

NOTICE OF FILING

Details of Filing

Document Lodged: Non-Prescribed Pleading
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File Number: NSD616/2021
File Title: WESTPAC BANKING CORPORATION ABN 33 007 457 141 & ANOR v
FORUM FINANCE PTY LIMITED (IN LIQUIDATION) ACN 153 301 172 &
ORS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

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 of the filing of the document is determined pursuant to the Court's Rules.



ADDENDUM TO THE SECOND FURTHER AMENDED STATEMENT OF CLAIM

NSD616/2021

WESTPAC BANKING CORPORATION ABN 33 007 457 141 and another
Applicants

FORUM FINANCE PTY LIMITED ACN 153 301 172 and others named in the Schedule
Respondents

Paragraphs 34, and 2368-2369 of the Second Further Amended Statement of Claim be amended to be in the following terms:

34. The twenty-ninth respondent, Mr Giamouridis:

- (a) is a resident of the Hellenic Republic;
- (b) holds 1% of the shares in Mazcon;
- (c) is the sole director of A. Giamouridis P.C. a company registered in the Hellenic Republic with the distinctive title "GIAMOURIDIS INDUSTRIAL WORKSHOP" in the Greek Commercial Registry, the fiftieth respondent (A. Giamouridis P.C.);
and
- (d) holds 90% of the shares in A. Giamouridis P.C.

2368. Mr Giamouridis:

- (a) held on trust for Westpac and WNZL all funds, or the traceable proceeds of those funds, that he has received directly or indirectly through A. Giamouridis P.C., from the payments made pursuant to Transactions 1 to 100 or Transactions NZ1 to NZ36 ~~(an amount which is presently unknown to Westpac and WNZL but which was at least \$10.7 million)~~ and any property that he has converted those funds into;

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
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(include state and postcode)	Our reference: 1353397		

[Form approved 01/08/2011]

- (b) holds on trust such of those funds or the traceable proceeds of those funds which he holds or of which he has the benefit, either directly, or indirectly through A. Giamouridis P.C.

Particulars

The amounts that were transferred by ~~FGFS~~ to Mr Giamouridis directly, or indirectly through A. Giamouridis P.C., from the amounts that were fraudulently obtained from Westpac and WNZL (and in breach of Forum Finance's, IUGIS NZ's and FGFS' obligations to account to Westpac and WNZL for these amounts) of which Westpac and WNZL are currently aware the following:

Date of transfer	Amount
18 Jun 2019	\$121,626.00
1 Jul 2019	\$168,027.69
1 Aug 2019	\$107,629.36
3 Sep 2019	\$240,946.77
3 Oct 2019	\$248,170.48
4 Nov 2019	\$245,871.32
15 Nov 2019	\$268,396.72
4 Dec 2019	\$515,268.12
29 Jan 2020	\$496,590.08
5 Mar 2020	\$2,859,805.41
28 May 2020	\$677,232.47
12 Jun 2020	\$342,000.00
2 Jul 2020	\$331,301.35
9 Jul 2020	\$330,961.44
24 Jul 2020	\$659,739.40
4 Aug 2020	\$667,579.02
23 Sep 2020	\$660,523.80
22 Oct 2020	\$675,094.09
10 Nov 2020	\$657,041.02
15 Dec 2020	\$408,443.34
Total	\$10,712,140.34

The amounts are set out in the summary of payments titled "Payments made to, or on behalf of Anastasios Giamouridis", being a summary prepared pursuant to s 50 of the Evidence Act 1995 (Cth): MIN.5000.0005.0159.

2369. Mr Giamouridis holds on trust those amounts (or the traceable proceeds of those amounts) he received and is liable to account to Westpac and/or WNZL for the funds that he has received, or received and paid away, or pay equitable compensation.

2369A. Further, or in the alternative to 2369, A Giamouridis P.C. holds on trust those amounts (or the traceable proceeds of those amounts) it received and is liable to account to Westpac and/or WNZL for the funds that it has received, or received and paid away, or pay equitable compensation.

