

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

Federal Court of Australia NSD 616/2021

SECTION 50 EVIDENCE ACT SUMMARY

PROPERTY PURCHASES AND OWNERSHIP

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
1	08/09/1972	UNIT 5 & 6, 150-152 BRIGHTON ROAD, RIPPONLEA VIC 3185  VOLUME 11245 FOLIOS 654 AND 655	Unknown	Giovanni Tesoriero (08/09/1972 – current)	Unknown	<ul style="list-style-type: none"><li>• MORTGAGE AR005290S 10/05/2018 ASCENT FUNDS MANAGEMENT LTD (discharged);</li><li>• CAVEAT AR112715N 08/06/2018 JAF NOMINEES PTY LTD (withdrawn); and</li><li>• MORTGAGE AT212149V 04/05/2020 PERPETUAL CORPORATE TRUST LTD</li></ul>	Sold.
2	11/04/2018	26 EDMONDSTONE RD, BOWEN HILLS QLD 4006  TITLE REFERENCE: 12134186	\$2,900,000.00	Legal Owner: 26 Edmonstone Road Pty Ltd (in liquidation) (receivers appointed) ( <b>26 Edmonstone Rd</b> )  (11/04/2018 – 31/01/2022)  Legal Owner ATF 26 Edmonstone Road Unit Trust	Purchaser – 26 Edmonstone Road Pty Ltd ATF 26 Edmonstone Road Unit Trust  Executed by – Mr Papas  Contract Date – 22/01/2018	<ul style="list-style-type: none"><li>• MORTGAGE No 718686364 11/04/2018 ING BANK (AUSTRALIA) LIMITED (discharged);</li><li>• MORTGAGE No 720477049 17/12/2020 PERPETUAL CORPORATE TRUST LTD (discharged);</li><li>• CAVEAT No 720490262 22/12/2020 NP021 PTY LTD (withdrawn); and</li></ul>	Sold 31/01/2022  Sale price \$4,325,000.00  Net Proceeds (fund) of <b>\$2,349,732.07</b> held by Receivers in controlled monies account

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
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 (include state and postcode)	Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000 Our reference: 1353397		

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
						<ul style="list-style-type: none"> <li>CAVEAT No 720964398 26/07/2021 WESTPAC (withdrawn)</li> </ul>	
3	30/04/2018	23 MARGARET STREET, ROZELLE NSW 2039  FOLIO: 106/1021924	\$4,100,000.00	Legal Owner: 23 Margaret Street Pty Ltd ( <b>23 Margaret St</b> )  (30/04/2018 – 25/02/2022)  Legal Owner ATF 23 Margaret Street Trust	Purchaser – 23 Margaret Street Pty Ltd ATF 23 Margaret Street Trust  Executed by – Mr Tesoriero  Contract Date – 10/01/2018  <b>*Copy of contract is purchaser-only signed contract</b>	<ul style="list-style-type: none"> <li>MORTGAGE AN310816 03/05/2018 AFSH NOMINEES PTY LTD (discharged); and</li> <li>CAVEAT AR272704 26/07/2021 WESTPAC (withdrawn)</li> </ul>	Sold 25/02/2022  Sale price \$4,450,000.00.  Net proceeds (fund) of <b>\$1,340,866.65</b> paid into controlled monies account.  Westpac consented to \$270,000 being released to Mr Tesoriero for legal fees. However, by orders made on 20 July 2022, Mr Tesoriero has been permitted to access \$1,070,000 from those monies for the purposes of his reasonable legal expenses: see orders made by Lee J on 20 July 2022. Approximately <b>\$271k</b> remains in the controlled monies account.
4	18/09/2018	12 HARTINGTON STREET, ELSTERNWICK VIC 3185  VOLUME 08475 FOLIO 698	\$1,700,000.00	Legal Owner: Canner Investments Pty Ltd (in liquidation) ( <b>Canner Investments</b> )  (18/09/2018 – current)	Purchaser – Assaf Ben-David &/or Nominee  Executed by – Assaf Ben-David  Contract Date – 13/05/2018  Nomination Deed dated 18 August 2018 executed by Assaf Ben-David nominating Canner Investments Pty Ltd to complete the purchase	<ul style="list-style-type: none"> <li>MORTGAGE AR462552K 18/09/2018 COMMONWEALTH BANK OF AUSTRALIA;</li> <li>CAVEAT AT903732L 22/12/2020 NP021 PTY LTD (withdrawn); and</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC</li> </ul>	CBA is exercising power of sale over this property and has appointed KPMG as Agent for the Mortgagee in Possession.  Remains unsold.

