

**SMBC Leasing and Finance, Inc. (SMBC) v Forum Enviro (Aust) Pty Ltd (in liq) (FEA) & Others**

**Summary of fraudulent documents**

*Evidence Act 1995 (NSW), s 50*

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
2018 Arrangement										
First Drawdown under the 2018 Arrangement										
1.	6 August 2018	Flexirent Capital Pty Ltd ACN 064 046 046 (Flexirent) SMBC	First 2018 Offer Letter	-	-	-	\$14,411,503.49	-	-	MT2 pp. 23-24
2.	26 July 2018	Veolia Environmental Services (Australia) Pty Ltd ACN 051	Technology Licence Agreement – Waste Management	59 months commencing 5 July 2018	\$127,200	-	-	Gurpreet Brar	Julian Gaillard	MT2 pp. 25-34
3.		316 584 (Veolia) FEA	Technology Licence Agreement – Waste Management	60 months commencing 5 August 2018	\$147,000	-		Gurpreet Brar	Julian Gaillard	MT2 pp. 35-45
Second Drawdown under the 2018 Arrangement										
4.	28 September 2018	Flexirent SMBC	Second 2018 Offer Letter	-	-	-	\$3,829,312.30	-	-	MT2 pp. 71-72

Filed on behalf of (name & role of party)

Prepared by (name of person/lawyer)

Law firm (if applicable)

Tel

Email

**Address for service**

(include state and postcode)

SMBC Leasing and Finance Inc. Sydney Branch, Applicants

Maria Yiasemides, Partner

Jones Day

(02) 8272 0770

Fax

(02) 8272 0599

myiasemides@jonesday.com

Level 41, 88 Phillip Street, Sydney 2000

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
5.	3 September 2018	Veolia FEA	Technology Licence Agreement – Waste Management	60 months commencing 1 September 2018	\$73,500	-	-	Gurpreet Brar	Julian Gaillard	MT2 pp. 73-81
<i>Third Drawdown under the 2018 Arrangement</i>										
6.	23 October 2018	Flexirent SMBC	Third 2018 Offer Letter	-	-	-	\$5,728,041.00	-	-	MT2 pp. 97-98
7.	9 October 2018	Veolia FEA	Technology Licence Agreement – Waste Management	60 months commencing 1 October 2018	\$108,000	-	-	Gurpreet Brar	Julian Gaillard	MT2 pp. 84-91
<i>Fourth Drawdown under the 2018 Arrangement</i>										
8.	19 December 2018	Flexirent SMBC	Fourth 2018 Offer Letter	-	-	-	\$5,740,857.35	-	-	MT2 pp. 125-126
9.	16 November 2018	Veolia FEA	Technology Licence Agreement – Waste Management	60 months commencing 1 December 2018	\$108,300	-	-	Gurpreet Brar	Julian Gaillard	MT2 pp. 127-135
<i>2020 Arrangement</i>										
10.	23 July 2020	Veolia FEA	Master Technology Licence Agreement – Waste Management No. FEA-VEO 00101W	-	-	-	-	Gurpreet Brar	Daniel Conlon	MT2 pp. 153-158
11.			Master Technology Licence Agreement – Health Management No. FEA-VEO 001 00H	-	-	-	-	Gurpreet Brar	Daniel Conlon	MT2 pp. 159-164

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
First Drawdown under the 2020 Arrangement										
12.	27 July 2020	FEA SMBC	First 2020 Offer Letter - Health Management	-	-	-	\$1,550,450.13	-	-	MT2 pp. 175-177
13.			Second 2020 Offer Letter - Waste Management	-	-	-	\$8,444,416.05	-	-	MT2 pp. 178-180
14.	23 July 2020	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 1 August 2020	\$152,500	FEA-VEO 00101W-01	-	Laurie Kozlovic	N/A	MT2 pp. 165-168
15.			Certificate of Acceptance of Delivery – Waste Management	-	-	-	-	Laurie Kozlovic	N/A	MT2 p. 169
16.			Master Technology Licence Agreement – Health Management	60 months commencing 1 August 2020	\$28,000	FEA-VEO 00101H-01	-	Laurie Kozlovic	N/A	MT2 pp. 170-171
17.			Certificate of Acceptance of Delivery - Health Management	-	-	-	-	Laurie Kozlovic	N/A	MT2 p. 172
18.	30 July 2020		Email correspondence purportedly between Bill Papas and Laurie Kozlovic (Veolia) confirming Veolia’s acceptance of delivery and attaching 2 x Notices of Assignment							MT2 pp. 181-185
Second Drawdown under the 2020 Arrangement										
19.	21 August 2020	FEA SMBC	Third 2020 Offer Letter – Waste Management	-	-	-	\$6,576,383.83	-	-	MT2 pp. 199-200
20.			Fourth 2020 Offer Letter - Health Management	-	-	-	\$2,479,983.13	-	-	MT2 pp. 197-198

