

## NOTICE OF FILING

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### Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
File Number:	WAD59/2021
File Title:	ADAM NICHOLAS IAN FLETCHER & ORS v CHRISTOPHER MICHAEL BROWN & ANOR
Registry:	WESTERN AUSTRALIA REGISTRY - FEDERAL COURT OF AUSTRALIA



*Sia Lagos*

Dated: 20/04/2021 10:42:11 AM AWST

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.

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Form 59  
Rule 29.02(1)

## Affidavit

No. WAD 59 of 2021

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

### ADAM NICHOLAS IAN FLETCHER AND OTHERS

Applicants

### CHRISTOPHER MICHAEL BROWN AND ANOTHER

Respondents

Affidavit of: **Matthew David Woods**  
Address: c/-KPMG, 235 St Georges Tce, Perth WA 6000  
Occupation: Registered Liquidator  
Date: 20 April 2021

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Filed on behalf of (name & role of party) The Receivers and Managers  
Prepared by (name of person/lawyer) Nirupa Manoharan  
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(include state and postcode)

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I, Matthew David Woods of c/-KPMG, 235 St Georges Tce, Perth, in the State of Western Australia, Registered Liquidator, being duly sworn MAKE OATH and say as follows:

1. I am a partner of KPMG with over 25 years of experience as an accountant and insolvency practitioner.
2. I am a registered liquidator.
3. I am one of the joint and several receivers and managers (**Receivers**) appointed to the property (as defined in the *Corporations Act 2001* (Cth) (**Act**)) of the respondents (being the **Receivership Property**), together with Mr Hayden Leigh White of KPMG.
4. I am authorised to make this affidavit on behalf of Mr White. Wherever in the following paragraphs of this affidavit I refer to "we", "us", "our", "Receiver" or "Receivers", I am referring to myself and Mr White.
5. The contents of this affidavit are true and correct to my own knowledge unless otherwise stated, in which case they are true and correct to the best of my knowledge, information and belief and the source of my knowledge, information and belief is stated. Where I rely

B R Beckett





upon the statements of others, those statements are true to the best of my knowledge and belief.

6. The purpose of this affidavit is to set out the Receivers' key investigations and findings in respect of the Receivership Property.

#### **Investigations to date**

7. On 25 March 2021 (**Appointment Date**), the Receivers were appointed to the Receivership Property pursuant to orders made by Justice Jackson of the Federal Court of Australia on 25 March 2021 (**Receivership Orders**).
8. Since the Appointment Date, my staff and I have (amongst other things):
  - (a) taken control of any bank account, betting agency account or other third-party account in the name of the respondents including but not limited to accounts with the following entities:
    - (i) National Australia Bank Limited (**NAB**);
    - (ii) WealthHub Securities Limited trading as NABTrade (**NABTrade**);
    - (iii) ING Bank (Australia) Limited (**ING**);
    - (iv) Bank of Queensland Limited (**BOQ**);
    - (v) Macquarie Bank Limited (**Macquarie**);
    - (vi) Pointsbet Holdings Limited (**Pointsbet**);
    - (vii) Entain Group Pty Ltd trading as Ladbrokes AU (**Ladbrokes**);
    - (viii) Sportsbet Pty Ltd trading as Sportsbet Australia (**Sportsbet**);
    - (ix) Betfair Pty Limited trading as Australian Betting Exchange (**Betfair**);
    - (x) Zerocap Pty Ltd (**Zerocap**);
    - (xi) Qudos Bank (**Qudos Bank**);
    - (xii) UP Bank (**UP Bank**);
    - (xiii) AMP Bank (**AMP**); and
    - (xiv) Beyond Bank (**Beyond Bank**),

(together, the **Accounts**); and
  - (b) made enquiries of the banks and betting agencies in which the Accounts the first respondent, Mr Christopher Michael Brown (**Mr Brown**), claimed funds forming the Receivership Property were held;

*S R Beck*





- (c) made enquiries of and requested assistance from Mr Brown to identify and secure the Receivership Property; and
  - (d) made enquiries of the investor creditors who claimed an interest in the Receivership Property with respect to their initial investments with the respondents, pursuant to paragraphs 1 and 2 of the Receivership Orders,
- (together, the **Investigations**).
9. In accordance with paragraph 7 of the Receivership Orders, the Receivers prepared an interim report to this Court with respect to, without limitation, their progress relating to the Investigations by 15 April 2021 (**Receivers' Interim Report**). A copy of the Receivers' Interim Report is attached and marked "**MDW-01**" to my affidavit sworn 15 April 2021 (**My 15 April Affidavit**).

**Representations made by Mr Brown against findings to date**

10. I have set out below additional matters concerning various representations made by Mr Brown in respect of the Receivership Property against the Receivers' findings as set out in the Receivers' Interim Report.

**Hunt Letter**

11. I have reviewed a copy of the letter dated 1 February 2021 received by Mr Fletcher and Mr Campbell from Mr Josh Hunt (**Mr Hunt**) of Mr Brown's solicitors, HopgoodGanim Lawyers (**Hunt Letter**). A copy of the Hunt Letter is appendix 24 to the Receivers' Interim Report which is attached and marked "**CONFIDENTIAL MDW-02**" to My 15 April Affidavit.
12. Based on my review of the Hunt Letter, I believe that the Hunt Letter:
- (a) states (amongst other things) that:
    - (i) Mr Hunt sat with Mr Brown as he logged into his account with NABTrade;
    - (ii) Mr Brown's account with NABTrade holds:
      - (A) listed securities but is mostly cash; and
      - (B) sufficient cash to cover the total sum of \$105,690,000 owed by Mr Brown to Mr Fletcher and Mr Campbell.
    - (iii) Mr Hunt sat with Mr Brown as he logged into his account with BOQ; and
  - (b) attaches a statement dated 1 February 2021 showing that the sum of \$45,000,000 (**BOQ Funds**) was pending in Mr Brown's account with BOQ Fast Track Account (**BOQ Fast Track Account**), as certified by Mr Hunt.

*SK Beek*

9 March Brown Affidavit

13. I am informed by Ms Nirupa Manoharan (**Ms Manoharan**) of the applicants' solicitors, Mills Oakley, and believe that on 9 March 2021, Mr Brown deposed to this Court that (amongst other things) he holds in suspension the sum of \$172,623,481.27 (**NABTrade Funds**) in his account with NABTrade as at 8 March 2021. Attached to this affidavit and marked "**MDW-03**" is a copy the affidavit sworn by Mr Brown on 9 March 2021 (**9 March Brown Affidavit**).
14. I have reviewed a copy of the 9 March Brown Affidavit and based on my review of the 9 March Brown Affidavit, I believe that a NABTrade wealth report in respect of the NABTrade Funds is attached and marked "**CMB-1**" to the 9 March Brown Affidavit.

*NABTrade*

15. Further to the matters raised at paragraphs 12(a)(i), 12(a)(ii), 13 and 14 above, based on the Investigations, I believe that the Receivers have (amongst other things) identified that:
- (a) the account balance of a NABTrade wealth report is editable by the account holder and does not reflect cash held in the NABTrade account; and
  - (b) Mr Brown's account with NABTrade had a nil balance for the full period of the account, not the NABTrade Funds as deposed by Mr Brown in the 9 March Brown Affidavit,

as set out at paragraphs 3.14 to 3.16 of the Receivers' Interim Report.

*BOQ*

16. Further to the matters raised at paragraphs 12(a)(iii) and 12(b) above, based on the Investigations, I believe that the Receivers have identified (amongst other things) that:
- (a) the BOQ Fast Track Account never transacted and therefore never received the BOQ Funds contrary to the representations made by Mr Brown pursuant to the Hunt Letter;
  - (b) Mr Brown's other account with BOQ, being Day 2 Day Plus account number 23134352:
    - (i) never carried a balance greater than \$1,003; and
    - (ii) holds an account balance of \$3,

as set out at paragraphs 3.17 to 3.21 of the Receivers' Interim Report.

*BK Beek*



13 April Brown Affidavit

17. I have reviewed a copy of the affidavit sworn by Mr Brown on behalf of the respondents on 13 April 2021 (**13 April Brown Affidavit**) and believed that Mr Brown deposed to this Court that (amongst other things):

(a) on 25 March 2021, Mr Brown instructed the respondents' solicitors, HopgoodGanim Lawyers, to provide the applicants' solicitors, Mills Oakley, with information that Mr Brown had collated regarding the assets held by the respondents (**March Information**). The March Information:

- (i) is attached and marked "**CMB-4**" to the 13 April Brown Affidavit; and
- (ii) indicates that the respondents hold approximately \$651.5 million in the Accounts.

(b) Mr Brown has since collated further information regarding the assets held by the respondents (**April Information**). The April Information:

- (i) is attached and marked "**CMB-5**" to the 13 April Brown Affidavit; and
- (ii) indicates that the respondents hold approximately \$410.5 million in assets comprising of approximately:

- (A) \$40 million with NAB;
- (B) \$240 million with Qudos Bank;
- (C) \$1 million with 86 400 (**86 400 Bank**);
- (D) \$9 million with BOQ;
- (E) \$120 million with eToro (**eToro**);
- (F) \$5,000 with Plus500 (**Plus500**); and
- (G) \$500,000 with Binance (**Binance**).

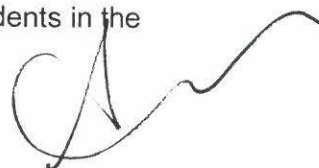
18. However, based on the Investigations, I believe that the Receivers have (amongst other things) identified that:

(a) the Accounts detailed in the March Information have a total net account balance of \$3.34, not \$651.5 million as initially represented by Mr Brown pursuant to the March Information or \$410.5 million as represented by the April Information;

(b) the respondents' accounts as set out in the April Information with:

- (i) NAB hold a balance of (\$59) as set out at Table 2 in the Receivers' Interim Report, not approximately \$40 million as deposed by the respondents in the 13 April Brown Affidavit;

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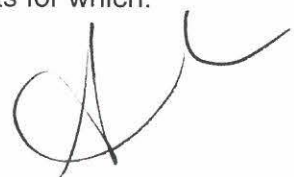


- (ii) 86 400 Bank holds a balance of \$850.41 as set out at paragraph 3.7 of the Receivers' Interim Report, not approximately \$1 million as deposed by the respondents in the 13 April Brown Affidavit; and
  - (iii) BOQ holds a balance of \$3 as mentioned at paragraph 16(b) above, not approximately \$9 million as deposed by the respondents in the 13 April Brown Affidavit.
19. On 14 April 2021, my staff made enquiries with eToro, Plus500 and Binance relating to the Receivership Property held with them and in the name of the respondents as represented by Mr Brown on 13 April Brown Affidavit.
  20. On 15 April 2021, the Receivers were informed by Plus500 that the respondents do not hold accounts with Plus500. Attached to this affidavit and marked "**MDW-04**" is a copy of the correspondences received by the Receivers from Plus500 dated 15 April 2021.
  21. On 16 April 2021, the Receivers were verbally informed by eToro that the respondents' accounts with eToro hold a nil balance. Attached to this affidavit and marked "**MDW-05**" is a file note of this conversation by the Receivers' staff with eToro dated 16 April 2021.
  22. However, on 19 April 2021, I was verbally informed by Mr Brown that his account with eToro:
    - (a) is in the name of BC Asset Management (WA) Pty Ltd (ACN 631 568 628) (**BC Asset Management**); and
    - (b) holds an account balance of approximately \$100 million.
  23. As at the date of this affidavit, the Receivers have not received a response from Binance.

#### **Entities related to the respondents**

24. Based on the Investigations, I believe that the following entities are related to the respondents:
  - (a) Mylife Developments Pty Ltd (ACN 622 068 973) (**Mylife Developments**);
  - (b) CMB Consulting 1993 Pty Ltd (ACN 628 028 277) (**CMB Consulting**);
  - (c) BC Asset Management; and
  - (d) CMB Investments 1993 Family Trust (ABN 56 402 904 617) (**CMB Trust**).
25. My belief is based upon but not limited to enquiries made by my staff and I, which revealed that:
  - (a) Suncorp-Metway Ltd holds accounts in the name of Mylife Developments for which:
    - (i) Mr Brown is a signatory to the accounts;

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- (ii) Mr Brown is co-director; and
- (iii) the second respondent, CMB Investments 1993 Pty Ltd (ACN 618 397 925) (**CMB Investments**), is a 30% shareholder,

as set out at paragraphs 3.22 and 3.23 of the Receivers' Interim Report. Attached to this affidavit and marked "**MDW-06**" is a copy of a current extract of Mylife Developments maintained by the Australian Securities & Investments Commission (**ASIC**).