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
5	13/12/2018	LOTS 1 AND 2 ON TITLE PLAN 092625B - ATHERTON ROAD, OAKLEIGH VIC 3166  VOLUME 10278 FOLIO 500	\$4,210,000.00	Legal Owner: Forum Group Financial Services Pty Ltd (in liquidation) ( <b>FGFS</b> )  (13/12/2018 – 1/04/2022)	Purchaser – Vince Tesoriero ( <b>Mr Tesoriero</b> ) &/or Nominee  Executed by – Mr Tesoriero  Contract Date – 18/05/2018	<ul style="list-style-type: none"> <li>MORTGAGE AR757813P 13/12/2018 BNY TRUST COMPANY OF AUSTRALIA LTD (discharged)</li> <li>MORTGAGE AR757814M 13/12/2018 BNY TRUST COMPANY OF AUSTRALIA LTD (discharged)</li> </ul> ; and <ul style="list-style-type: none"> <li>CAVEAT AT903734G 22/12/2020 NP021 PTY LTD (withdrawn)</li> </ul>	Sold 02/12/2021 (for settlement scheduled 01/04/2022)  Sale price \$4,750,000.00.  Net proceeds (fund) of <b>\$1,153,249.77</b> have been paid into Allens trust account on authority of WBC and the Liquidators.
6	18/04/2019	413/3 NAGURRA PLACE, ROZELLE NSW 2039  LOT 189 PLAN SP91250	\$925,000.00	Legal Owner: Louise Agostino (18/04/2019 – 11/02/2022)	Purchaser – Louise Agostino  Executed by – Louise Agostino  Contract Date – 21/02/2019	<ul style="list-style-type: none"> <li>MORTGAGE AP200292 18/04/2019 COMMONWEALTH BANK OF AUSTRALIA (discharged)</li> </ul>	Sold 11/02/2022  Sale price \$1,130,000.00.  Net proceeds (fund) of <b>\$297,152.18</b> of which: <ul style="list-style-type: none"> <li>\$171,432.41 held by Ms Agostino solicitors pending agreement on controlled monies account; and</li> <li>\$125,719.77 released to Ms Agostino for payment of legal fees and living expenses</li> </ul>
7	28/05/2019	305/48 BLENHEIM STREET, BALACLAVA VIC 3185  VOLUME 12013 FOLIO 220	\$2,150,000.00	Legal Owner: 308 Carlisle Street Holding Pty Ltd (28/05/2019 – current)  Legal Owner ATF 308 Carlisle Street Unit Trust	Purchaser – Mr Tesoriero  Executed by – Mr Tesoriero  Contract Date – 03/06/2016	<ul style="list-style-type: none"> <li>MORTGAGE AS205896E 28/05/2019 COMMONWEALTH BANK OF AUSTRALIA;</li> <li>CAVEAT AT903752E 22/12/2020 NP021 PTY LTD (withdrawn);</li> <li>CAVEAT AU113229R 05/03/2021 NP035 PTY LTD (withdrawn)</li> </ul>	Unsold in the hands of registered proprietor.  Understood to be leased.
8		306/48 BLENHEIM STREET, BALACLAVA VIC 3185  VOLUME 12013 FOLIO 221	Purchased with above		Purchaser – Mr Tesoriero  Executed by – Mr Tesoriero  Contract Date – 03/06/2016		
9	28/06/2019	5 BULKARA ST, WAGSTAFFE NSW 2257  FOLIO: 2/1141260	\$5,800,000.00	Legal Owner: 5 Bulkara Street Pty Ltd (in liquidation) (receivers appointed) ( <b>5 Bulkara St</b> )  (26/06/2019 – 29/07/2022)	Purchaser – 5 Bulkara St (Bill Papas inserted and crossed out as purchaser)  Executed by – N/A  Contract Date – 23/01/2019	<ul style="list-style-type: none"> <li>MORTGAGE AQ258871 20/07/2020 NATIONAL AUSTRALIA BANK LIMITED;</li> <li>CAVEAT AQ685698 23/12/2020 NP021 PTY LTD (withdrawn);</li> </ul>	Sold: 29 July 2022  Sale Price: \$8,506,448.64  Proceeds: \$481,068.64 paid into court

