

## NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 2/08/2021 1:45:05 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:	Originating Application - Form 15 - Rule 8.01(1)
File Number:	NSD642/2021
File Title:	SOCIETE GENERALE (ABN 71 092 516 286) v FORUM FINANCE PTY LIMITED (ACN 152 301 172) & ANOR
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink that reads 'Sia Lagos'.

Dated: 2/08/2021 2:41:49 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 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.



**Amended Originating application**  
**(Filed pursuant to leave granted on 2 August 2021)**

No. NSD642 of 2021

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

**Societe Generale (ABN 71 092 516 286)**

Applicant

**Forum Finance Pty Limited (ACN 153 301 172) (In Liquidation) and another others**

Respondents

To the Respondents

The Applicant applies for the relief 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.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

**Time and date for hearing:**

**Place:** Federal Court of Australia, Law Courts Building, Queen Square, 184 Phillip Street, Sydney NSW 2000

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

Filed on behalf of (name & role of party) Societe Generale (ABN 71 092 516 286), Applicant

Prepared by (name of person/lawyer) Ian Timothy Bolster / Matthew Youssef

Law firm (if applicable) Ashurst Australia

Tel (02) 9258 6697 / (02) 9258 6323 Fax (02) 9258 6999

Email ian.bolster@ashurst.com / matthew.youssef@ashurst.com

**Address for service** Ashurst Australia

(include state and postcode) Level 11, 5 Martin Place, Sydney NSW 2000



Date: August 2021

---

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



## Details of claim

On the grounds stated in the statement of claim, accompanying affidavit or other document prescribed by the Rules, the Applicant claims:

### In respect of **Forum Finance Pty Limited (ACN 153 301 172) (In Liquidation), the first respondent:**

1. A declaration that the first respondent and/or the second respondent holds on trust for the applicant the sum of \$8,688,398 and any traceable property acquired by it or any entity that it controls using those funds on trust for the applicant.
2. An order that the first respondent and the second respondent account to the applicant for the amount referred to in order 1 above that it or any entity that it controls has received.
3. Damages at common law and/or pursuant to section 236 of schedule 2 of the Competition and Consumer Act 2010 (Cth) (ACL) and/or section 12GF of the Australian Securities and Investments Commission Act 2001 (Cth) (ASIC Act), the Australian Consumer Law.
4. Compensation pursuant to section 237 of the ACL and/or section 12GM of the ASIC Act
- 4-5. Equitable compensation.
- 5-6. Interest pursuant to the Receivables Acquisition and Servicing Agreement entered into between (among others) the first respondent and the applicant dated 6 November 2020 (Master Agreement), and/or interest pursuant to ss 51A and 52 of the Federal Court of Australia Act 1976 (Cth).
- 6-7. Costs on an indemnity basis pursuant to the Master Agreement, or in the alternative, costs on an indemnity basis, or in the further alternative, costs on a party/party basis.
- 7-8. Any further or other order as the court sees fit.

### In respect of **Basile Papadimitriou (also known as Bill Papas), the second respondent:**

9. A declaration that the second respondent holds on trust for the applicant the sum of \$8,688,398 and any traceable property acquired by him or any entity that he controls using those funds.
10. An order that the second respondent account to the applicant for the amount referred to in order 1 above that he or any entity that he controls has received.
11. Damages at common law and/or pursuant to section 236 of the ACL and/or section 12GF of the ASIC Act.
12. Compensation pursuant to section 237 of the ACL and/or section 12GM of the ASIC Act.



13. Equitable compensation.
14. Interest pursuant to ss 51A and 52 of the Federal Court of Australia Act 1976 (Cth).
15. Costs on an indemnity basis, or in the alternative, costs on a party/party basis.
16. Any further or other order as the court sees fit.

**In respect of Forum Group Financial Services Pty Ltd (ACN 623 033 705) (In Provisional Liquidation), the third respondent:**

17. A declaration that the third respondent holds on trust for the applicant the sum of \$8,688,398 and any traceable property acquired by it or any entity that it controls using those funds.
18. An order that the third respondent account to the applicant for the amount referred to in order 1 above that it or any entity that he controls has received.
19. Equitable compensation.
20. Interest pursuant to ss 51A and 52 of the Federal Court of Australia Act 1976 (Cth).
21. Costs on an indemnity basis, or in the alternative, costs on a party/party basis.
22. Any further or other order as the court sees fit.

**Claim for interlocutory relief**

The Applicant also claims interlocutory relief.

~~1. The orders set out in the Interlocutory Application dated 1 July 2021.~~

- 2.1. An order that the ~~first respondent and/or the second respondents~~ forthwith disclose to the applicant all facts within their knowledge as to the present whereabouts of the sum of:
  - a. \$4,128,757 that was paid by the applicant into the first respondent's account on or about 9 March 2021, and transferred to the third respondent's account on 9 March 2021;
  - b. \$2,299,539 that was paid by the applicant into the first respondent's account on or about 6 May 2021, and transferred to the third respondent's account on 7 May 2021; and
  - c. \$2,558,902 that was paid by the applicant into the first respondent's account on or about 24 May 2021, and transferred to the third respondent's account on 24 May 2021.



3.2. Such further or other order as the court sees fit.

### **Applicant's address**

The Applicant's address for service is:

Place: Ashurst Australia  
ATT: Ian Bolster / Matthew Youssef  
Level 11  
5 Martin Place  
Sydney NSW 2000

Email: [ian.bolster@ashurst.com](mailto:ian.bolster@ashurst.com) / [matthew.youssef@ashurst.com](mailto:matthew.youssef@ashurst.com)

The Applicant's address is Level 25, 1 Bligh Street, Sydney NSW 2000

### **Service on the Respondents**

~~It is not intended to serve this application on any Respondent until after the hearing for the Applicant's Interlocutory Application dated 1 July 2021.~~

It is intended to serve this application on all Respondents.

Date: July 2 August 2021

A handwritten signature in blue ink, appearing to be 'Ian Bolster', written over a horizontal dotted line.

Signed by Ian Timothy Bolster  
Lawyer for the Applicant

**Schedule**

No. NSD642 of 2021

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

**Respondents**

Second Respondent:

Basile Papadimitriou (also known as Bill Papas)

Third Respondent:Forum Group Financial Services Pty Ltd (ACN 623 033 705)(In Provisional Liquidation)Date: ~~1 July~~ 2 August 2021