- (b) In respect of CMB Consulting:

- (i) Mr Brown is co-director;
- (ii) Mr Brown is a 25% shareholder; and
- (iii) CMB Investments is a 25% shareholder.

Attached to this affidavit and marked "**MDW-07**" is a copy of a current extract plus PPSR report of CMB Consulting maintained by ASIC.

- (c) In respect of BC Asset Management:

- (i) Mr Brown is the sole director; and
- (ii) Mr Brown is a 50% shareholder.

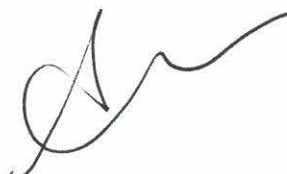
Attached to this affidavit and marked "**MDW-08**" is a copy of a current extract plus PPSR report of BC Asset Management maintained by ASIC.

- (d) CMB Investments is the corporate trustee for the CMB Trust. Attached to this affidavit and marked "**MDW-09**" is a copy of an ABN Lookup search for CMB Trust.

#### **Assistance from the respondents**

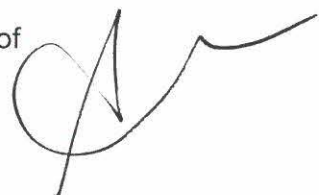
- 26. Paragraph 9 of the Receivership Orders states that the respondents must provide all assistance reasonably required by the Receivers to effect the Receivership Orders.
- 27. In light of the matters referred to at paragraphs 11 to 16 above, on 26 March 2021, the Receivers requested assistance from the respondents (**Request**) to effect the Receivership Orders by providing various items and information (**Investigation Items**) that would assist with the Investigations. Attached to this affidavit and marked "**MDW-10**" is a copy of the Request sent from Mills Oakley to HopgoodGanim Lawyers dated 26 March 2021.
- 28. The Request required the respondents to provide the Investigation Items by:
  - (a) 10am on 29 March 2021; and
  - (b) 5pm on 30 March 2021.

*BK Beet*



29. The respondents failed to provide any of the Investigation Items sought by the Request within the requested timeframes (or at all) to the:
- (a) Receivers; or
  - (b) Receivers' solicitors, Mills Oakley, via the respondents' solicitors, HopgoodGanim Lawyers.
30. Having not received any of the Investigation Items sought by the Request, on 31 March 2021:
- (a) I attempted to telephone Mr Brown regarding the Request;
  - (b) at 3:02pm, I received a text message from Mr Brown stating that he was in a meeting but would telephone me after the meeting. Attached to this affidavit and marked "**MDW-11**" is a screenshot of the text message I received from Mr Brown at 3:02pm on 31 March 2021; and
  - (c) as at 7:25pm, I had not received a telephone call from Mr Brown.
31. On 1 April 2021:
- (a) at 10:23am, I received a text message from Mr Brown asking if I was available for a telephone call at 11am that day to which I responded "Yes, on this number please". Exhibited at "**MDW-11**" is a screenshot of the text messages exchanged between me and Mr Brown on 1 April 2021;
  - (b) as at 11:10am, I had not received a telephone call from Mr Brown, so I attempted to telephone Mr Brown; and
  - (c) shortly afterwards, I received a telephone call from Mr Brown. During that conversation, I recall that Mr Brown said (amongst other things) words to the effect that he agreed to:
    - (i) provide me with:
      - (A) his 'Master Spreadsheet', which I understood to mean a complete list of the respondents' creditors; and
      - (B) a list of accounts (including statements and account balances) that Mr Brown held with any bank, betting agency or third party beyond the Accounts, and
    - (ii) provide the Investigation Items sought in the Request to his solicitors, HopgoodGanim Lawyers:
      - (A) 'this afternoon', which I understood to mean the afternoon of 1 April 2021; or

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(B) 'over the weekend', which I understood to mean the Easter long weekend from 2 to 5 April 2021 (inclusive); and

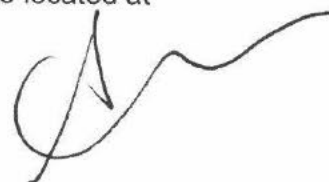
(iii) meet with me at some time on Wednesday, 7 April 2021.

32. At 10:18am on 6 April 2021, I received a text message from Mr Brown stating (amongst other things) that he had "pretty much sorted" the information he had agreed to provide me as referred to at paragraph 31(c)(i). Attached to this affidavit and marked "**MDW-12**" is a screenshot of the text message I received from Mr Brown at 10:18am on 6 April 2021.
33. On 7 April 2021:
  - (a) at 9:30am, I received a text message from Mr Brown requesting (amongst other things) a follow up to his text message of 6 April 2021. Exhibited at "**MDW-12**" is a screenshot of the text message I received from Mr Brown at 9:30am on 7 April 2021;
  - (b) at 11:08am, I sent a text message to Mr Brown stating (amongst other things) that I would meet with him upon receipt of (amongst other things) the information he agreed to provide me as referred to at paragraph 31(c)(i). Attached to this affidavit and marked "**MDW-13**" is a screenshot of the text message I sent Mr Brown at 11:08am on 7 April 2021; and
  - (c) shortly afterwards, I received a text message from Mr Brown stating (amongst other things) that there was a miscommunication but he would provide (amongst other things) as a priority the information he agreed to provide me as referred to at paragraph 31(c)(i). Exhibited at "**MDW-13**" is a screenshot of the text message I received from Mr Brown at approximately 11:08 on 7 April 2021.
34. At 10:30am on 16 April 2021, I dialled into a call I had scheduled with Mr Brown during which (amongst other things) Mr Brown:
  - (a) made it clear that his preference was to meet with me to discuss the Receivership Property; and
  - (b) agreed to meet with me at 11am on 19 April 2021.
35. As at the date of this affidavit, the respondents have not:
  - (a) provided any of the Investigation Items sought by the Request; or
  - (b) provided me with the information as referred to at paragraph 31(c)(i).

Meeting with Mr Brown

36. At approximately 11am on 19 April 2021, I, together with Andrew Moyle (**Mr Moyle**), Nick Sayer and Ben Pimm of KPMG, met with Mr Brown at the KPMG Perth office located at 235 St Georges Tce, Perth to (amongst other things):

*BE Beck*



- (a) discuss the status and location of the Receivership Property; and
- (b) obtain from Mr Brown an explanation as to the nature of the investment scheme and explain when and how Mr Brown's betting activities began,

**(19 April Brown Meeting).**

37. My key recollections of the 19 April Brown Meeting are set out below.

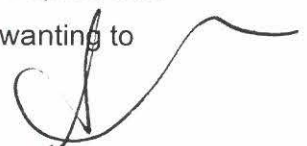
*Background*

38. During the 19 April Brown Meeting, I recall that Mr Brown said to me and Mr Moyle (amongst other things) words to the effect that:

- (a) in 2011, whilst attending university, Mr Brown would place arbitrage sports bets by placing the same stake on each outcome of an event with different betting agencies. I recall that I then queried with Mr Brown how the arbitrage opportunities were identified by him. I specifically recall that Mr Brown said to words to the effect that he would place bets:
  - (i) on futures markets, covering/hedging through volume/liquidity, ordinarily at higher odds given the distance to the event; and
  - (ii) He would subsequently closer to the event, enter the market and take opposite positions as a bet provider, at lower odds to create the alleged arbitrage;
- (b) in or around 2013 and 2014, Mr Brown commenced investing using funds advanced to him from Mr Brown's family and friends, who were his initial investors. The advances were personal loans, providing a fixed return to the investor, with the understanding that Mr Brown would retain amounts in excess of the fixed returns, for his own benefit. I recall that I then queried with Mr Brown whether the personal loans were to be repaid with interest, using the example of a 1 year repayment term with interest. I specifically recall that Mr Brown confirmed that the Receivers' understanding was correct and advised that the loans had been repaid in full;
- (c) in around 2015, the volume, amount and nature of investments quickly increased and this was the beginning of Mr Brown's issues with a number of banks; and
- (d) to date, the sum of approximately \$16 million of investor funds had been paid to him and that approximately 70% of the \$16 million was paid by investors to Mr Brown in the past 3 years.

39. I recall that I then said to Mr Brown words to the effect that the only evidence of a return on investment is to Mr Fletcher in the sum of approximately \$100,000. I then queried with Mr Brown why he had not paid a return to other investors, to which Mr Brown replied with words to the effect that he experienced difficulty with a number of banks not wanting to

*BL Beek*





take on proceeds from his betting activities and claimed that it was a constant struggle with pending transactions and frozen accounts.

40. I recall that I then queried with Mr Brown words to the effect that if there were funds in any betting agency account, noting that the Investigations had not identified any funds in betting accounts held by the respondents, to which Mr Brown replied with words to the effect that there are other betting agency accounts not in the respondents' name but under Mr Brown's control.
41. I recall that I then queried with Mr Brown words to the effect of why those funds have not been used to pay investors if those accounts were in his control, to which Mr Brown replied with words to the effect that he was unable to due to bank issues.

#### *Sports Betting Account*

42. During the 19 April Brown Meeting, I recall that:
- (a) Mr Moyle and I sat down with Mr Brown while he used his laptop to access an account described as sportsbetting.com which he claimed is held in Mr Brown's friend's name (**Sports Betting Account**);
  - (b) Mr Moyle and I had observed and stated to Mr Brown that:
    - (i) the account name was 'BCAM1' and
    - (ii) held an account balance of \$217,721,924 (**Sports Betting Funds**).
  - (c) I then queried with Mr Brown whether he could provide details of all betting accounts, including the name of each account holder, to which Mr Brown confirmed that he would provide those details to me by close of business 19 April 2021.
43. I recall that I then said to Mr Brown words to the effect that:
- (a) I was aware that Mr Brown had met with other investors together with Mr Hunt and showed those investors screen shots of similar balances to the Sports Betting Funds in bank and/or betting agency accounts, which were not supported by the Investigations; and
  - (b) the only way I would get comfort that the Sports Betting Funds existed was if Mr Brown transferred the Sports Betting Funds into the Receivers' bank account today, being 19 April 2021.
44. I recall that Mr Brown then replied with words to the effect that he undertook to transfer the Sports Betting Funds into the Receivers' bank account today, being 19 April 2021.

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*NABTrade and BOQ Funds*

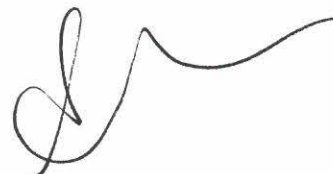
45. I recall that I raised with Mr Brown his representations of personal wealth given to investors, in particular, the NABTrade and BOQ Funds. I specifically recall that:
- (a) I raised with Mr Brown that the NABTrade Funds were never held in Mr Brown's account with NABTrade, but were represented to be, as was the case with the BOQ Funds.

*Other matters*

46. During the 19 April Brown Meeting, I recall that I queried with Mr Brown words to the effect of whether he had any matters to declare, to which Mr Brown replied with "no".
47. I recall that Mr Moyle then asked Mr Brown to state the quantum of funds in his control, to which I recall that Mr Brown replied with words to the effect that he holds approximately the sum of \$300 to \$400 million, noting that surplus funds not in the Sports Betting Account are held in other accounts and he would provide these details today, being 19 April 2021.
48. I recall that I then asked Mr Brown words to the effect of whether he would undertake to provide these details today, being 19 April 2021, to which Mr Brown replied with "yes".
49. At the conclusion of the 19 April Brown Meeting, I recall that Mr Brown said to me words to the effect that he undertook to provide to me today:
- (a) details of accounts containing funds, including account name;
- (b) a full list of investors/creditors; and
- (c) transfer the Sports Betting Funds to the Receivers' bank account.
50. As at the time of swearing this affidavit, Mr Brown has failed to provide any further details regarding the accounts containing the funds or a list of the respondents' investors/creditors. With respect to the transfer of the Sports Betting Funds, it has come to my attention that the bank account details provided to Mr Brown contained the incorrect BSB number. Mr Andrew Moyle of this office subsequently provided Mr Brown the correct BSB number on 20 April 2021.