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
				Legal Owner ATF 5 Bulkara Street Unit Trust	<b>*Copy of contract is vendor-only signed contract</b>	<ul style="list-style-type: none"> <li>CAVEAT AQ815502 20/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AR272706 26/07/2021 WESTPAC</li> </ul>	
10	16/01/2020	14 JAMES STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 470	\$672,000.00	Legal Owner: 14 James Street Pty Ltd (in liquidation) (receivers appointed) ( <b>14 James St</b> ) (16/01/2020 – 23/08/2022) Legal Owner ATF 14 James Street Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 01/10/2019	<ul style="list-style-type: none"> <li>MORTGAGE AS900427R 16/01/2020 WITTEN FAMILY PTY LTD (discharged);</li> <li>MORTGAGE AT443905S 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>CAVEAT AT903748U 22/12/2020 NP021 PTY LTD (withdrawn);</li> <li>CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	<p>Date of Sale of the "14 James Street Properties"<sup>1</sup> : 23 August 2022</p> <p>Sale Price: \$6,600,000</p> <p>Proceeds: \$5,749,425.55 held in Allens controlled monies account on behalf of the Liquidators (this amount includes the \$2.8m payable to 5 Bulkara Pty Ltd for its subrogated claim)</p>
11	01/05/2020	124 HIGH STREET, TARADALE VIC 3447  VOLUME 09022 FOLIO 334	\$562,500.00	Legal Owner: 123 High Street Taradale Pty Ltd ( <b>123 High St</b> ) (01/05/2020 – current) Legal Owner ATF 123 High Street Taradale Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT208978C 01/05/2020 JUDO BANK PTY LTD;</li> <li>CAVEAT AT788383V 19/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
12		124 HIGH STREET, TARADALE VIC 3447  VOLUME 09962 FOLIO 570	Purchased with above			<ul style="list-style-type: none"> <li>MORTGAGE AT208978C 01/05/2020 JUDO BANK PTY LTD;</li> <li>CAVEAT AT788383V 19/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.

<sup>1</sup> The 14 James Street Properties include the following: 8 Olive Street, Clayton South VIC 3169; 10 James Street, Clayton South VIC 3169; 12 James Street, Clayton South VIC 3169; 14 James Street, Clayton South VIC 3169; 16 James Street, Clayton South VIC 3169; 18 James Street, Clayton South VIC 3169; Warehouse 1, 9 Parson Street, Clayton South VIC 3169; Warehouse 2, 9Parsons Street, Clayton South VIC 3160; and Warehouse 3, 9 Parsons Street, Clayton South VIC 3169. The Liquidators entered into 9 independent contracts for sale of these properties. The sale price of \$6,600.000 and proceeds of \$5,749,425.55 represents the total sale price and proceeds from the sale of all 9 properties.

