

Westpac Banking Corporation v Forum Finance Pty Ltd (in liquidation)

Federal Court of Australia NSD 616/2021

SECTION 50 EVIDENCE ACT SUMMARY

PAYMENTS TO GIOVANNI TESORIERO

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	30-Apr-19	FGFS xx8642	Mgmt Fee Mar19	Giovanni Tesoriero xx0597	\$10,000.00	\$9,990.83	\$9.10	\$0.07	\$0.00	\$0.00
2	30-Apr-19	FGFS xx8642	Mgmt Fee Mar19	Giovanni Tesoriero xx8896	\$10,000.00	\$9,990.83	\$9.10	\$0.07	\$0.00	\$0.00
3	31-May-19	FGFS xx8642	Mgmt Fee Apr19	Giovanni Tesoriero xx8896	\$10,000.00	\$9,995.77	\$4.23	\$0.00	\$0.00	\$0.00
4	31-May-19	FGFS xx8642	Mgmt Fee Apr19	Giovanni Tesoriero xx0597	\$10,000.00	\$9,995.77	\$4.23	\$0.00	\$0.00	\$0.00
5	28-Jun-19	FGFS xx8642	Mgmt Fee May19	Giovanni Tesoriero xx0597	\$10,000.00	\$8,270.77	\$1,729.23	\$0.00	\$0.00	\$0.00
6	28-Jun-19	FGFS xx8642	Mgmt Fee May19	Giovanni Tesoriero xx8896	\$10,000.00	\$8,270.77	\$1,729.23	\$0.00	\$0.00	\$0.00
7	01-Jul-19	FGFS xx8642	Mgmt Fee Jun19	Giovanni Tesoriero xx0597	\$10,000.00	\$8,938.74	\$1,061.26	\$0.00	\$0.00	\$0.00

Filed on behalf of (name & role of party)

Prepared by (name of person/lawyer)

Law firm (if applicable)

Tel

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Address for service

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Our reference: 1353397

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
8	01-Jul-19	FGFS xx8642	Mgmt Fee Jun19	Giovanni Tesoriero xx8896	\$10,000.00	\$8,938.74	\$1,061.26	\$0.00	\$0.00	\$0.00
9	01-Aug-19	FGFS xx8642	Mgmt Fee Jul19	Giovanni Tesoriero xx8896	\$10,000.00	\$5,944.70	\$4,055.30	\$0.00	\$0.00	\$0.00
10	01-Aug-19	FGFS xx8642	Mgmt Fee Jul19	Giovanni Tesoriero xx0597	\$10,000.00	\$5,944.70	\$4,055.30	\$0.00	\$0.00	\$0.00
11	02-Sep-19	FGFS xx8642	Mgmt Fee Aug19	Giovanni Tesoriero xx8896	\$10,000.00	\$7,858.60	\$2,141.40	\$0.00	\$0.00	\$0.00
12	02-Sep-19	FGFS xx8642	Mgmt Fee Aug19	Giovanni Tesoriero xx0597	\$10,000.00	\$7,858.60	\$2,141.40	\$0.00	\$0.00	\$0.00
13	01-Oct-19	FGFS xx8642	Mgmt Fee SEP19	Giovanni Tesoriero xx0597	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
14	01-Oct-19	FGFS xx8642	Mgmt Fee SEP19	Giovanni Tesoriero xx8896	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
15	04-Nov-19	FGFS xx8642	Mgmt Fee Oct19	Giovanni Tesoriero xx0597	\$10,000.00	\$8,532.80	\$211.41	\$0.00	\$0.00	\$1,255.79
16	04-Nov-19	FGFS xx8642	Mgmt Fee Oct19	Giovanni Tesoriero xx8896	\$10,000.00	\$8,532.80	\$211.41	\$0.00	\$0.00	\$1,255.79
17	04-Dec-19	FGFS xx8642	Mgmt Fee Nov19	Giovanni Tesoriero xx0597	\$10,000.00	\$8,976.49	\$634.49	\$0.00	\$0.00	\$389.02
18	04-Dec-19	FGFS xx8642	Mgmt Fee Nov19	Giovanni Tesoriero xx8896	\$10,000.00	\$8,976.49	\$634.49	\$0.00	\$0.00	\$389.02

