

NOTICE OF FILING

Details of Filing

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File Number: NSD642/2021
File Title: SOCIETE GENERALE (ABN 71 092 516 286) v FORUM FINANCE PTY LIMITED (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.



Form 59
Rule 29.02(1)

Affidavit

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 others named in the Schedule

Respondents

Affidavit of: Julian Zoller
Address: Level 11, 5 Martin Place, Sydney NSW 2000
Occupation: Solicitor
Date: 20 February 2023

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2.	Exhibit "JZ-2", being a copy of the orders made by Lee J on 30 May 2022	8	3
3.	Exhibit "JZ-3", being a copy of an email from Ashurst to, among others, law@panetta.com.au and rebekah@companygiles.com.au dated 9 February 2023	9	3
4.	Exhibit "JZ-4", being a copy of screenshots of a message sent to the Greek Phone Number on 9 February 2023	10	3

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
 Law firm (if applicable) Ashurst Australia
 Tel (02) 9258 6697 Tel (02) 9258 6697
 Email ian.bolster@ashurst.com
 Address for service Ashurst Australia
 (include state and postcode) Level 11, 5 Martin Place, Sydney NSW 2000

Document number	Details	Paragraph	Page
5.	Exhibit "JZ-5", being a copy of an email from Ashurst to, among others, law@panetta.com.au and rebekah@companygiles.com.au dated 10 February 2023	11	3
6.	Exhibit "JZ-6", being a copy of screenshots of a message sent to the Greek Phone Number on 17 February 2023	12	4

I, Julian Zoller of Level 11, 5 Martin Place, Sydney in the State of New South Wales, Solicitor, say on oath:

1. I am a solicitor at Ashurst, and assist in the day-to-day carriage of this matter.
2. The contents of this affidavit are true and correct to the best of my knowledge and belief as at the time of swearing this affidavit.
3. The source of my knowledge of the matters set out in this affidavit are from my own knowledge or the documents that are exhibited to this affidavit.
4. In this affidavit, I set out the means by which the applicant has served documents on the respondents.

Service on Mr Papas

5. On 10 March 2022, the Court made orders that the applicant serve any material it will rely on at the trial on Mr Papas via each of the following means:
 - (a) "*sending the documents to the addresses noted in the Form 10 Notice of Address for Service filed [in the Westpac] proceedings by Mr Papas, by email to law@panetta.com.au*" (order 4(a));
 - (b) "*sending a short message service (sms) to the "Greek Phone Number" for Mr Papas, being the number identified in confidential exhibit RVP-02 tendered on 6 October 2021 in the Westpac proceeding, containing an unprotected online file share link with the material to be served*" (order 4(b)); and
 - (c) "*sending an email to Rebekah Giles of Company (Giles) to the address rebekah@companygiles.com.au. If that material is too voluminous to attach to an email, the email is to contain an unprotected online file share link with the material to be served*" (order 4(c)).
6. Exhibited and marked "JZ-1" is a copy of the orders made on 10 March 2022.
7. On 30 May 2022, the Court made orders amending order 4(a) of the orders made on 10 March 2022 to read as follows: "*sending the documents to the email address noted in*

the Form 10 Notice of Address for Service filed in the Westpac Proceeding by Mr Papas, that is, by email to law@panetta.com.au".

8. Exhibited and marked "JZ-2" is a copy of the orders made on 30 May 2022.
9. On 9 February 2023 at 8.24pm, I sent an email to, among others, law@panetta.com.au and rebekah@companygiles.com.au serving:
 - (a) applicant's supplementary opening submissions dated 7 February 2023, forming tab B2 of the court book in proceeding NSD642/2021 (**Court Book**);
 - (b) applicant's chronology, forming tab B3 of the Court Book;
 - (c) applicant's diagram, forming tab B4 of the Court Book;
 - (d) supplementary Affidavit of Service of Ian Timothy Bolster sworn 18 October 2022 and exhibits ITB-38 to ITB-43 to that affidavit, forming tab D8 of the Court Book; and
 - (e) orders made by Cheeseman J dated 8 February 2023.

Exhibited and marked "JZ-3" is a copy of that email.

10. On 9 February 2023 at 8.49pm, I sent a message from a mobile phone number ending in 8034 to the Greek Phone Number. The message contained a link through which the documents referred to in paragraph 9(a) to 9(e) above could be downloaded. Exhibited and marked "JZ-4" is a copy of screenshots of the sent message. The original screenshots displayed the full Greek Phone Number, which has been redacted for the purpose of exhibiting it to this affidavit.
11. On 10 February 2023 at 10.59am, I sent an email to, among others, law@panetta.com.au and rebekah@companygiles.com.au serving:
 - (a) revised index of the Court Book;
 - (b) copies of emails included in Part C at tabs bearing a reference ending in "_O";
 - (c) applicant's supplementary opening submissions (court book tab B2);
 - (d) applicant's chronology (court book tab B3);
 - (e) applicant's diagram (court book tab B4); and
 - (f) supplementary affidavit of service of Ian Timothy Bolster sworn 18 October 2022 and exhibits ITB-38 to ITB-43 to that affidavit.

Exhibited and marked "JZ-5" is a copy of that email.

12. On 17 February 2023 at 1.43pm, I sent a message from a mobile phone number ending in 8034 to the Greek Phone Number. The message contained a link through which the documents referred to in paragraph 11(a) to 11(f) above could be downloaded. Exhibited

and marked "JZ-6" is a copy of screenshots of the sent message. The original screenshots displayed the full Greek Phone Number, which has been redacted for the purpose of exhibiting it to this affidavit.

Service on Forum Finance Pty Limited and Forum Group Financial Services Pty Limited

13. The emails referred to in paragraphs 9 and 11 above (exhibits "JZ-3" and "JZ-5") were also sent to Allens, who are the solicitors for Forum Finance Pty Limited and Forum Group Financial Services Pty Limited.

SWORN by the deponent
at Sydney
in New South Wales
on 20 February 2023
Before me:

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Signature of deponent



Signature of witness

Carla-Rose Brett
Solicitor
Level 11, 5 Martin Place, Sydney NSW 2000

Schedule

First Respondent	FORUM FINANCE PTY LIMITED (ACN 153 301 172) (IN LIQUIDATION)
Second Respondent	BASILE PAPADIMITRIOU
Third Respondent	FORUM GROUP FINANCIAL SERVICES PTY LTD (ACN 623 033 705) (IN LIQUIDATION)

