

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 14/12/2020 6:18:20 PM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Affidavit of Service - Form 59 - Rule 29.02(1)
File Number: NSD1220/2020
File Title: AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION v
MELISSA LOUISE CADDICK & ANOR
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF
AUSTRALIA



Sia Lagos

Dated: 14/12/2020 6:18:27 PM AEDT

Registrar

Important Information

As required by the Court's Rules, 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 and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Form 59

Rule 29.02(1)

Affidavit

No. NSD1220 of 2020

Federal Court of Australia
District Registry: NSW
Division: Commercial and Corporations

IN THE MATTER OF MALIVER PTY LTD (ACN 164 334 918)

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

MELISSA LOUISE CADDICK and others named in the Schedule

Defendants

Affidavit of: Jarrah Todd Wheeler Nicholson

Address: Level 20, 240 Queen Street, Brisbane QLD 2000

Occupation: Investigator

Date: 14 December 2020

Filed on behalf of (name & role of party)	<u>Australian Securities and Investments Commission (Plaintiff)</u>
Prepared by (name of person/lawyer)	<u>Nicolette Bearup</u>
Law firm (if applicable)	
Tel <u>(02) 9911 5745</u>	Fax <u>(02) 9911 2414</u>
Email <u>Nicolette.Bearup@asic.gov.au</u>	
Address for service (include state and postcode)	<u>Email addresses above and Level 5,100 Market Street Sydney NSW 2000</u>

[Version 3 form approved 02/05/2019]

Deponent

Solicitor

Contents

Document number	Details	Paragraph	Page
1	Affidavit of service of Jarrah Nicholson	1 -7	2 - 3

I, Jarrah Nicholson, Investigator, of Level 20/240 Queen St, Brisbane City QLD 4000 affirm:

1. I am employed by the Australian Securities and Investments Commission (**ASIC**) as an investigator in ASIC's Financial Services Enforcement team as part of the Office of Enforcement.
2. I am authorised to make this affidavit on behalf of ASIC.
3. Unless otherwise stated, I make this affidavit from information within my own knowledge, and from an examination of the records of, or otherwise in the possession of ASIC. Where I depose to matters from information and belief, I believe those matters to be true and correct.

Service on Maliver Pty Ltd (ACN 164 334 918)

4. On Wednesday 9 December 2020 at about 4:15pm I printed and express posted the following documents to the registered address of Maliver Pty Ltd (ACN 164 334 918) at 22 Webster Avenue Hendra Brisbane, Queensland 4011, being the address of LSI Taxation & Business Advisors Pty Ltd (ACN 626 606 237).
 - (a) Covering letter dated 9 December 2020;
 - (b) Sealed copy of the confidential affidavit of Isabella Lucy Allen affirmed 7 December 2020;
 - (c) Exhibit IA-18 to the confidential affidavit of Isabella Lucy Allen affirmed 7 December 2020.
5. The tracking number on the express post envelope was 0001006070381822500993.
6. On 14 December 2020 at 12:02pm (AEST), I visited the website of Australia post at the following URL < <https://auspost.com.au/mypost/track/#/search> > and I typed the tracking



Deponent



Solicitor

number 0001006070381822500993 into the 'track an item' field at the centre of the webpage and clicked 'track'.

- 7. The search took me to the following webpage <<https://auspost.com.au/mypost/track/#/details/0001006070381822500993>> . That webpage showed the tracking search results as follows:

"0001006070381822500993

Delivered

Most recent update

Delivered

HENDRA QLD

Date & time Thu 10 Dec • 3:39pm"

Other

- 8. This affidavit was made, signed and witnessed in accordance with the Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Regulation 2020.
- 9. The contents of the affidavit are true to the best of my knowledge, stated on the basis of information and belief.
- 10. I understand that providing false statements in an affidavit is an offence.
- 11. This affidavit is made in the form of an electronic document, and was signed electronically by me.

Affirmed by the deponent
 at Brisbane
 in Queensland
 on 14 December 2020
 Before me:

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)

 Signature of deponent

 Signature of witness
 Anne Elizabeth Gubbins
 Australia Legal Practitioner

SCHEDULE

Federal Court of Australia

No. 1220 of 2020

District Registry: NSW

Division: Commercial and Corporations

Defendants

Second Defendant: MALIVER PTY LTD (ACN 164 334 918)

Date: 14 December 2020