**Other creditors**

51. I understand from my discussions with the applicants in this proceeding and from Mr Brown that there are other creditors who claim an interest in the Receivership Property.



52. My belief is based upon but not limited to:

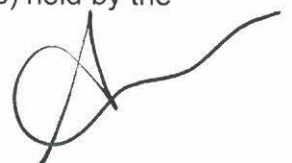
- (a) enquiries made by the applicants which were subsequently conveyed to me by the applicants directly;
- (b) my initial discussion with Mr Brown on 1 April 2021;
- (c) my knowledge of Federal Court of Australia proceeding WAD 299 of 2020 (**Bankruptcy Proceedings**), brought by the following petitioning creditors and supporting creditor against Mr Brown:
  - (i) Joan Donovan;
  - (ii) Clarence Donovan; and
  - (iii) Empire Capital Partners Pty Ltd (ACN 159 992 328); and
  - (iv) My discussions with Mr Brown on 19 April 2021.

53. In light of the results on the Investigations to date, I believe that it is the interest of all potential creditors of the respondents and also in the public interest for the Receivers to:

- (a) be able to identify and notify any creditor who claims an interest in the Receivership Property of the status of the Receivership Property;
- (b) reduce the potential risk, exposure and future liability of any creditor of the respondents regarding representations made about the current status of the Receivership Property;
- (c) extend enquiries made to the banks, betting agencies and third-party agencies to include any account held which is in the name of one or more of the following entities in the event these entities potentially hold Receivership Property:
  - (i) Mylife Developments;
  - (ii) CMB Consulting;
  - (iii) BC Asset Management; and
  - (iv) CMB Investments as trustee for the CMB Trust.
- (d) be assisted by the respondents to effect the Receivership Orders, including but not limited to compelling the respondents to provide the Investigation Items and attend Court to be examined in relation to the matters the subject of the Receivers' Interim Report.

54. The further orders sought by the Receivers will enable the Receivers to properly investigate and identify all assets (or conversely whether there are no assets) held by the

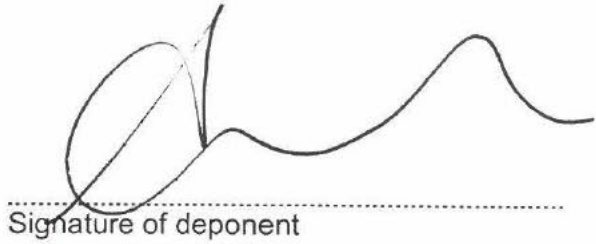
BR Beale



respondents prior to the termination of the appointment of the Receivers on 25 May 2021  
or such other date as may be set by the Court.

**SWORN** by **MATTHEW DAVID WOODS**  
at Perth  
in the State of Western Australia  
on the 20 day of April 2021

)  
)  
)  
)  
Signature of deponent



Before me, *Bethan Rachael Beck*  
a practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate

)  
)  
)  
)  
*BR Beck*  
Signature of witness





## Schedule

Federal Court of Australia

No. WAD 59 of 2021

District Registry: Western Australia

Division: Commercial and Corporations

**Adam Nicholas Ian Fletcher**

First Applicant

and

**Stuart Campbell**

Second Applicant

and

**Jaysen Taylor**

Third Applicant

and

**365 Plant Hire Pty Ltd (ACN 621 477 978)**

Fourth Applicant

and

**Jaytona Pty Ltd (ACN 137 723 418)**

Fifth Applicant

and

**Nameo Pty Ltd (ACN 155 839 197)**

Sixth Applicant

AND

**Christopher Michael Brown**

First Respondent

and

**CMB Investments 1993 Pty Ltd (ACN 618 397 925)**

Second Respondent

No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as "MDW-03" referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

BK Beck

Signature of witness

Bethan Beck (Solicitor)  
Mills Oakley

24/240 St Georges Terrace  
Perth WA 6000

## NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 9/03/2021 5:28:27 PM AWST 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 - Form 59 - Rule 29.02(1)
File Number:	WAD299/2020
File Title:	CLARENCE DONOVAN & ANOR v CHRISTOPHER MICHAEL BROWN
Registry:	WESTERN AUSTRALIA REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads "Sia Lagos".

Dated: 9/03/2021 5:28:30 PM AWST

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. WAD299 of 2020

Federal Court of Australia  
District Registry: Western Australia  
Division: General

### CLARENCE DONOVAN AND ANOTHER

Applicants

### CHRISTOPHER MICHAEL BROWN

Respondent

Affidavit of: **CHRISTOPHER MICHAEL BROWN**  
Address: c/- HopgoodGanim Lawyers, Level 27, Allendale Square, 77 St Georges  
Terrace PERTH WA 6000  
Occupation: Investor  
Date: 9 March 2021

### Contents

Document	Details	Paragraph	Page
CMB-1	Certified wealth report for the NAB Account dated 8 March 2021	10	5
CMB-2	Email chain between Mr Christopher Michael Brown and Mr Owen Umbras dated 25 February 2021	14	6 – 11
CMB-3	Australian Securities and Investment Commission extract for CMB Investments 1993 Pty Ltd dated 9 March 2021	16	12 - 16

Filed on behalf of (name & role of party) Christopher Michael Brown, the Respondent  
Prepared by (name of person/lawyer) Joshua Nicholas Hunt  
Law firm (if applicable) HopgoodGanim Lawyers  
Tel (08) 9211 8111 Fax  
Email [REDACTED]  
Address for service Level 27, Allendale Square, 77 St Georges Terrace, Perth WA 6000  
(include state and postcode)

I CHRISTOPHER MICHAEL BROWN of [REDACTED] in the State of Western Australia say on affirm:

1. I am the Respondent in this action.
2. Save where otherwise appears, the contents of this affidavit are true to my own knowledge. Where a fact is otherwise stated, it is true to the best of my information and belief, and the source of the information and belief is identified in the text.
3. I affirm this affidavit in support of my request for a further adjournment of the Creditor's Petition listed for 10.30am on 15 March 2021.

#### **Grounds for Adjournment**

4. I request a further adjournment of the Creditor's Petition to provide me with more time to receive legal and financial advice with respect to the release of personal funds for payment of debts and amounts owing to the Applications in this action.

#### **Engagement of legal advisors**

5. On or around 25 February 2021, I contacted Mr Josh Hunt, a partner at HopgoodGanim Lawyers, with respect to this action. I asked Mr Hunt to provide me legal advice with respect to this matter and proving that I am capable and able to pay debts and all amounts owing to the Applicants in this action.
6. At around 11.00am on 26 February 2021, I attended the offices of HopgoodGanim Lawyers at Level 27, Allendale Square, 77 St Georges Terrace, Perth WA 6000 for the purposes of a meeting with Mr Hunt. At this meeting I took steps to formally engage HopgoodGanim Lawyers to act on my behalf in in this action.
7. I again met with HopgoodGanim Lawyers at around 10.00am on Thursday, 4 March 2021 where I discussed with Mr Hunt the progress of releasing funds held with the National Australia Bank.
8. After the 4 March 2021 meeting, I progressed matters with National Australia Bank () as set out below.

#### **Communications with National Australia Bank**

9. I verily believe that I have sufficient funds in my NAB Trade account with the National Australia Bank with account number NT2027106 (**NAB Account**) to pay debts and all amounts owing to the Applicants in this action.
10. Attached hereto and marked "**CMB-1**" is a true copy of a certified wealth report for my NAB Account dated 8 March 2021.



11. The attachment "**CMB-1**" was obtained by me in person at the Bull Creek branch of the National Australia Bank and was stamped by [REDACTED], NAB Customer Advisor on 8 March 2021.
12. The funds in the NAB Account are currently held in suspension pending the conclusion of the National Australia Banks' Know Your Customer (**KYC**) process.
13. Since on or around 25 February 2021, I have been working with National Australia Bank representatives to finalise the KYC process and have been advised on various telephone calls with National Australia Bank representatives that at the conclusion of the KYC process and on my instructions, the National Australia Bank will transfer all funds held in my Personal Account to an account in my control.
14. Attached hereto and marked "**CMB-2**" is a true copy of an email chain between Mr Owen Umbras and myself regarding the completion of Know Your Customer inquiries that I have progressed with National Australia Bank.
15. I have undertaken steps and instructed the National Australia Bank to open a new account in the name of my personal company CMB Investments 1993 Pty Ltd ACN 618 397 925 (**Company Account**).
16. Attached hereto and marked "**CMB-3**" is a true copy of the Australian Securities and Investment Commissions current and historical company search for CMB Investments 1993 Pty Ltd showing myself as sole director and shareholder.
17. I verily believe that once the Company Account is created and the onboarding process is complete (whereby funds are transferred from my Personal Account to the Company Account), I will receive access to the funds in the Company Account and will be able to pay the amounts owing to the Applicants in this action.

#### **Payment Arrangement**

18. I verily believe and anticipate that prior to 5 April 2021, I will have unfettered access to the funds in the Company Account and will be capable of paying the amounts owing to the Applicants.




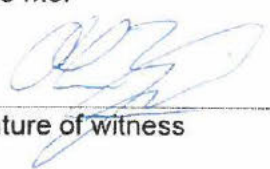


**Request for adjournment**

19. For the reasons stated above, I request that the Creditor's Petition listed for 10.30am on 15 March 2021 be adjourned until 5 April 2021.

Affirmed by the deponent  
at Perth  
in Western Australia  
on 9 March 2021  
Before me:

)  
)  
)  
)  
)

  
\_\_\_\_\_  
Signature of deponent  
\_\_\_\_\_  
Signature of witness

AMY ZHEN MI LEE  
A legal practitioner who has held  
a practice certificate for at least  
two years and who holds a current  
practice certificate

# Total wealth report

Mr CHRISTOPHER BROWN

As at date:  
08/03/2021



## Total wealth snapshot

Asset allocation	Legal entity	Holdings value	Cash balance
	mr CHRISTOPHER MICHAEL BROWN - [REDACTED]	\$0.00	\$172,623,481.27

## Current holdings

mr CHRISTOPHER MICHAEL BROWN - [REDACTED]				
Description	Code	Quantity	Market price	Market value
			Total holdings value	\$0.00

## Cash balances

mr CHRISTOPHER MICHAEL BROWN - [REDACTED]		
nabtrade Cash Account - 883 852 - [REDACTED]		\$0.00
[REDACTED]		\$172,623,481.27
Total cash balance		\$172,623,481.27

CMB-1

Chris Brown [REDACTED]

---

**Documentation**

---

Chris Brown <[REDACTED]>  
To: [REDACTED]@nab.com.au>  
Cc: Josh Hunt [REDACTED]>

Thu, Feb 25, 2021 at 10:16 AM

Hi Owen,

Please find attached KYC/DD documentation as requested.

Hopefully this can clear up the CMB onboarding process. Please let me know as soon as this is completed.

CC'd in is my corporate advisor Josh Hunt, as mentioned on the phone.

Thanks for your help with the accounts thus far.

Have a good day and let me know if anything else is required.

CB

**2 attachments**

 **Email to NAB KYC\_DD Operations - Cover Letter to Brown Response - 25.02.2021(22426418.1).pdf**  
111K

 **Declaration - Responses from CMB Investments and Chris Brown(22426383.1).pdf**  
685K



## DECLARATION FROM CHRISTOPHER MICHAEL BROWN

I, **Christopher Michael Brown** of 8 Circe Circle, Dalkeith in the State of Western Australia, sole Director of **CMB INVESTMENTS 1993 ATFT CMB INVESTMENTS 1993 FAMILY TRUST** provide the following declarations (*in italics*) in response to the queries of NAB given to me on 23 February 2021:

- What is the primary business activity of the customer? If trading, what's the primary business activity where it derives revenue?

*Investment activity.*

- Geographic locations of the business – please provide premise address where you conduct business, e.g. shop, store, main office etc; if digital business, please also provide website or app name.

*8 Circe Circle, Dalkeith and Level 27, 77 St Georges Terrace, Perth.*

- Geographic locations of the customer base/market(s)

*Australia*

- What account/product(s) have the customer been seeking for? What's the intended use of the product?

*To facilitate investment activities.*

- The anticipated transaction volume in terms of frequency and size of transactions.

*AUD\$10,000,000 maximum at any one time. The frequency is not certain at this stage and will depend upon revenue.*

- How much percentage of transactions are transfer in/out overseas? Inbound or outbound or a mixture? Which countries?