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
13	01/05/2020	2 COWSLIP STREET, VIOLET TOWN VIC 3669  VOLUME 10833 FOLIO 740	\$3,485,814.29	Legal Owner: 4 Cowslip Street Violet Town Pty Ltd ( <b>4 Cowslip St</b> )  (01/05/2020 – current)  Legal Owner ATF 4 Cowslip Street Violet Town Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT208969D 01/05/2020 JUDO BANK PTY LTD;</li> <li>CAVEAT AT788399E 19/11/2020; AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
14	01/05/2020	UNIT 9, 269-275 HIGH STREET GOLDEN SQUARE VIC 3555  VOLUME 11982 FOLIO 143	\$3,428,571.43	Legal Owner: 275 High Street Golden Square Pty Ltd ( <b>275 High St</b> )  (01/05/2020 – current)  Legal Owner ATF 275 High Street Golden Square Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT208974L 01/05/2020 JUDO BANK PTY LTD;</li> <li>CAVEAT AT788417F 19/11/2020 AKSARA HOLDINGS PTY LTD; AND</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
15	01/05/2020	15 MAIN STREET, DERRINALLUM VIC 3325  VOLUME 07117 FOLIO 214	\$1,250,000.00	Legal Owner: 9 Main Street Derrinallum Pty Ltd ( <b>9 Main St</b> )  (01/05/2020 – current)  Legal Owner ATF 9 Main Street Derrinallum Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT208976G 01/05/2020 JUDO BANK PTY LTD;</li> <li>CAVEAT AT788438W 19/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
16		15 MAIN STREET, DERRINALLUM VIC 3325  VOLUME 09896 FOLIO 550	Purchased with above				
17		9-13 MAIN STREET, DERRINALLUM VIC 3325  VOLUME 11952 FOLIO 243	As above				
18		9-13 MAIN STREET, DERRINALLUM VIC 3325  VOLUME 11952 FOLIO 242	As above				
19		9-13 MAIN STREET, DERRINALLUM VIC 3325	As above				

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
20		VOLUME 11952 FOLIO 240	As above				
		9 MAIN STREET, DERRINALLUM VIC 3325 VOLUME 11952 FOLIO 241					
21	11/06/2020	1160 GLEN HUNTLY ROAD, GLEN HUNTLY VIC 3163  VOLUME 11041 FOLIO 906	\$1,672,000.00	Legal Owner: 1160 Glen Huntly Road Pty Ltd ( <b>1160 Glen Huntly Rd</b> ) (11/06/2020 – 17/01/2022) Legal Owner ATF 1160 Glen Huntly Road Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 14/11/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT32456P 11/06/2020 DEVNULL INVESTMENTS PTY LTD; and</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC (withdrawn)</li> </ul>	Sold 17/01/2022  Sale price \$1,785,000.00.  Net proceeds (fund) of <b>\$795,000</b> paid into Supreme Court of Victoria Court.
22	13/07/2020	89 BETKA ROAD, MALLACOOTA VIC 3892  VOLUME 09460 FOLIO 157	\$1,136,685.71	Legal Owner: 89 Betka Road Mallacoota Pty Ltd ( <b>89 Betka Rd</b> ) (13/07/2020 – current) Legal Owner ATF 89 Betka Road Mallacoota Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT423116K 13/07/2020 JUDO BANK PTY LTD ;</li> <li>CAVEAT AT793582K 20/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
23	15/07/2020	55 NOLAN STREET, MARYBOROUGH VIC 3465  VOLUME 10186 FOLIO 509	\$1,200,000.00	Legal Owner: 55 Nolan Street Maryborough Pty Ltd ( <b>55 Nolan St</b> ) (15/07/2020 – current) Legal Owner ATF 55 Nolan Street Maryborough Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT430403R 15/07/2020 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD;</li> <li>CAVEAT AT793555N 20/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
24	15/07/2020	14 KIRWIN ROAD, MORWELL VIC 3840  VOLUME 09936 FOLIO 084	\$1,324,285.71	Legal Owner: 14 Kirwin Road Morwell Pty Ltd ( <b>14 Kirwin Rd</b> ) (15/07/2020 – current) Legal Owner ATF 14 Kirwin Road Morwell Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT430372A 15/07/2020 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD;</li> <li>CAVEAT AT793589U 20/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.