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
21.	18 August 2020	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 1 September 2020	\$118,800	FEA-VEO 00101W-02	-	Laurie Kozlovic	N/A	MT2 pp. 190-192
22.			Certificate of Acceptance of Delivery – Waste Management	-	-	-	-	Laurie Kozlovic	N/A	MT2 p. 193
23.			Master Technology Licence Agreement – Health Management	60 months commencing 1 September 2020	\$44,880	FEA-VEO 00101H-02	-	Laurie Kozlovic	N/A	MT2 pp. 187-188
24.			Certificate of Acceptance of Delivery - Health Management	-	-	-	-	Laurie Kozlovic	N/A	MT2 p. 189
25.	26 August 2020		Email correspondence purportedly between Bill Papas and Laurie Kozlovic (Veolia) confirming Veolia’s acceptance of delivery and attaching 2 x Notices of Assignment							
Third Drawdown under the 2020 Arrangement										
26.	28 September 2020	FEA SMBC	Fifth 2020 Offer Letter - Waste Management	-	-	-	\$3,256,278.09	-	-	MT2 pp. 212-213
27.	23 September 2020	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 1 October 2020	\$58,800	FEA-VEO 00101W-03	-	Laurie Kozlovic	N/A	MT2 pp. 206-207
28.			Certificate of Acceptance of Delivery – Waste Management	-	-	-	-	Laurie Kozlovic	N/A	MT2 p. 208

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
29.	30 September 2020		Email correspondence purportedly between Bill Papas and Gurpreet Brar (Veolia) confirming Veolia’s acceptance of delivery and attaching 1 x Notice of Assignment							MT2 pp. 214-216
Fourth Drawdown under the 2020 Arrangement										
30.	13 November 2020	FEA SMBC	Sixth 2020 Offer Letter - Waste Management	-	-	-	\$8,712,386.32	-	-	MT2 pp. 245-246
31.			Seventh 2020 Offer Letter - Health Management	-	-	-	\$2,478,189.82	-	-	MT2 pp. 243-244
32.	6 November 2020	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 9 November 2020	\$157,500	FEA-VEO 00101W-04	-	Gurpreet Brar	N/A	MT2 pp. 228-235
33.			Certificate of Acceptance of Delivery - Waste Management	-	-	-	-	Gurpreet Brar	N/A	MT2 pp. 236
34.			Master Technology Licence Agreement – Health Management	60 months commencing 9 November 2020	\$44,800	FEA-VEO 00101H-04	-	Gurpreet Brar	N/A	MT2 pp. 222-224
35.			Certificate of Acceptance of Delivery - Health Management	-	-	-	-	Gurpreet Brar	N/A	MT2 pp. 226-227
36.	6 November 2020		Notice of Company’s Authorised Signatories (Veolia)	-	-	-	-	Gurpreet Brar	Julian Gaillard	MT2 p. 220

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
37.	17 November 2020		Email correspondence purportedly between Bill Papas and Gurpreet Brar (Veolia) confirming Veolia’s acceptance of delivery and attaching 2 x Notices of Assignment							MT2 pp. 247-250
Fifth Drawdown under the 2020 Arrangement										
38.	21 December 2020	FEA SMBC	Eighth 2020 Offer Letter – Waste Management	-	-	-	\$9,297,734.49	-	-	MT2 pp. 265-266
39.			Ninth 2020 Offer Letter - Health Management	-	-	-	\$1,770,997.06	-	-	MT2 pp. 263-264
40.	17 December 2020	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 1 January 2021	\$168,000	FEA-VEO 00101W-05	-	Gurpreet Brar	N/A	MT2 pp. 256-259
41.			Certificate of Acceptance of Delivery - Waste Management	-	-	-	-	Gurpreet Brar	N/A	MT2 p. 260
42.			Master Technology Licence Agreement – Health Management	60 months commencing 1 January 2021	\$32,000	FEA-VEO 00101H-05	-	Gurpreet Brar	N/A	MT2 pp. 253-254
43.			Certificate of Acceptance of Delivery - Health Management	-	-	-	-	Gurpreet Brar	N/A	MT2 p. 255
44.	24 December 2020		Email correspondence purportedly between Bill Papas and Gurpreet Brar (Veolia) confirming Veolia’s acceptance of delivery and attaching 2 x Notices of Assignment							MT2 pp. 267-270