*85%-95% Australia though some investments may be made in the US and Singapore at my discretion.*

- Source of Wealth of CMB INVESTMENTS 1993 PTY LTD & CMB INVESTMENTS 1993 ATFT CMB INVESTMENTS 1993 FAMILY TRUST: what economic activities have contributed to the business'

*Investment activities and personal loans*

- Source of Fund of CHRISTOPHER MICHAEL BROWN, i.e. What are their sources of personal income?

*Investment activities and personal loans*

- Source of Fund of CMB INVESTMENTS 1993 PTY LTD & CMB INVESTMENTS 1993 ATFT CMB INVESTMENTS 1993 FAMILY TRUST, from below two aspects:

*The fund used for the initial account opening*

*The funds are proceeds of my investment activities.*

*The funds received throughout the business relationship*

*Investment returns via trading*

- Source of the Wealth of CHRISTOPHER MICHAEL BROWN: i.e. What economic activities have contributed to the individual's accumulated wealth?

*The source of my wealth is investment activities over the past 6 years and personal loans to me.*

➤ Source of Fund of CHRISTOPHER MICHAEL BROWN, i.e. What are their sources of personal income?  
*My personal funds have been generated through my investment activities.*

**I declare that these statements are true and correct as at the date of this document.**

Signed: 

Christopher Michael Brown

On 25 February 2021



**HopgoodGanim**

LAWYERS

25 February 2021

**Urgent**

NAB KYC/DD Operations

c/- [REDACTED]

197 St Georges Terrace

Perth

WA 6000

By email: [REDACTED]

Our ref: Joshua Hunt  
Your ref: CMB Investments and Christopher Brown

PERTH

Level 27, Allendale Square

77 St Georges Terrace

Perth WA 6000 Australia

PO Box Z 5312, St Georges Terrace

Perth WA 6831 Australia

ABN: 54 105 489 661

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Dear Sirs

### Cover Letter to Response from Christopher Brown

I confirm that we act for Chris Brown and CMB Investments 1993.

The purpose of this letter is to advise you that we are happy to assist you to facilitate the banking relationship between NAB and Chris Brown.

I confirm that Chris has authorised me to receive correspondence from NAB.

Please feel free to contact me with queries.

Yours faithfully

*HopgoodGanim*

HopgoodGanim Lawyers

Contact: Joshua Hunt  
Partner

[REDACTED]

PERTH

T +61 8 9211

8111

F +61 8 9221 9100

BRISBANE

T +61 7 3024

[www.hopgoodganim.com.au](http://www.hopgoodganim.com.au)



---

**Documentation**

---

To: Chris Brown <[REDACTED]@nab.com.au>

Thu, Feb 25, 2021 at 1:57 PM

Thanks Chris,

I've sent this through to my KYC team to be reviewed and for them to complete their processes.

I'll keep in touch to let you know how this goes.

I've seen that the funds from NAB Trade haven't made it into the account yet. Is there anything you wanted me to do to try and escalate this?

Kind regards,

[REDACTED]  
Customer Advisor 2  
**Personal Banker | National Australia Bank Limited**  
197 St Georges Terrace, Perth Western Australia 6000  
[REDACTED]@nab.com.au

**From:** Chris Brown <[REDACTED]>  
**Sent:** Thursday, 25 February 2021 10:17 AM  
**To:** [REDACTED]@nab.com.au>  
**Cc:** Josh Hunt [REDACTED]>  
**Subject:** Documentation

CAUTION: This email originated from outside of the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is authentic and safe.

**InfoTrack**  
www.infotrack.com.au  
1800 738 524

**ASIC**  
**Current Organisation Extract**

**InfoTrack**  
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**ASIC Data Extracted 09/03/2021 at 17:00**

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

**- 618 397 925 CMB INVESTMENTS 1993 PTY LTD -**

**ACN (Australian Company Number):** 618 397 925  
**ABN:** 73 618 397 925  
**Current Name:** CMB INVESTMENTS 1993 PTY LTD  
**Registered in:** Western Australia  
**Registration Date:** 05/04/2017  
**Review Date:** 05/04/2021  
**Company Bounded By:**

**Document No.**

**- Current Organisation Details -**

**Name:** CMB INVESTMENTS 1993 PTY LTD  
**Name Start Date:** 05/04/2017  
**Status:** Registered  
**Type:** Australian Proprietary Company  
**Class:** Limited By Shares  
**Sub Class:** Proprietary Company

030930519

**- Company Addresses -**

**- Registered Office**

**Address:** G 15 OGILVIE ROAD MOUNT PLEASANT WA 6153  
**Start Date:** 05/04/2017

3E1584862

**- Principal Place of Business**

**Address:** [REDACTED]  
**Start Date:** 11/05/2020

5EBR31847

**- Company Officers -**

**Note:**

A date or address shown as UNKNOWN has not been updated since ASIC took over the records in 1991. For details, order the appropriate historical state or territory documents, available in microfiche or paper format.

\* Check documents listed under ASIC Documents Received for recent changes.

**Director**

Name: CHRISTOPHER MICHAEL BROWN 3E1584862  
 Address: [REDACTED]  
 Birth Details: [REDACTED]  
 Appointment Date: 05/04/2017  
 Cease Date: //

#### Secretary

Name: CHRISTOPHER MICHAEL BROWN 3E1584862  
 Address: [REDACTED]  
 Birth Details: [REDACTED]  
 Appointment Date: 05/04/2017  
 Cease Date: //

#### - Share Structure -

##### Current

Class: ORD 3E1584862  
 Number of Shares Issued: 2  
 Total Amount Paid / Taken to be Paid: \$2.00  
 Total Amount Due and Payable: \$0.00

##### Note:

For each class of shares issued by a company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

#### - Share/Interest Holding -

##### Current

##### - Holding -

Class: ORD Number Held: 2 3E1584862  
 Beneficially Owned: Yes Fully Paid: Yes

##### - Members -

Name: CHRISTOPHER MICHAEL BROWN  
 Address: [REDACTED]  
 Joint Holding: No

#### - External Administration Documents -



There are no external administration documents held for this organisation.

### - Charges -

There are no charges held for this organisation.

#### Notes:

On 30 January 2012, the Personal Property Securities Register (PPS Register) commenced.

At that time ASIC transferred all details of current charges to the PPS Registrar.

ASIC can only provide details of satisfied charges prior to that date.

Details of current charges, or charge satisfied since 30 January 2012 can be found on the PPS Register, [www.ppsr.gov.au](http://www.ppsr.gov.au).

InfoTrack may cap documents for on-file searches to 250.

### - Document List -

#### Notes:

\* Documents already listed under Registered Charges are not repeated here.

\* Data from Documents with no Date Processed are not included in this Extract.

\* Documents with '0' pages have not yet been imaged and are not available via DOCIMAGE. Imaging takes approximately 2 weeks from date of lodgement.

\* The document list for a current/historical extract will be limited unless you requested ALL documents for this extract.

\* In certain circumstances documents may be capped at 250.

Form Type	Date Received	Date Processed	No. Pages	Effective Date	Document No.
484	02/06/2020	02/06/2020	2	02/06/2020	5EBR31847
484C	Change to Company Details Change of Principal Place Of Business (Address)				
201	05/04/2017	05/04/2017	3	05/04/2017	3E1584862
201C	Application For Registration as a Proprietary Company				

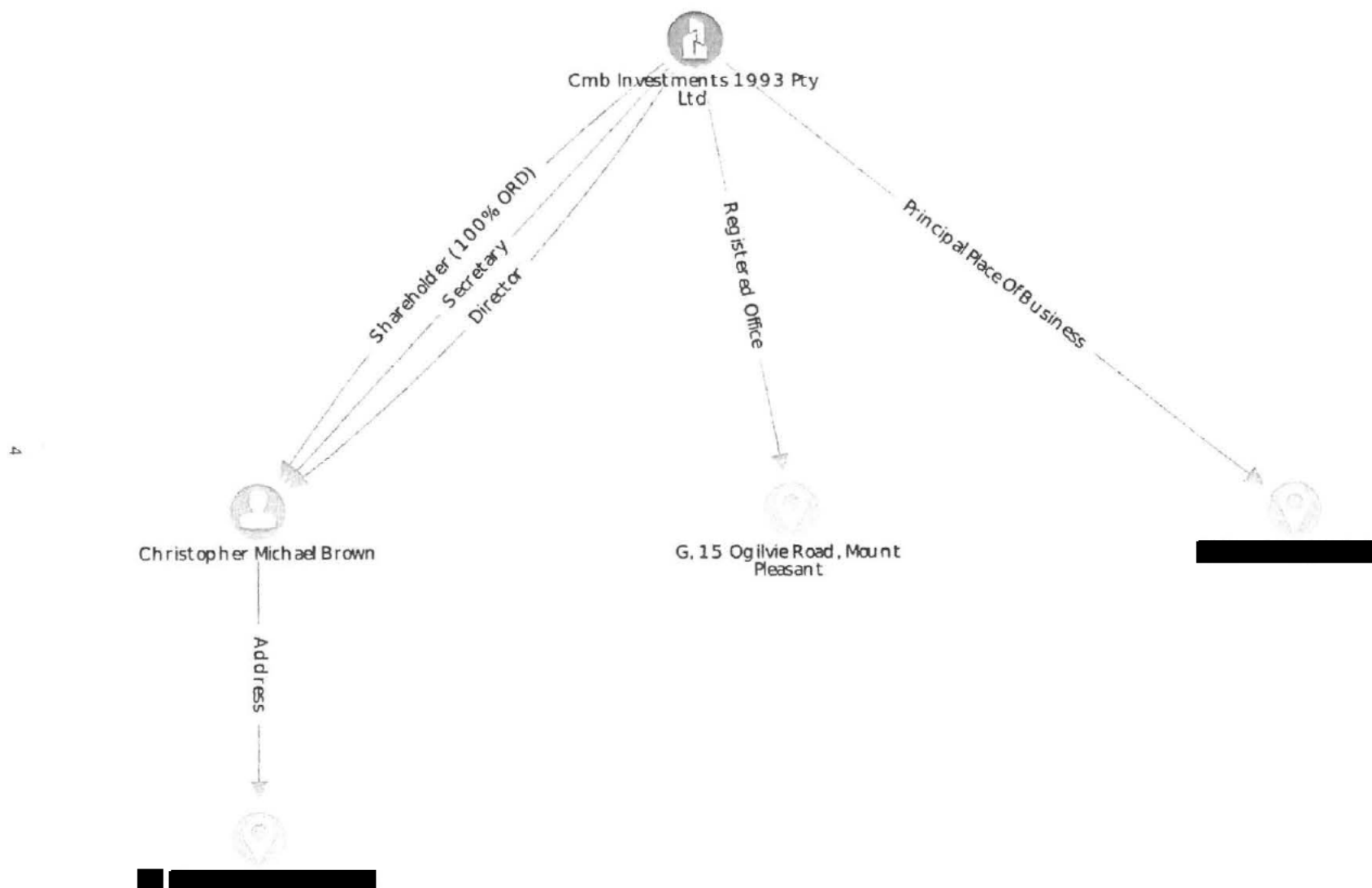
### - Company Contact Addresses -

#### - Contact Address for ASIC use only

Address: PO BOX 1117 CANNING BRIDGE APPLECROSS WA 6153

Start Date: 05/04/2017

\*\*\* End of Document \*\*\*



No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as “**MDW-04**” referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

B K Becc

Signature of witness

Bethan Rachael Becc  
Solicitor  
Mills Oakley  
241240 St Georges Terrace  
Perth WA 6000

**Stephanie Gan**

---

**From:** Plus500 Support <support@plus500.com>  
**Sent:** Thursday, 15 April 2021 2:18 PM  
**To:** Sayer, Nick  
**Subject:** [Plus500 Service] [URGENT] - Notice of Court appointed Receiver and Manager - 6319235

# Please type your reply above this line #



World's Trading Machine

---

Patrick Johns, Apr 15, 2021, 9:18 GMT+3:

Hi Nick,

I can confirm that there are no account in the name of CMB Investments 1993 Pty Ltd (ACN 618 397 925).

Should you require anything further, please let me know.