	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
25	15/07/2020	31 ELLERMAN STREET DIMBOOLA VIC 3414  VOLUME 09600 FOLIO 250	\$1,050,000.00	Legal Owner: 31 Ellerman Street Dimboola Pty Ltd ( <b>31 Ellerman St</b> ) (15/07/2020 – current)  Legal Owner ATF 31 Ellerman Street Dimboola Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT430385Q 15/07/2020 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD;</li> <li>CAVEAT AT793507A 20/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
26	15/07/2020	160 MURRAY VALLEY HIGHWAY, LAKE BOGA VIC 3584  VOLUME 08866 FOLIO 430	\$1,781,250.00	Legal Owner: 160 Murray Valley Hwy Lake Boga Pty Ltd ( <b>160 Murray Valley Hwy</b> ) (15/07/2020 – current)	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT430282B 15/07/2020 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD;</li> <li>CAVEAT AT793572N 20/11/2020 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614510H 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
27		160 MURRAY VALLEY HIGHWAY, LAKE BOGA VIC 3584  VOLUME 08943 FOLIO 309	Purchased with above	Legal Owner ATF 160 Murray Valley Hwy Lake Boga Unit Trust			
28	20/07/2020	WAREHOUSE 1, 9 PARSONS STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 465	\$406,000.00	Legal Owner: 14 James Street Pty Ltd (in liquidation) (receivers appointed) ( <b>14 James St</b> ) (20/07/2020 – 23/08/2022)  Legal Owner WTF 14 James Street Unit Trust	Purchaser – Pierre Semaan ( <b>Mr Semaan</b> ) &/or Nominees  Executed by – Mr Semaan  Contract Date – 3/12/2019  Notice of Nomination dated 1 June 2020 executed by Mr Semaan nominating 14 James Street Pty Ltd to complete the contract.	<ul style="list-style-type: none"> <li>MORTGAGE AT443958U 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	Refer to item 10.
29		WAREHOUSE 2, 9 PARSONS STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 468	\$406,000.00		Purchaser – Mr Semaan &/or Nominees  Executed by – Mr Semaan  Contract Date – 3/12/2019  Notice of Nomination dated 1 June 2020 executed by Mr Semaan nominating 14	<ul style="list-style-type: none"> <li>MORTGAGE AT443980C 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
					James Street Pty Ltd to complete the contract.		
30		WAREHOUSE 3, 9 PARSONS STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 469	\$406,000.00		Purchaser – Mr Semaan &/or Nominees  Executed by – Mr Semaan  Contract Date – 3/12/2019  Notice of Nomination dated 1 June 2020 executed by Mr Semaan nominating 14 James Street Pty Ltd to complete the contract.	<ul style="list-style-type: none"> <li>• MORTGAGE AT443989H 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>• CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>• CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	
31		10 JAMES STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 472	\$1,035,300.00		Purchaser – Mr Semaan &/or Nominees  Executed by – Mr Semaan  Contract Date – 21/11/2019  Notice of Nomination dated 1 June 2020 executed by Mr Semaan nominating 14 James Street Pty Ltd to complete the contract.	<ul style="list-style-type: none"> <li>• MORTGAGE AT443977Q 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>• CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>• CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	
32		12 JAMES STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 471	\$1,043,420.00		Purchaser – Mr Semaan &/or Nominees  Executed by – Mr Semaan  Contract Date – 21/11/2019  Notice of Nomination dated 1 June 2020 executed by Mr Semaan nominating 14 James Street Pty Ltd to complete the contract.	<ul style="list-style-type: none"> <li>• MORTGAGE AT443983V 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>• CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>• CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	
33		16 JAMES STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 467	\$406,000.00		Purchaser – Mr Semaan &/or Nominees  Executed by – Mr Semaan  Contract Date – 21/11/2019  Notice of Nomination dated 1 June 2020 executed by Mr	<ul style="list-style-type: none"> <li>• MORTGAGE AT443971D 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>• CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> </ul>	