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
Sixth Drawdown under the 2020 Arrangement										
45.	2 February 2021	FEA SMBC	First 2021 Offer Letter – Waste Management	-	-	-	\$6,649,113.79	-	-	MT2 pp. 285-286
46.	25 January 2021	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 1 February 2021	\$120,000	FEA-VEO 00101W-06		Gurpreet Brar	N/A	MT2 pp. 272-279
47.			Certificate of Acceptance of Delivery – Waste Management	-	-	-	-	Gurpreet Brar	N/A	MT2 pp. 280
48.			5 February 2021	Email correspondence purportedly between Bill Papas and Gurpreet Brar (Veolia) confirming Veolia’s acceptance of delivery and attaching 1 x Notice of Assignment						
Seventh Drawdown under the 2020 Arrangement										
49.	8 March 2021	FEA SMBC	Second 2021 Offer Letter – Waste Management	-	-	-	\$10,533,007.84	-	-	MT2 pp. 325-326
50.			Third 2021 Offer Letter - Health Management	-	-	-	\$1,769,324.17	-	-	MT2 pp. 323-324
51.	1 March 2021	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 1 March 2021	\$190,500	FEA-VEO 00101W-07	-	Gurpreet Brar	N/A	MT2 pp. 302-308
52.			Certificate of Acceptance of Delivery - Waste Management	-	-	-	-	Gurpreet Brar	N/A	MT2 p. 310
53.			Master Technology Licence Agreement	60 months commencing 1 March 2021	\$32,000	FEA-VEO 00101H-06	-	Gurpreet Brar	N/A	MT2 pp. 296-298

No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
			– Health Management							
54.			Certificate of Acceptance of Delivery - Health Management	-	-	-	-	Gurpreet Brar	N/A	MT2 p. 300
55.	11 March 2021		Email correspondence purportedly between Bill Papas and Gurpreet Brar (Veolia) confirming Veolia’s acceptance of delivery and attaching 2 x Notices of Assignment							MT2 pp. 327-330
Eighth Drawdown under the 2020 Arrangement										
56.	19 April 2021	FEA SMBC	Fourth 2020 Offer Letter – Waste Management	-	-	-	\$10,018,326.86	-	-	MT2 pp. 343-344
57.			Fifth 2020 Offer Letter - Health Management	-	-	-	\$1,413,053.28	-	-	MT2 pp. 341-342
58.	13 April 2021	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 15 April 2021	\$181,500	FEA-VEO 00101W-08	-	Gurpreet Brar	N/A	MT2 pp. 335-338
59.			Certificate of Acceptance of Delivery - Waste Management	-	-	-	-	Gurpreet Brar	N/A	MT2 p. 339
60.			Master Technology Licence Agreement – Health Management	60 months commencing 15 April 2021	\$25,600	FEA-VEO 00101H-07	-	Gurpreet Brar	N/A	MT2 pp. 332-333
61.			Certificate of Acceptance of Delivery - Health Management	-	-	-	-	Gurpreet Brar	N/A	MT2 p. 334



No	Date	Parties	Description	Term / Commencement Date	Monthly Usage Charge (ex. GST)	TLA Schedule Number	Amount paid by SMBC (ex. GST)	Purported Signature 1	Purported Signature 2	Exhibit MT2 reference
62.	22 April 2021		Email correspondence purportedly between Bill Papas and Gurpreet Brar (Veolia) confirming Veolia’s acceptance of delivery and attaching 2 x Notices of Assignment							MT2 pp. 345-348
Ninth Drawdown under the 2020 Arrangement										
63.	21 May 2021	FEA SMBC	Sixth 2021 Offer Letter - Waste Management	-	-	-	\$9,044,264.61	-	-	MT2 pp. 358-359
64.	18 May 2021	FEA Veolia	Master Technology Licence Agreement – Waste Management	60 months commencing 18 May 2021	\$163,800	FEA-VEO 00101W-09	-	Gurpreet Brar	N/A	MT2 pp. 350-353
65.			Certificate of Acceptance of Delivery - Waste Management	-	-	-	-	Gurpreet Brar	N/A	MT2 p. 354
66.	26 May 2021		Email correspondence purportedly between Bill Papas and Gurpreet Brar (Veolia) confirming Veolia’s acceptance of delivery and attaching 1 x Notice of Assignment							MT2 pp. 360-362