Kind regards,  
 Patrick

Plus500AU Pty Ltd.  
 P.O. Box H339, Australia Square,  
 Sydney NSW 1215, Australia

---

*This ticket ([#6319235](#)) has been updated and your action is required.*

--

*Plus500AU Pty Ltd. is registered in Australia (ACN 153 301 681) and holds a licence issued by ASIC, AFSL No. 417727. New Zealand Derivatives Issuer Licence FSP [#486026](#). Plus500AU is also authorised as a Financial Service Provider in South Africa, FSP [#47546](#).  
 General Advice Warning: This email does not take into account your objectives, financial situation or needs. Before acting on this general advice you should therefore consider the appropriateness of the advice having regard to your situation. We recommend you obtain financial, legal and taxation advice before making any financial investment decision.  
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*the individual or entity to whom they are addressed. If you have received this e-mail in error, please notify the sender.*



This email is a service from Plus500 Service.

**Stephanie Gan**

---

**From:** Plus500 Support <support@plus500.com>  
**Sent:** Thursday, 15 April 2021 7:35 AM  
**To:** Sayer, Nick  
**Subject:** [Plus500 Service] [URGENT] - Notice of Court appointed Receiver and Manager - 6319235

# Please type your reply above this line #



World's Trading Machine

---

Patrick Johns, Apr 15, 2021, 2:35 GMT+3:

Dear Nick,

We refer to your letter dated 14 April 2021.

Please note, we do not have any accounts registered under the name Christopher Michael Brown (DOB: [REDACTED]).

Should you require any further assistance, please let us know.

Kind regards,

Plus500AU Pty Ltd.  
 P.O. Box H339, Australia Square,  
 Sydney NSW 1215, Australia

---

*This ticket ([#6319235](#)) has been updated and your action is required.*

--

Plus500AU Pty Ltd. is registered in Australia (ACN 153 301 681) and holds a licence issued by ASIC, AFSL No. 417727. New Zealand Derivatives Issuer Licence FSP [#486026](#); Plus500AU is also authorised as a Financial Service Provider in South Africa, FSP [#47546](#)

General Advice Warning: This email does not take into account your objectives, financial situation or needs. Before acting on this general advice you should therefore consider the appropriateness of the advice having regard to your situation. We recommend you obtain

*financial, legal and taxation advice before making any financial investment decision.  
This e-mail, and any files transmitted with it, are confidential and intended solely for the use of  
the individual or entity to whom they are addressed. If you have received this e-mail in error,  
please notify the sender.*



This email is a service from Plus500 Service.

No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as “**MDW-05**” referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

BK Beck

Signature of witness

Bethan Beck (solicitor)  
Mills Oakley  
24/240 St Georges Terrace  
Perth WA 6000



## Stephanie Gan

---

**From:** Sayer, Nick  
**Sent:** Friday, 16 April 2021 9:22 AM  
**To:** Sayer, Nick  
**Subject:** Updated File Note : Call with EToro trading platform 16/04/2021  
**Attachments:** audio.mp3

File Note: Call with Celeste at EToro, trading platform, 9:14AM on 16/04/2021.

Celeste: 02 8067 6003.

- Celeste advised that Christopher Michael Brown of [REDACTED] opened an account on 10 February 2021.
- No funds have been deposited to the account.
- No accounts held by CMB Investments 1993 Pty Ltd.
- I asked that eToro provide written confirmation that the account has been frozen.
- Celeste advised that she would obtain confirmation of the freeze and provide written confirmation.

## Nick Sayer | Manager, Restructuring Services

Tel: +61 [REDACTED]  
 [REDACTED]

KPMG  
 235 St George's Terrace  
 Perth WA 6000 Australia

[kpmg.com.au](http://kpmg.com.au)



**From:** +61 2 8067 6003 <+61280676003>  
**Sent:** Friday, 16 April 2021 9:10 AM  
**To:** Sayer, Nick <[REDACTED]>  
**Subject:** Voice Mail (16 seconds)

You received a voice mail from [REDACTED]

[Set Up Voice Mail](#)

No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as "MDW-06" referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

BK Beck

Signature of witness

Bethan Beck (Solicitor)

Mills Oakley

24/240 St Georges Terrace

Perth WA 6000

ASIC EXTRACT SNAPSHOT

Date Extracted	26/03/2021
ACN	622 068 973
ABN	21 622 068 973
Current Name	MYLIFE DEVELOPMENTS PTY LTD
Registered In	Western Australia
Registration Date	04/10/2017
Review Date	04/10/2021
Company Type	ACN (Australian Company Number)
Current Directors	2
Current Secretaries	1

CURRENT ORGANISATION DETAILS

Start Date	04/10/2017
Name	MYLIFE DEVELOPMENTS PTY LTD
Name Start Date	04/10/2017
Status	Registered
Type	Australian Proprietary Company
Class	Limited By Shares
Sub Class	Proprietary Company
Disclosing Entity	No
Document No.	3E8256841

Share Structure (Displaying Top 4 Only)

Go to Full ASIC Results

Class	Class Type	Shares Issued	Amount Paid
ORD	ORD	100	\$100.00

(creditor)watch - Credit Score (563)

Go to Full Credit Report

563

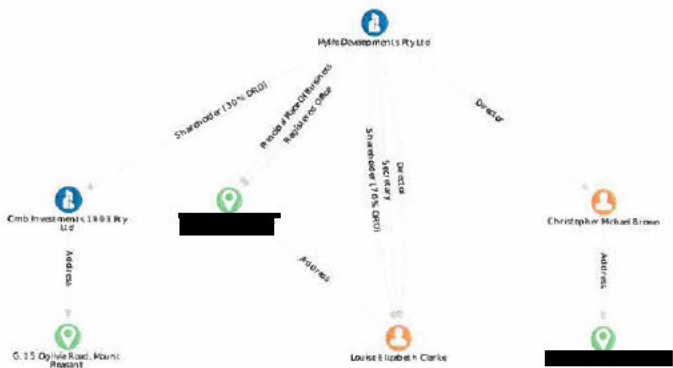


Risk Data Summary

Court Judgments	0	Payment Defaults	0	Insolvency Notices	0	Mercantile Enquiries	0	Credit Enquiries	2
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REVEAL - Company Visualisation

Go to full workspace



**InfoTrack**  
www.infotrack.com.au  
1800 738 524

## ASIC Current Organisation Extract



**ASIC Data Extracted 26/03/2021 at 18:59**

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

### **- 622 068 973 MYLIFE DEVELOPMENTS PTY LTD -**

<b>ACN (Australian Company Number):</b>	622 068 973	<b>Document No.</b>
<b>ABN:</b>	21 622 068 973	
<b>Current Name:</b>	MYLIFE DEVELOPMENTS PTY LTD	
<b>Registered in:</b>	Western Australia	
<b>Registration Date:</b>	04/10/2017	
<b>Review Date:</b>	04/10/2021	
<b>Company Bounded By:</b>		

### **- Current Organisation Details -**

<b>Name:</b>	MYLIFE DEVELOPMENTS PTY LTD	3E8256841
<b>Name Start Date:</b>	04/10/2017	
<b>Status:</b>	Registered	
<b>Type:</b>	Australian Proprietary Company	
<b>Class:</b>	Limited By Shares	
<b>Sub Class:</b>	Proprietary Company	

### **- Company Addresses -**

<b>- <u>Registered Office</u></b>		7EAU19299
<b>Address:</b>	2A HAVENVALE CRESCENT DIANELLA WA 6059	
<b>Start Date:</b>	03/03/2020	

<b>- <u>Principal Place of Business</u></b>		7EAU19299
<b>Address:</b>	2A HAVENVALE CRESCENT DIANELLA WA 6059	
<b>Start Date:</b>	25/02/2020	

### **- Company Officers -**

**Note:**

A date or address shown as UNKNOWN has not been updated since ASIC took over the records in 1991. For details, order the appropriate historical state or territory documents, available in microfiche or paper format.

\* Check documents listed under ASIC Documents Received for recent changes.

#### Director



Name: CHRISTOPHER MICHAEL BROWN  
 Address: [REDACTED]  
 Birth Details: [REDACTED]  
 Appointment Date: 04/10/2017  
 Cease Date: //

3E8256841

Name: LOUISE ELIZABETH CLARKE  
 Address: [REDACTED]  
 Birth Details: [REDACTED]  
 Appointment Date: 04/10/2017  
 Cease Date: //

7EAU19299

### Secretary

Name: LOUISE ELIZABETH CLARKE  
 Address: [REDACTED]  
 Birth Details: [REDACTED]  
 Appointment Date: 04/10/2017  
 Cease Date: //

7EAU19299

### - Share Structure -

#### Current

Class: ORD  
 Number of Shares Issued: 100  
 Total Amount Paid / Taken to be Paid: \$100.00  
 Total Amount Due and Payable: \$0.00

3E8256841

#### **Note:**

For each class of shares issued by a company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

### - Share/Interest Holding -

#### Current

#### **- Holding -**

Class: ORD  
 Beneficially Owned: No  
 Number Held: 30  
 Fully Paid: Yes

3E8256841

**- Members -**

**Name:** CMB INVESTMENTS 1993 PTY LTD  
**ACN:** 618 397 925  
**Address:** G 15 OGILVIE ROAD MOUNT PLEASANT WA 6153  
**Joint Holding:** No  
**Abn:** 73 618 397 925

**- Holding -**

<b>Class:</b>	ORD	<b>Number Held:</b>	70	7EAU19299
<b>Beneficially Owned:</b>	No	<b>Fully Paid:</b>	Yes	

**- Members -**

**Name:** LOUISE ELIZABETH CLARKE  
**Address:** [REDACTED]  
**Joint Holding:** No

**- External Administration Documents -**

[There are no external administration documents held for this organisation.](#)

**- Charges -**

[There are no charges held for this organisation.](#)

**Notes:**

On 30 January 2012, the Personal Property Securities Register (PPS Register) commenced.  
 At that time ASIC transferred all details of current charges to the PPS Registrar.  
 ASIC can only provide details of satisfied charges prior to that date.  
 Details of current charges, or charge satisfied since 30 January 2012 can be found on the PPS Register,  
[www.ppsr.gov.au](http://www.ppsr.gov.au).  
 InfoTrack may cap documents for on-file searches to 250.

**- Document List -****Notes:**

- \* Documents already listed under Registered Charges are not repeated here.
- \* Data from Documents with no Date Processed are not included in this Extract.
- \* Documents with '0' pages have not yet been imaged and are not available via DOCIMAGE. Imaging takes approximately 2 weeks from date of lodgement.
- \* The document list for a current/historical extract will be limited unless you requested ALL documents for this extract.
- \* In certain circumstances documents may be capped at 250.

Form Type	Date Received	Date Processed	No. Pages	Effective Date	Document No.
484	25/02/2020	25/02/2020	2	25/02/2020	7EAU19299
484	Change to Company Details				
484B	Change of Registered Address				
484C	Change of Principal Place of Business (Address)				
484A1	Change Officeholder Name or Address				
484A2	Change Member Name or Address				

484	08/11/2018	08/11/2018	2	08/11/2018	0EEG09957
484B	Change to Company Details Change of Registered Address				
201	04/10/2017	04/10/2017	3	04/10/2017	3E8256841
201C	Application For Registration as a Proprietary Company				

**- Company Contact Addresses -**

\*\*\* End of Document \*\*\*

## Risk Data

### Summary

Court Actions:	0
Payment Defaults:	0
ASIC Published Notices:	0
Mercantile Enquiries:	0
Critical ASIC Documents:	0
Credit Score:	563
Credit Enquiries - Last 5 Years:	2
Credit Enquiries - Last 12 Months:	1

## Status Changes

### GST Status Changes

Change Date	GST Changes
01-10-2020	Not Registered for GST (Current status)
04-10-2017	Registered for GST

## Credit Report

### Court Actions

Plaintiff	Action	Action Amount	Action Date	Nature of claim	Proceeding #	Location
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There are currently no court actions registered.

Court action information is supplied to CreditorWatch by the courts. We rely on the courts to provide up to date and accurate information and therefore CreditorWatch cannot guarantee that all actions are included. This report includes action information from the Magistrates courts in NSW, QLD, SA, VIC, and WA.

### Payment Defaults

Default Posted By	Document Type	Amount Outstanding	Date Added	Payment Due Date	Part Payment Made	Default Settled
-------------------	---------------	--------------------	------------	------------------	-------------------	-----------------

There are currently no defaults registered.

### ASIC Published Notices

Date	Title
------	-------

There are currently no ASIC Published Notices registered.