Schedule

No. NSD616/2021

Federal Court of Australia
 District Registry: New South Wales
 Division: General

Applicants

First Applicant Westpac Banking Corporation ABN 33 007 457 141
 Second Applicant Westpac New Zealand Limited (company registration number
 company number 1763882)

Respondents

First Respondent: Forum Finance Pty Limited (in liquidation) ACN 153 301 172
 Second Respondent: Basile Papadimitriou
 Third Respondent: Vincenzo Frank Tesoriero
 Fourth Respondent: Forum Group Financial Services Pty Ltd (in liquidation) ACN
 623 033 705
 Fifth Respondent: Forum Group Pty Ltd (Receivers Appointed) (in liquidation)
 ACN 153 336 997
 Sixth Respondent: Forum Enviro Pty Ltd (in liquidation) ACN 168 709 840
 Seventh Respondent: Forum Enviro (Aust) Pty Ltd (in liquidation) ACN 607 484 364
 Eighth Respondent: 64-66 Berkeley St Hawthorn Pty Ltd ACN 643 838 662
 Ninth Respondent: 14 James Street Pty Ltd (in liquidation) ACN 638 449 206
 Tenth Respondent: 26 Edmonstone Road Pty Ltd (in liquidation) ACN 622 944 129
 Eleventh Respondent: 5 Bulkara Street Pty Ltd (in liquidation) ACN 630 982 160
 Twelfth Respondent: 6 Bulkara Street Pty Ltd (in liquidation) ACN 639 734 473
 Thirteenth Respondent: 23 Margaret Street Pty Ltd ACN 623 715 373
 Fourteenth Respondent: 1160 Glen Huntly Road Pty Ltd ACN 639 447 984
 Fifteenth Respondent: 14 Kirwin Road Morwell Pty Ltd ACN 641 402 093
 Sixteenth Respondent: Canner Investments Pty Ltd ACN 624 176 049
 Seventeenth Respondent: 123 High Street Taradale Pty Ltd ACN 639 872 512
 Eighteenth Respondent: 160 Murray Valley Hwy Lake Boga Pty Ltd ACN 641 392 921
 Nineteenth Respondent: 31 Ellerman Street Dimboola Pty Ltd ACN 641 392 887
 Twentieth Respondent: 4 Cowslip Street Violet Town Pty Ltd ACN 639 872 352
 Twenty-First Respondent: 55 Nolan Street Maryborough Pty Ltd ACN 641 392 912

Twenty-Second Respondent:	89 Betka Road Mallacoota Pty Ltd ACN 641 393 179
Twenty-Third Respondent:	9 Gregory Street Ouyen Pty Ltd ACN 641 392 707
Twenty-Fourth Respondent:	9 Main Street Derrinallum Pty Ltd ACN 639 872 736
Twenty-Fifth Respondent:	286 Carlisle Street Pty Limited ACN 610 042 343
Twenty-Sixth Respondent:	275 High Street Golden Square Pty Ltd ACN 639 870 545
Twenty-Seventh Respondent:	Mazcon Investments Hellas IKE
Twenty-Eighth Respondent:	Palante Pty Ltd ACN 135 344 151 (in liquidation)
Twenty-Ninth Respondent:	Anastasios Giamouridis
Thirtieth Respondent	The Forum Group of Companies Pty Ltd (in liquidation) ACN 151 964 626
Thirty-First Respondent	Iugis Pty Ltd (in liquidation) ACN 632 882 243
Thirty-Second Respondent	Iugis (UK) Limited
Thirty-Third Respondent	Iugis Holdings Limited
Thirty-Fourth Respondent	Iugis Global Financial Services Limited
Thirty-Fifth Respondent	Iugis Finance Limited
Thirty-Sixth Respondent	Spartan Consulting Group Pty Ltd (in liquidation) ACN 168 989 544
Thirty-Seventh Respondent	Intrashield Pty Ltd (in liquidation) ACN 133 426 534
Thirty-Eighth Respondent	Tesoriero Investment Group Pty Ltd ACN 161 088 115
Thirty-Ninth Respondent	Mangusta (Vic) Pty Ltd ACN 631 520 682
Fortieth Respondent	193 Carlisle Street Enterprises Pty Ltd ACN 612 615 237
Forty-First Respondent	8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626
Forty-Second Respondent	Iugis Hellas IKE
Forty-Third Respondent	Iugis Energy SA
Forty-Fourth Respondent	Eric Constantinidis
Forty-Fifth Respondent	Giovanni (John) Tesoriero
Forty-Sixth Respondent	Moussa (Tony) Bouchahine
Forty-Seventh Respondent	Louisa Maria Agostino
Forty-Eighth Respondent	D&D Group O.E
Forty-Ninth Respondent	Aromatika Fyta Tsai Olympou Theion Ike
Fiftieth Respondent	A. Giamouridis P.C. with the distinctive title "GIAMOURIDIS INDUSTRIAL WORKSHOP" in the Greek Commercial Registry