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
19	30-Dec-19	FGFS xx8642	Mgmt Fee Dec19	Giovanni Tesoriero xx8896	\$10,000.00	\$5,684.98	\$1,013.39	\$0.00	\$0.00	\$3,301.64
20	30-Dec-19	FGFS xx8642	Mgmt Fee Dec19	Giovanni Tesoriero xx0597	\$10,000.00	\$5,684.98	\$1,013.39	\$0.00	\$0.00	\$3,301.64
21	06-Feb-20	FGFS xx8642	Mgmt Fee Jan20	Giovanni Tesoriero xx8896	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00
22	06-Feb-20	FGFS xx8642	Mgmt Fee Jan20	Giovanni Tesoriero xx0597	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00
23	02-Mar-20	FGFS xx8642	Mgmt Fee Feb20	Giovanni Tesoriero xx8896	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
24	02-Mar-20	FGFS xx8642	Mgmt Fee Feb20	Giovanni Tesoriero xx0597	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
25	02-Apr-20	FGFS xx8642	Mgmt Fee Mar20	Giovanni Tesoriero xx0597	\$10,000.00	\$9,023.22	\$976.78	\$0.00	\$0.00	\$0.00
26	02-Apr-20	FGFS xx8642	Mgmt Fee Mar20	Giovanni Tesoriero xx8896	\$10,000.00	\$9,023.22	\$976.78	\$0.00	\$0.00	\$0.00
27	07-Sep-20	FGFS xx8642	TRANSFER DEBIT'S Internet Transfer PYMT-ID 166738147 VT Mnthly Interest	Giovanni Tesoriero xx0597	\$110,000.00	\$12,845.05	\$7,137.99	\$90,016.96	\$0.00	\$0.00
28	04-Nov-20	FGFS xx8642	TRANSFER DEBIT'S Internet Transfer PYMT-ID 170287005 Tesoriero	Giovanni Tesoriero xx0597	\$55,000.00	\$50,645.94	\$3,996.56	\$357.51	\$0.00	\$0.00
29	01-Dec-20	FGFS xx8642	TRANSFER DEBIT'S Internet Transfer PYMT-ID 171990330 Tesoriero	Giovanni Tesoriero xx0597	\$55,000.00	\$20,874.79	\$402.81	\$33,722.41	\$0.00	\$0.00

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
30	31-Dec-20	FGFS xx8642	TRANSFER DEBITS INTERNET TRANSFER PMT 000173590381 TESORIERO	Giovanni Tesoriero xx0597	\$55,000.00	\$42,918.85	\$9,771.62	\$2,309.53	\$0.00	\$0.00
31	01-Feb-21	FGFS xx8642	TRANSFER DEBITS INTERNET TRANSFER PMT 000175499242 TESORIERO	Giovanni Tesoriero xx0597	\$55,000.00	\$28,736.97	\$255.92	\$26,007.11	\$0.00	\$0.00
32	10-Mar-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 177951725 2044	Giovanni Tesoriero xx0597	\$55,000.00	\$0.00	\$0.00	\$0.00	\$55,000.00	\$0.00
33	08-Apr-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 179736810 2045	Giovanni Tesoriero xx0597	\$54,727.00	\$24,567.25	\$6,581.42	\$21,629.72	\$1,948.61	\$0.00
34	06-May-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 181577816 2046	Giovanni Tesoriero xx0597	\$54,727.00	\$3,688.65	\$811.26	\$50,187.96	\$39.13	\$0.00
35	02-Jun-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 183347157 2047	Giovanni Tesoriero xx0597	\$55,273.00	\$14,094.18	\$1.72	\$33,194.89	\$7,982.20	\$0.00
36	Total				<u>\$809,727.00</u>	\$384,805.47	\$52,632.47	\$257,426.22	\$64,969.95	\$49,892.89

ADDITIONAL PAYMENTS RECEIVED FROM TESORIERO INVESTMENT GROUP

	Date	Account from which funds withdrawn	Description on outgoing bank statement	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	04-May-20	TIG xx2197	Direct Credit 301500 TESORIERO INVEST CommBiz 008	Giovanni Tesoriero xx0597	\$57,000.00	\$45,607.44	\$9,392.56	\$0.00	\$0.00	\$2,000.00
2	28-May-20	TIG xx2197	Direct Credit 301500 TESORIERO INVEST CommBiz 008	Giovanni Tesoriero xx0597	\$55,000.00	\$54,228.40	\$771.60	\$0.00	\$0.00	\$0.00

	Date	Account from which funds withdrawn	Description on outgoing bank statement	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds	
3	10-Jul-20	TIG xx2197	Direct Credit 301500 TESORIERO INVEST CommBiz Money for interest	Giovanni Tesoriero xx0597	\$55,000.00	\$54,247.45	\$752.55	\$0.00	\$0.00	\$0.00	
4	04-Aug-20	TIG xx2197	Direct Credit 301500 TESORIERO INVEST CommBiz Interest money	Giovanni Tesoriero xx0597	\$39,000.00	\$8,595.41	\$84.73	\$30,319.86	\$0.00	\$0.00	
5	Total					\$206,000.00	\$162,678.70	\$11,001.44	\$30,319.86	\$0.00	\$2,000.00