## Registered Mercantile Enquiries

Enquiry Date	Mercantile Agent
--------------	------------------

There are no mercantile enquiries registered.

## Credit Score

The score is a statistically based score indicating an entity's credit worthiness. The score ultimately ranks entities based on their riskiness and is designed to assist you in making more informed and consistent credit decisions.

The score is based between 0 and 850 index points with a higher score considered lower risk while lower scores are deemed to be riskier entities. It should be used in partnership with your internal credit procedures and policies.

**Credit Rating Grade:** C2

**Risk Level:** Acceptable

**Credit Advice for C2 rating:** Entity has an adequate aptitude to meet credit commitments. Unfavourable business, financial, or economic conditions will likely impair the capacity or willingness to meet financial commitments. Extend terms, closely monitor ongoing payment behaviour.

Entity has a 6.50% chance of failure within the next 12 months



## Historical Credit Scores



## Recommendations

### Credit Rating Risk Category Recommendation

A1, A2, A3	Very Low	Entity has a very strong aptitude to meet credit commitments. Extend terms within consideration.
B1, B2	Low	Entity has a strong aptitude to meet credit commitments. Unfavourable economic conditions may lead to a weakened capability to meet financial commitments. Extend terms within consideration.
B3, C1	Neutral	Entity currently has the aptitude to meet credit commitments. Unfavourable business, financial, or economic conditions may impair ability to meet financial commitments. Extend terms and monitor ongoing payment behaviour.

### Credit Rating Risk Category Recommendation

C2	Acceptable	Entity has an adequate aptitude to meet credit commitments. Unfavourable business, financial, or economic conditions will likely impair the capacity or willingness to meet financial commitments. Extend terms, closely monitor ongoing payment behaviour.
C3	Borderline	Entity is vulnerable and the aptitude to meet credit commitments is dependent upon favourable business, financial, and economic conditions. Trade with caution, closely monitor and consider your payment terms.
D1, D2, D3	High	Entity is currently highly vulnerable. COD trading highly recommended.
E	Impaired	Entity is currently highly vulnerable to non-payment and default. Trading eligibility must be considered.
F	Default	Entity has become insolvent or does not have the ability to trade

score v.20150123a

Please note that the score and recommendation should be used in partnership with your company's internal credit procedures and policies. The score should not be used as the sole reason in making a decision about the entity.

## Credit Enquiries

Entity has 2 credit enquiries within the last 5 years.  
Entity has 1 credit enquiries within the last 12 months.

### Credit Enquiries (Last 12 Months)



### Ordered by Industry (Last 12 Months)

Industry	Number of Enquiries
Professional, Scientific and Technical Services (M)	1
TOTAL ENQUIRIES	1

### Ordered by Date (Last 12 Months)

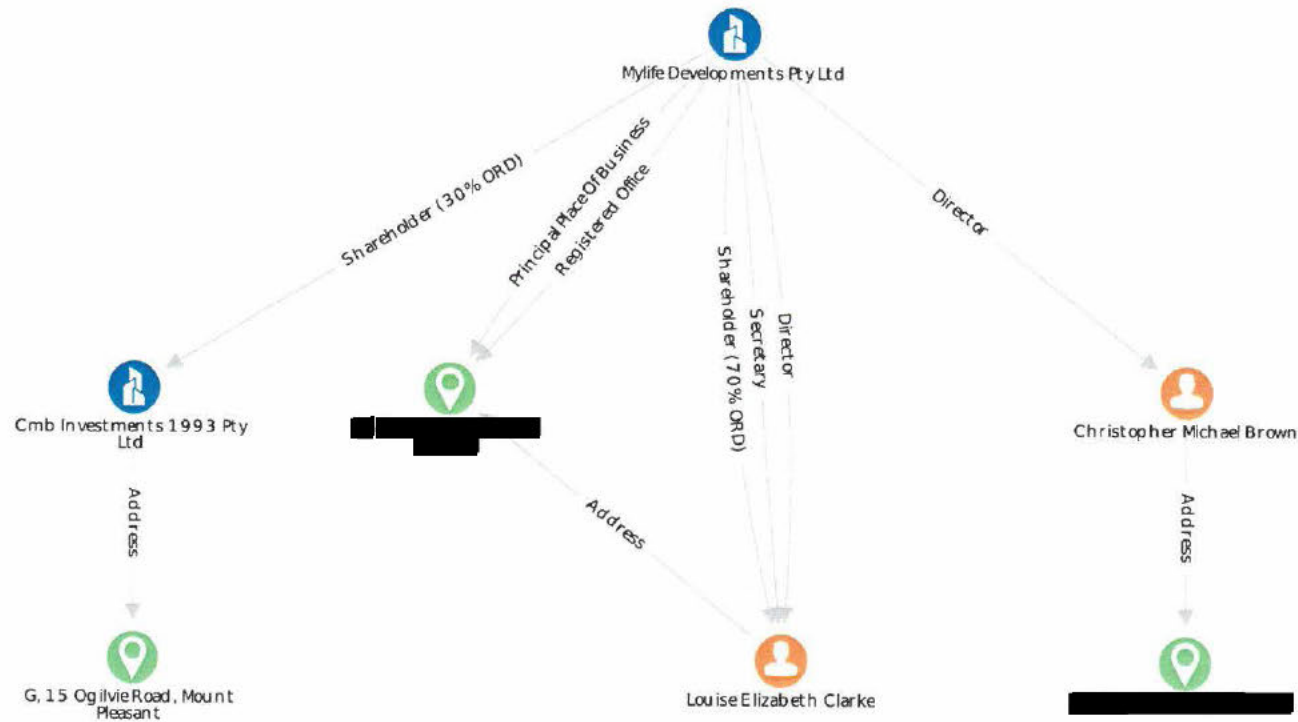
Industry	Date
Professional, Scientific and Technical Services (M)	26-03-2021

## Historical Timeline

Date	Type	Notes
01-10-2020	Goods And Services Tax	The Goods and Services Tax was changed to Not currently registered for GST
		#7EAU19299 Form 484
25-02-2020	ASIC Document	Change to Company Details Change of Registered Address Change of Principal Place of Business (Address) Change Officeholder Name or Address Change Member Name or Address
08-11-2018	ASIC Document	#0EEG09957 Form 484 Change to Company Details Change of Registered Address
04-10-2017	Entity Status	The Entity Status was changed to Active
04-10-2017	Goods And Services Tax	The Goods and Services Tax was changed to Currently registered for GST
04-10-2017	Main Name	The Main Name was changed to MYLIFE DEVELOPMENTS PTY LTD
04-10-2017	Main Business Physical Address	The Main Business Physical Address was changed to WA 6014
04-10-2017	ASIC Document	#3E8256841 Form 201 Application For Registration as a Proprietary Company

## Disclaimer

CreditorWatch is committed to ensuring that the information provided is accurate and comprehensive however due to data being received from sources not controlled by CreditorWatch we cannot guarantee that it is complete, verified or free of errors. The information should therefore be used in conjunction with your own investigations and you should not rely solely on this information when making credit or financial decisions. To the extent permitted by law, CreditorWatch will not be held responsible for any errors or omissions therein concerning the information sourced and published in its publications, websites, API or emails.



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No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as "MDW-07" referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021



---

Signature of witness

Bethan Beck (Solicitor)  
Mills Oakley  
24/240 St Georges Terrace  
Perth WA 6000

# Historical Company Extract Plus PPSR Report for CMB CONSULTING 1993 PTY LTD

Extracted from ASIC database on 13 April 2021 06:05 PM AEST

All PPSR times are listed in Canberra time.

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

## Current Organisation Details

Name: CMB CONSULTING 1993 PTY LTD  
 A.C.N: 628028277  
 A.B.N: 52628028277  
 Status: Registered  
 Registered In: WA  
 Registration Date: 08/08/2018  
 Review Date: 08/08/2021  
 Name Start Date: 08/08/2018  
 Type: Australian Proprietary Company  
 Organisation Number Type: Australian Company Number  
 Details Start Date: 08/08/2018  
 Class: Limited By Shares  
 Subclass: Proprietary Company  
 Disclosing Entity: No  
 Registered charity: No

## Organisation Address

Status	Address Type	Address	Start Date - End Date	Doc Number
Current	Registered Office	G 15 OGILVIE ROAD MOUNT PLEASANT WA 6153	08/08/2018 -	0ECB32103
Current	Principal Place of Business	[REDACTED]	11/05/2020 -	5EBR31929
Former	Principal Place of Business	[REDACTED]	08/08/2018 - 10/05/2020	0ECB32103

## Organisation Officers

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Current Director	CHRISTOPHER MICHAEL BROWN Date of Birth: [REDACTED] Place of Birth: [REDACTED]	[REDACTED]	08/08/2018 -		0ECB32103
Current Director	GAVIN SINCLAIR BROWN Date of Birth: [REDACTED] Place of Birth: [REDACTED] SINGAPORE	[REDACTED]	11/05/2020 -		5EBR31966
Current Secretary	CHRISTOPHER MICHAEL BROWN Date of Birth: [REDACTED] Place of Birth: [REDACTED]	[REDACTED]	08/08/2018 -		0ECB32103

## Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Current	A A	10	\$10.00	\$0.00	0ECB32103
Current	B B CLASS ORDINARY SHARES	10	\$10.00	\$0.00	5EBR31966
Current	ORD ORDINARY SHARES	20	\$20.00	\$0.00	5EBR31966

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

## Shareholders

Status	Class	No. Held	Beneficially Held	Fully Paid	Shareholder Details	Document Number
Current	A	10	No	Yes	CMB INVESTMENTS 1993 PTY LTD [REDACTED] ACN: 618397925 ABN: 73618397925	5EBR31932
Current	B	10	Yes	Yes	GAVIN SINCLAIR BROWN [REDACTED]	5EBR31966
Current	ORD	10	Yes	Yes	CHRISTOPHER MICHAEL BROWN [REDACTED]	0ECB32103
Current	ORD	10	Yes	Yes	GAVIN SINCLAIR BROWN [REDACTED]	5EBR31966

## PPSR Registrations: By ACN

No registrations exist.

## PPSR Registrations: By Name

No registrations exist.

## PPSR Registrations: By ABN

No registrations exist.

## Documents

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
484	484 Change to Company Details 484E Appointment or Cessation of a Company Officeholder 484O Changes to Share Structure 484G Notification of Share Issue 484N Changes to (Members) Share Holdings	3	02/06/2020	02/06/2020	02/06/2020	5EBR31966
484	484A2 Change to Company Details Change Member Name or Address	2	02/06/2020	02/06/2020	02/06/2020	5EBR31932
484	484C Change to Company Details Change of Principal Place Of Business (Address)	2	02/06/2020	02/06/2020	02/06/2020	5EBR31929
201	201C Application For Registration as a Proprietary Company	3	08/08/2018	08/08/2018	08/08/2018	0ECB32103

## Contact Address for ASIC use only

Note: The Address for ASIC Company Communications is for ASIC use only to correspond with the company. ASIC will forward notices such as the company statement, invoice statements and other correspondence where requested to this address.

Status	Address	Start Date - End Date	Doc Number
Current	PO BOX 1117 CANNING BRIDGE APPLECROSS WA 6153	08/08/2018 -	

No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as “**MDW-08**” referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

BK Beck

Signature of witness

Bethan Beck (Solicitor)  
Mills Oakley  
24/240 St Georges Terrace  
Perth WA 6000

# Historical Company Extract Plus PPSR Report for BC ASSET MANAGEMENT (WA) PTY LTD

Extracted from ASIC database on 13 April 2021 06:07 PM AEST

All PPSR times are listed in Canberra time.

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001. Please advise ASIC of any error or omission which you may identify.

