

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 2/05/2022 5:17:36 PM AEST 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: Concise Statement
File Number: NSD1220/2020
File Title: AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION v
MELISSA LOUISE CADDICK & ANOR
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF
AUSTRALIA



Sia Lagos

Dated: 2/05/2022 5:25:54 PM AEST

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.

Concise Response: Anthony Koletti



No. NSD 1220 of 2020

Federal Court of Australia

District Registry: New South Wales

Division: Commercial and Corporations

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

MELISSA LOUISE CADDICK and ANOR

Defendants

This Concise Statement is filed in accordance with Order 10 made on 24 February 2022.

In response to the Concise Statement filed by Anthony Koletti, the Receivers respond as follows:

1. If Melissa Caddick is deceased, there is no jurisdiction for section 79 of the *Family Law Act 1975* (Cth), being the sole basis on which Anthony Koletti asserts his entitlement to assets of Melissa Caddick.
2. If Melissa Caddick is not deceased, and noting that section 90AD of the *Family Law Act* extends the definition of “property” to include a debt owed by a party to a marriage, there will be no property, capable of being the subject of an alteration in interest in Anthony Koletti’s favour, due to the significant debts owed by Melissa Caddick, presently estimated to be in excess of \$23 million.

Date: 2 May 2022

Filed on behalf of	BRUCE GLEESON & DANIEL ROBERT SOIRE in their capacity as
Prepared by	joint and several receivers of the property of Melissa Caddick
Law firm	Michael Kevin Hayter
Tel	02 9233 5544
Email	mkh@swaab.com.au
Address for service	Level 4, 20 Hunter Street, Sydney NSW 2000
(include state and postcode)	

A handwritten signature in black ink, appearing to read "Michael Hayter". The signature is written in a cursive style with a long horizontal stroke at the end of the name.

Signed by Michael Kevin Hayter
Solicitor for the Applicants