FINANCIER CONTRIBUTIONS NOT YET DETERMINED

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Transaction reference	Entity or account to which funds paid	Amount
1	05-Oct-18	FG xx2934	Internet Transfer Pymt-Id 124913559 Vince	124913559 (with reference to Contractor fee)	Giovanni Tesoriero xx8896	\$10,000.00
2	05-Oct-18	FG xx2934	Internet Transfer Pymt-Id 124913559 Vince	124913559 (with reference to Contractor fee)	Giovanni Tesoriero xx0597	\$10,000.00
3	18-Oct-18	FG xx2934	CP4289 Pmt 000125598984 448996	125598984 (with reference to TESORI)	Giovanni Tesoriero xx8896	\$10,000.00
4	18-Oct-18	FG xx2934	CP4289 Pmt 000125598984 448996	125598984 (with reference to ForumGroup Inv1012)	Giovanni Tesoriero xx0597	\$10,000.00
5	02-Nov-18	FG xx2934	Internet Transfer Pymt-Id 126573804 Vince	126573804 (with reference to Contractor fee)	Giovanni Tesoriero xx8896	\$10,000.00
6	02-Nov-18	FG xx2934	Internet Transfer Pymt-Id 126573804 Vince	126573804 (with reference to Contractor fee)	Giovanni Tesoriero xx0597	\$10,000.00

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Transaction reference	Entity or account to which funds paid	Amount
7	07-Dec-18	FG xx2934	Internet Transfer Pymt-Id 128668779 Vince	128668779 (with reference to Contractor fee)	Giovanni Tesoriero xx8896	\$10,000.00
8	07-Dec-18	FG xx2934	Internet Transfer Pymt-Id 128668779 Vince	126573804 (with reference to Contractor fee)	Giovanni Tesoriero xx0597	\$10,000.00
9	15-Jan-18	FG xx2934	CP4543 Pmt 000130577248 448996.....	130577248 (with reference to INV1015)	Giovanni Tesoriero xx0597	\$10,000.00
10	15-Jan-18	FG xx2934	CP4543 Pmt 000130577248 448996.....	130577248 (with reference to TESORI)	Giovanni Tesoriero xx8896	\$10,000.00
11	01-Feb-19	FG xx2934	Internet Transfer Pymt-Id 131612399 Vince	131612399 (with reference to Contractor fee)	Giovanni Tesoriero xx0597	\$10,000.00
12	01-Feb-19	FG xx2934	Internet Transfer Pymt-Id 131612399 Vince	131612399 (with reference to Contractor fee)	Giovanni Tesoriero xx8896	\$10,000.00
13	01-Feb-19	FG xx2934	Internet Transfer Pymt-Id 131612489 Vince	131612489 (with reference to Contractor fee)	Giovanni Tesoriero xx0597	\$10,000.00
14	01-Feb-19	FG xx2934	Internet Transfer Pymt-Id 131612489 Vince	131612489 (with reference to Contractor fee)	Giovanni Tesoriero xx8896	\$10,000.00
15	28-Feb-19	FG xx2934	Internet Transfer Pymt-Id 133259975 Vince	133259975 (with reference to Contractor fee)	Giovanni Tesoriero xx0597	\$10,000.00
16	28-Feb-19	FG xx2934	Internet Transfer Pymt-Id 133259975 Vince	133259975 (with reference to Contractor fee)	Giovanni Tesoriero xx8896	\$10,000.00

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Transaction reference	Entity or account to which funds paid	Amount
17	01-Apr-19	FG xx2934	CP4791 Pmt 000135146404 448996.....	135146404 (with reference to TESORI)	Giovanni Tesoriero xx0597	\$10,000.00
18	01-Apr-19	FG xx2934	CP4791 Pmt 000135146404 448996.....	135146404 (with reference to TESORI)	Giovanni Tesoriero xx8896	\$10,000.00
19	Total					<u>\$180,000.00</u>

TOTAL FUNDS PAID TO, OR FOR THE BENEFIT OF, GIOVANNI TESORIERO

	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
Total¹	<u>\$1,195,727.00</u>	\$546,078.70	\$63,633.91	\$287,746.08	\$64,969.95	\$51,892.89

Accounts

Confidential

¹ Noting that Financier contributions not yet determined in respect of the \$180,000 in the table "FINANCIER CONTRIBUTIONS NOT YET DETERMINED".