## Current Organisation Details

Name: BC ASSET MANAGEMENT (WA) PTY LTD  
 A.C.N: 631568628  
 A.B.N: 13631568628  
 Status: Registered  
 Registered In: WA  
 Registration Date: 11/02/2019  
 Review Date: 11/02/2022  
 Name Start Date: 11/02/2019  
 Type: Australian Proprietary Company  
 Organisation Number Type: Australian Company Number  
 Details Start Date: 11/02/2019  
 Class: Limited By Shares  
 Subclass: Proprietary Company  
 Disclosing Entity: No  
 Registered charity: No

## Organisation Address

Status	Address Type	Address	Start Date - End Date	Doc Number
Current	Registered Office	THOMAS MEDWIN & ASSOCIATES PTY LTD SUITE 12 LEVEL 2 83 MILL POINT ROAD SOUTH PERTH WA 6151	11/02/2019 -	0EHF01410
Current	Principal Place of Business	[REDACTED]	11/02/2019 -	0EHF01410

## Organisation Officers

Role	Officer Details	Address	Appointment Date - Cease Date	Court Details	Doc Number
Current Director	CHRISTOPHER MICHAEL BROWN Date of Birth: [REDACTED] Place of Birth: [REDACTED] A	[REDACTED]	11/02/2019 -		0EHF01410
Former Director	[REDACTED] Date of Birth: [REDACTED]	[REDACTED]	11/02/2019 - 16/03/2021		0EHF01410

Appointment of secretary is optional. In the event no secretary is appointed the director(s) assume the responsibilities under the Law

## Share Structure

Status	Share Class	No. Issued	Amount Paid	Amount Unpaid	Doc Number
Current	ORD ORDINARY SHARES	120	\$120.00	\$0.00	0EHF01410

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

## Shareholders

Status	Class	No. Held	Beneficially Fully Paid Held	Shareholder Details	Document Number
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Status	Class	No. Held	Beneficially Held	Fully Paid	Shareholder Details	Document Number
Current	ORD	60	No	Yes	SILVERLIGHT HOLDINGS PTY LTD SUITE 12 LEVEL 2 83 MILL POINT ROAD SOUTH PERTH WA 6151 ACN: 136599169	0EHF01410
Current	ORD	60	Yes	Yes	CHRISTOPHER MICHAEL BROWN [REDACTED]	0EHF01410

## PPSR Registration Summary

Type	ACN	Name	ABN
Security Interests	2	0	0
Commercial Registrations	2	0	0

## Collateral Summary

Type	ACN	Name	ABN
All pap no except	2	0	0

## PPSR Registrations: By ACN

Registration Number	Start Date	End Date	Collateral	Is PMSI?	Secured Party Name	Is Registration Migrated?
202102080028782	8/02/2021 01:05:27 PM	8/02/2028 11:59:59 PM	All pap no except - All present and after-acquired property - No exceptions		1. TUBKAAK PTY LTD ACN 131941154	No
202102080029704	8/02/2021 01:15:41 PM	8/02/2028 11:59:59 PM	All pap no except - All present and after-acquired property - No exceptions		1. TONMAN HOLDINGS PTY LTD ACN 131947174	No

## Registrations

## REGISTRATION: 202102080028782

## Registration Summary

Registration Number: 202102080028782  
 Change Number: 64369648  
 Registration Type: Security interest  
 Is Registration Transitional?: No  
 Is Registration Migrated?: No  
 Is Subordinate?: No  
 Start Time: 8/02/2021 01:05:27 PM  
 Change Time: 8/02/2021 01:05:27 PM  
 End Time: 8/02/2028 11:59:59 PM

## Collateral Summary

Collateral Type: Commercial  
 Collateral Class: All pap no except  
 Class Description: All present and after-acquired property - No exceptions

## Grantors

Grantor Number	Identifier
1	BC ASSET MANAGEMENT (WA) PTY LTD ACN 631568628

## Change History

Number	Type	Date
64369648	Create	8/02/2021 01:05:27 PM

## Secured Party Group

Secured Party #	Name	Identifier
1	TUBKAAK PTY LTD	ACN 131941154

## Address for Service

Addressee: Kim Hayman  
 E-mail: [REDACTED]  
 Mailing Address: PO Box 173, Mount Hawthorn, 6915, WA, AUSTRALIA

REGISTRATION: 202102080029704

## Registration Summary

Registration Number: 202102080029704  
 Change Number: 64369819  
 Registration Type: Security interest  
 Is Registration Transitional?: No  
 Is Registration Migrated?: No  
 Is Subordinate?: No  
 Start Time: 8/02/2021 01:15:41 PM  
 Change Time: 8/02/2021 01:15:41 PM  
 End Time: 8/02/2028 11:59:59 PM

## Collateral Summary

Collateral Type: Commercial  
 Collateral Class: All pap no except  
 Class Description: All present and after-acquired property - No exceptions

## Grantors

Grantor Number	Identifier
1	BC ASSET MANAGEMENT (WA) PTY LTD ACN 631568628

## Change History

Number	Type	Date
64369819	Create	8/02/2021 01:15:41 PM

## Secured Party Group

Secured Party #	Name	Identifier
1	TONMAN HOLDINGS PTY LTD	ACN 131947174

## Address for Service

Addressee: Kim Hayman  
 E-mail: [REDACTED]  
 Mailing Address: PO Box 173, Mount Hawthorn, 6915, WA, AUSTRALIA

## PPSR Registrations: By Name

No registrations exist.

## PPSR Registrations: By ABN

No registrations exist.

## Documents

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
370	370 Notification By Officeholder of Resignation or Retirement	2	17/03/2021	18/03/2021	17/03/2021	2EDK85856

Form Code	Description	# of pages	Received	Processed	Effective	Doc Number
201	201C Application For Registration as a Proprietary Company	3	11/02/2019	11/02/2019	11/02/2019	0EHF01410

**Contact Address for ASIC use only**

Note: The Address for ASIC Company Communications is for ASIC use only to correspond with the company. ASIC will forward notices such as the company statement, invoice statements and other correspondence where requested to this address.

Status	Address	Start Date - End Date	Doc Number
Current	PO BOX 901 SOUTH PERTH WA 6951	12/02/2019 -	

No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as “**MDW-09**” referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021



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Signature of witness

Bethan Beck (Solicitor)  
Mills Oakley  
24/240 St Georges Terrace  
Perth WA 6000



## ABN Lookup

# Current details for ABN 56 402 904 617

### ABN details

Entity name:	The Trustee for CMB Investments 1993 Family Trust
ABN status:	Active from 05 Apr 2017
Entity type:	Discretionary Investment Trust
Goods & Services Tax (GST):	Not currently registered for GST
Main business location:	WA 6155

### Deductible gift recipient status

Not entitled to receive tax deductible gifts

ABN last updated: 07 Apr 2017

Record extracted: 13 Apr 2021

### Disclaimer

The Registrar makes every reasonable effort to maintain current and accurate information on this site. The Commissioner of Taxation advises that if you use ABN Lookup for information about another entity for taxation purposes and that information turns out to be incorrect, in certain circumstances you will be protected from liability. For more information see [disclaimer](#).



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

No. WAD 59 of 2021

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as "**MDW-10**" referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

*BK Beck*

\_\_\_\_\_  
Signature of witness

*Bethan Beck (Solicitor)  
Mills Oakley  
24/240 St Georges Terrace  
Perth WA 6000*



26 March 2021

Mills Oakley  
ABN: 51 493 069 734

**URGENT AND CONFIDENTIAL**

Our ref: NXMM//8094162

All correspondence to:  
Perth St Georges Tce Post Shop  
PO Box 5784  
ST GEORGES TCE WA 6831  
**DX 95 Perth**

HopgoodGanim Lawyers  
Level 28, Allendale Square  
77 St Georges Tce  
PERTH WA 6000

**Contact**  
Stephanie Gan +61 [REDACTED]  
Email: [REDACTED]  
Fax: +61 8 6167 9898

**By Email:** [REDACTED] &  
[REDACTED]

**Partner**  
Nirupa Manoharan + [REDACTED] 44  
Email: [REDACTED]  
[REDACTED] u

**Attention: Leith Ayres & Cal Doran**

Dear Colleagues

**In the matter of Christopher Michael Brown ([REDACTED]) & CMB Investments 1993 Pty Ltd (ACN 618 397 925) (Company) (together, the "Estate")**

1. We refer to the orders made by Justice Jackson of the Federal Court of Australia on 25 March 2021 (**Orders**). In particular, we refer to Order 9 of the Orders which provides that *"the respondents must provide all assistance reasonably required by the Receivers to effect these orders"*.
2. At 10:15am on Thursday, 25 March 2021 Haylee Brown of your office sent our office an email in which your office confirmed your instructions of the assets held by your clients. That email stated, with respect to Macquarie Bank Limited (**Macquarie**), that Mr Brown had "<109m" and with respect to National Australia Bank Limited (**NAB**) that Mr Brown had "<200m".
3. Whilst a somewhat odd way to classify sums held in an account, we understand that your email intended to convey that Mr Brown held an account or accounts with Macquarie and that account or accounts were likely to hold around \$109 million and similarly Mr Brown held an account or accounts with NAB and that account or accounts were likely to hold around \$200 million.
4. We **enclose** an email received from Macquarie by our office at 10:53am today, which relevantly states as follows (emphasis added):  
  
"Please be advised **we did not identify any open accounts in the name of the entities**. The account quoted in your correspondence is closed."
5. The Receivers have also been verbally advised by NAB that Mr Brown's accounts with it hold in total \$0.97.
6. We and the Receivers are most alarmed by these findings, particularly in light of your email to our office yesterday.

**NOTICE**

The information contained in this email/facsimile is confidential and intended only for the use of the addressee and it may also be privileged. If you are not the intended recipient, any use, disclosure or copying is prohibited. If you have received this email/facsimile in error, please telephone the sender and return it by mail to the sender.

7. Accordingly, we confirm that the Receivers urgently require, as a result of the above findings and pursuant to Order 9 of the Orders, the following items and information to be delivered by your clients for the purpose of locating documents and information relevant to the receivership property:
  - (a) computers / laptops;
  - (b) USB storage devices;
  - (c) hard drives;
  - (d) list of passwords, whether known or commonly used by your clients to access password protected documents that may be stored on the above;
  - (e) mobile phones set to flight mode upon delivery (to prevent remote wiping after delivery);
  - (f) tablet devices set to flight mode upon delivery (to prevent remote wiping after delivery);
  - (g) details of any cloud storage account, virtual environments or online file transfer utilities used in relation to the betting/investment operations;
  - (h) any passwords, pins, swipe codes or other credentials required to access the above;
  - (i) details of any databases or accounting/financial systems used in relation to the betting/investment operations, and credentials required to access them;
  - (j) SD or sim cards;
  - (k) any CD, DVD, blu-ray or other digital media used that may relate to the betting/investment operations;
  - (l) betting account information;
  - (m) bank account information;
  - (n) computer, bank account and betting log-in information; and
  - (o) any other documents/devices, whether printed/hard copy or electronically stored, containing information in relation to the betting/investment operations of your clients, (together, the **Receivership Property Items**).
8. Whilst the Receivers require all of the Receivership Property Items to be delivered to them, as a **matter of priority** and to prevent any delay, please arrange for your clients to deliver to your office by **no later than 10am on Monday, 29 March 2021**, the following items and information listed at paragraphs 7(a) to 7(h) above.
  - (a) computers / laptops;
  - (b) USB storage devices;
  - (c) hard drives;
  - (d) list of passwords, whether known or commonly used by your clients to access password protected documents that may be stored on the above;
  - (e) mobile phones set to flight mode upon delivery (to prevent remote wiping after delivery);
  - (f) tablet devices set to flight mode upon delivery (to prevent remote wiping after delivery);
  - (g) details of any cloud storage account, virtual environments or online file transfer utilities used in relation to the betting/investment operations; and
  - (h) any passwords, pins, swipe codes or other credentials required to access the above.

9. To alleviate any concerns by your clients, we have set out below the usual return time of the items requested as a matter of priority at paragraph 8 above:
  - (a) mobile phones, table devices and USB storage devices – if received in the morning, same day return. If received in the afternoon, next day return; and
  - (b) computers / laptops and hard drives – next day return depending on size.
10. Please confirm when your clients have delivered the items and information requested as a matter of priority at paragraph 8 above and we will arrange for collection by the Receivers accordingly.
11. Please also arrange for delivery of the remaining Receivership Property Items by **no later than 5pm on Tuesday, 30 March 2021** and confirm once delivered so we can arrange for collection by the Receivers of the same following.
12. My clients reserve all of their rights should your clients choose to not comply with this request on a voluntary basis.