	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
					Semaan nominating 14 James Street Pty Ltd to complete the contract.	<ul style="list-style-type: none"> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	
34		18 JAMES STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 466	\$406,000.00		Purchaser – Mr Semaan &/or Nominees  Executed by – Mr Semaan  Contract Date – 21/11/2019  Notice of Nomination dated 1 June 2020 executed by Mr Semaan nominating 14 James Street Pty Ltd to complete the contract.	<ul style="list-style-type: none"> <li>MORTGAGE AT443967T 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	
35		8 OLIVE STREET, CLAYTON SOUTH VIC 3169  VOLUME 12170 FOLIO 474	\$523,740.00		Purchaser – Mr Semaan &/or Nominees  Executed by – Mr Semaan  Contract Date – 22/11/2019  Notice of Nomination dated 1 June 2020 executed by Mr Semaan nominating 14 James Street Pty Ltd to complete the contract.	<ul style="list-style-type: none"> <li>MORTGAGE AT443964A 20/07/2020 NATIONAL AUSTRALIA BANK LTD;</li> <li>CAVEAT AU068527F 19/02/2021 AKSARA HOLDINGS PTY LTD; and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	
36	23/11/2020	64-66 BERKELEY STREET, HAWTHORN, VIC 3122  VOLUME 12160 FOLIO 016	\$7,950,000.00	Legal Owner: 64-66 Berkeley St Hawthorn Pty Ltd ( <b>64-66 Berkeley St</b> )  (23/11/2020 – current)  Legal Owner ATF 64-66 Berkeley Street Hawthorn Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 24/04/2020	<ul style="list-style-type: none"> <li>MORTGAGE AT795383F 23/11/2020 JUDO BANK PTY LTD;</li> <li>CAVEAT AT903864S 22/12/2020 NP021 PTY LTD (withdrawn); and</li> <li>CAVEAT AU614481M 23/07/2021 WESTPAC</li> </ul>	Unsold in the hands of registered proprietor.
37	18/12/2020	9 GREGORY STREET, OUYEN VIC 3490  VOLUME 06684 FOLIO 757	\$900,000.00	Legal Owner: 9 Gregory Street Ouyen Pty Ltd ( <b>9 Gregory St</b> )  (18/12/2020 – current)  Legal Owner ATF 9 Gregory Street Ouyen Unit Trust	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 20/09/2019	<ul style="list-style-type: none"> <li>MORTGAGE AT890047S 18/12/2020 AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD; and</li> <li>CAVEAT AU069654S 22/02/2021 AKSARA HOLDINGS PTY LTD</li> </ul>	Unsold in the hands of registered proprietor.

	Date of Purchase	Address and Folio Details	Purchase Price	Registered Proprietor	Details on the Contract for Sale	Encumbrances	Status
38	23/12/2020	6 BULKARA ST, WAGSTAFFE NSW 2257  FOLIO: 3/1141260	\$9,500,000.00	Legal Owner: 6 Bulkara Street Pty Ltd (in liquidation) (receivers appointed) (6 Bulkara St) (23/12/2020 – 18/02/2022)  Legal Owner ATF 6 Bulkara Street Unit Trust	Purchaser – 6 Bulkara St  Executed by – N/A  Contract Date – 02/07/2020  <b>*Copy is vendor-only signed</b>	<ul style="list-style-type: none"> <li>• MORTGAGE AQ686054 22/12/2020 NULEND INVESTMENTS 147 PTY. LTD. (discharged);</li> <li>• MORTGAGE AQ686055 22/12/2020 NP021 PTY. LTD. (discharged);</li> <li>• MORTGAGE AQ686056 22/12/2020 NP021 PTY. LTD. (discharged);</li> <li>• MORTGAGE AR67566 20/05/2021 NATIONAL AUSTRALIA BANK LIMITED (discharged); and</li> <li>• CAVEAT AR272704 26/07/2021 WESTPAC (withdrawn)</li> </ul>	Sold 18/02/2022  Sale price \$16,200,000.00.  Net proceeds (fund) of <b>\$9,808,169.94</b> held by Receivers in controlled monies account.
39	20/08/2021	8-12 NATALIA AVENUE, OAKLEIGH VIC 3167  VOLUME 12298 FOLIO 008	\$6,446,000.00	Legal Owner: Oakleigh Industrial Pty Ltd  In August 2021, Mr Tesoriero nominated Oakleigh Industrial Pty Ltd to compete the sale pursuant to a Nomination Deed  Property purchase completed by nominee and deposit paid on property reimbursed by Oakleigh Industrial Pty Ltd.	Purchaser – Mr Tesoriero &/or Nominees  Executed by – Mr Tesoriero  Contract Date – 16/12/2019  Nomination Deed dated 20 August 2021 executed by Mr Tesoriero nominating Oakleigh Industrial to complete the purchase	<ul style="list-style-type: none"> <li>• MORTGAGE AV617010E 11/05/2022 LASKY FINANCE CO PTY LTD</li> </ul>	Return / reimbursement of Deposit.  Net proceeds (fund) of <b>\$773,362.88</b> paid into Court  Further fund of <b>\$398,637.12</b> held by solicitors for Oakleigh Industrial Pty Ltd pending confirmation from State Revenue Office (Victoria) as to stamp duty liability