sole director and 100% shareholder of the parent entity of iugis Finance Limited (Company Number 11124046);

Greece

16. In relation to entities in Greece, I am Administrator and 98% shareholder in iugis Hellas IKE. I sold my shares in Mazcon Investments Hellas IKE in or about March 2021.

Assets which I have power to dispose of or deal with

17. The assets which I have the power, directly or indirectly, to dispose of or deal with as if they were my own, consist of the assets of Palante Pty Ltd ACN 135 344 151 as I am the sole director. I am unable to estimate the value of these assets because I do not currently have access to the accounts or bank records of that company.
18. All other companies, except overseas entities, which I am the director of are subject to some form of external administration.

19. A number of the companies in which I hold shares are companies that may be trustees of trusts. I do not have presently available to me copies of any relevant trust documents and cannot be sure which of the companies act as trustees. It is my belief that companies that acted as trustee would have done so only in the capacity as trustee of the single trust. I believe the details of the companies and trusts have previously been disclosed to the Applicant and may otherwise be available to Rothsay Accountants who have advised me, through my solicitors, that absent payment of outstanding costs that they have rendered in tax invoices they are not prepared to assist me.

Sworn by the deponent
at Thessaloniki Greece
before me:



ΑΝ 0827954

Signature of deponent

ΠΑΠΑΔΗΜΗΤΡΙΟΥ ΒΑΣΙΛΙΟΣ

Signature of witness

[Name and qualification of witness]



Βεβαιώνεται το γνήσιο της υπογραφής:

του ΠΑΠΑΔΗΜΗΤΡΙΟΥ

ΒΑΣΙΛΕΙΟΥ Δρ. Οικ. Οικ.

ΑΝ. 0827954 / Α.Ε.Α. /

Ο υπάλληλος του ΚΩΠ-2 Δ. ΘΕΣΣΑΛΟΝΙΚΗΣ:

Δ. Δ. - Ν. Ρ. Σ.

Θεσ/νίκη.....

29 07 2021