Yours sincerely



**NIRUPA MANOHARAN**  
**PARTNER**  
*Enc*



## Stephanie Gan

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**From:** Macquarie Client Contact Centre <transact@macquarie.com>  
**Sent:** Friday, 26 March 2021 10:53 AM  
**To:** Justin Daly; Nirupa Manoharan  
**Subject:** [SAQ-95820]: URGENT AND CONFIDENTIAL - FREEZING ORDERS - Fletcher & Ors v Christopher Michael Brown & CMB Investments 1993 Pty Ltd Federal Court of Australia proceedings WAD 59 of 2021 (Proceedings)

Dear Nirupa and Justin

**Fletcher & Ors v Christopher Michael Brown & CMB Investments 1993 Pty Ltd  
 Federal Court of Australia WAD 59 of 2021 (Proceedings)  
 Your Ref: NXMM/NXMM/8093267  
 Our Ref: SAQ-95820**

Thank you for your correspondence dated 19 March 2021 and the provision of freezing orders in this matter relating to the following entities:

- (a) Christopher Michael Brown (██████████)
- (b) CMB Investments 1993 Pty Ltd (ACN 618 397 925) (Company)

We confirm the freezing orders have been received and noted.

Please be advised we did not identify any open accounts in the name of the entities. The account quoted in your correspondence is closed.

If you require further information, please contact me on **1800 806 310** quoting **SAQ-95820**.

Yours sincerely

**Bronwyn Cunningham** | Case Manager |  
 Legal and Regulatory Notices | Banking and Financial Services | Macquarie Group  
 T Adviser Services 1800 808 508 (+61 7 3233 8137) | Client Services 1800 806 310 (+61 7 3233 8136)  
 F 1800 550 140 (+61 7 3233 5499)  
[www.macquarie.com](http://www.macquarie.com)

At Macquarie, we're all working flexibly during this time. For me, this means I sometimes work flexible hours to best manage my current work and life priorities. Please do not feel obliged to read, respond to or action this message outside of your preferred hours.



**From:** Justin Daly (██████████) >  
**Sent:** Friday, 19 March 2021 2:42 PM  
**To:** adviser@macquarie.com  
**Cc:** Nirupa Manoharan <██████████>; Stephanie Gan <██████████>; Sarah Lo <██████████>; Clare Miles <██████████>  
**Subject:** URGENT AND CONFIDENTIAL - FREEZING ORDERS - Fletcher & Ors v Christopher Michael Brown & CMB



Investments 1993 Pty Ltd Federal Court of Australia proceedings WAD 59 of 2021 (Proceedings)

**Importance:** High

ATTENTION: THE PROPER OFFICER

Dear Sir/Madam

Please see **attached**, by way of service and for your urgent attention, our letter to you of today's date together with a copy of the orders of Jackson J dated 18 March 2021 in Federal Court of Australia proceedings WAD 59 of 2021.

Please confirm receipt of this email and that the attached orders have been actioned as required.

Regards

Justin Daly | Senior Associate | Commercial Disputes & Insolvency

**MILLS OAKLEY**

MELBOURNE | SYDNEY | BRISBANE | CANBERRA | PERTH

+61 [REDACTED] Direct

+61 8 6167 9898 Fax

Level 24, 240 St Georges Terrace, Perth WA 6000

**BEWARE OF SCAMMERS:**

A sophisticated email scam is targeting law firms and their clients. We have been advised that scammers have intercepted emails with bank account details so they can substitute their own account number.

If you have received an email purporting to be from us with our Bank Account details for the transfer of funds, please confirm these details with us first by contacting the lawyer in charge of this matter by telephone before purporting to make any transfer or deposit of funds into our Bank Account. Otherwise, we accept no responsibility for any loss or damage arising from any electronic transfers or deposits made by you that are not received into our Bank Account.

This email message and any attachments are confidential and may contain legally privileged information. You should not read, copy, use or disclose it without authorisation. If received in error, please contact us at once by return email and then delete all emails and attachments. You should check this email for viruses or defects. Our liability is limited to resupplying any affected message and attachments. Any personal information in this email must be handled in accordance with the Privacy Act 1988 (Cth).

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[www.macquarie.com/disclosures](http://www.macquarie.com/disclosures)

No. WAD 59 of 2021

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

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

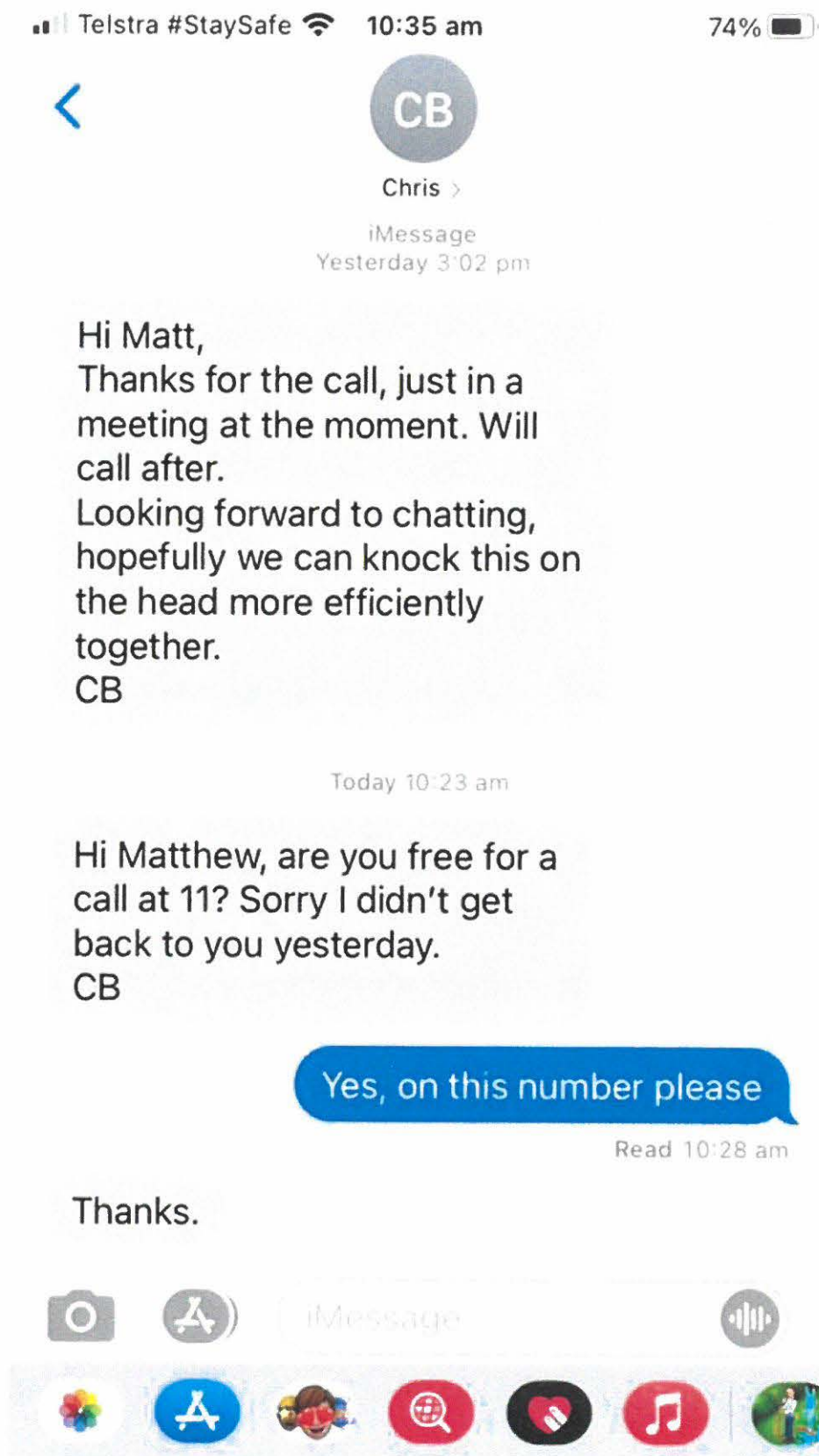
**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as “**MDW-11**” referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021



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Signature of witness



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

No. WAD 59 of 2021

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

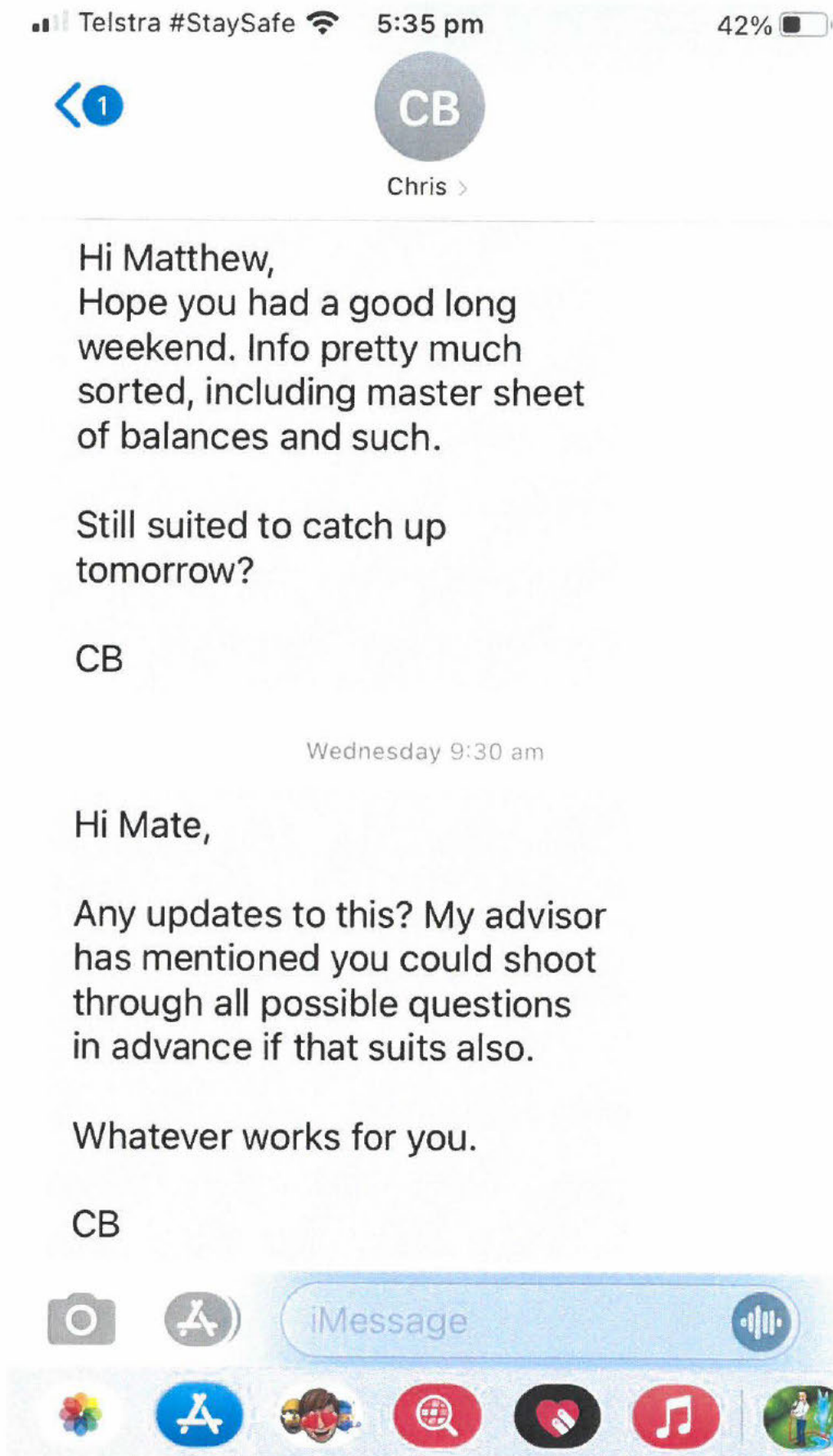
**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as "**MDW-12**" referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

*BkBeck*

\_\_\_\_\_  
Signature of witness

Bethan Beck (Solicitor)  
Mills Oakley  
24/240 St Georges Terrace  
Perth WA 6000





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

No. WAD 59 of 2021

**ADAM NICHOLAS IAN FLETCHER AND OTHERS**

Applicants

**CHRISTOPHER MICHAEL BROWN AND ANOTHER**

Respondents

**CERTIFICATE OF EXHIBIT**

This is the exhibit marked as "MDW-13" referred to in the affidavit of **Matthew David Woods** sworn on 20 April 2021

*BK Beck*

\_\_\_\_\_  
Signature of witness

Bethan Beck (Solicitor)  
Mills Oakley  
24/240 St Georges terrace  
Perth WA 6000

