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Form 59
Rule 29.02(1)

Affidavit

No. NSD616/2021

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

Westpac Banking Corporation ABN 33 007 457 141 and another named in the Schedule
Applicants

Forum Finance Pty Limited ACN 153 301 172 and others named in the Schedule
Respondents

Affidavit of: Chandana Roshan Kumaragamage
Address: Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000
Occupation: Head of Legal Technology
Date: 4 February 2022

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I, Chandana Roshan Kumaragamage of Collins Arch 447 Collins Street Melbourne VIC 3000, Legal Technology Specialist, solemnly and sincerely affirm and declare:

- I am the Head of Legal Technology at MinterEllison.
- I make this affidavit from my own knowledge, except where otherwise indicated.
- I hold a Bachelor of Laws from the University of Western Sydney.

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
Prepared by (name of person/lawyer)	Andrew John Clarke		
Law firm (if applicable)	MinterEllison		
Tel (02) 9921 8888	Fax	02 9921 8123	
Email	caitlin.murray@minterellison.com		
Address for service (include state and postcode)	Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000 Our reference: CMM:AGS:1353397		

Version 3 form approved 02/05/2019

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4. I have worked in legal technology, specialising in electronic discovery, since 2008.
5. I have led MinterEllison's Legal Technology team since November 2017.
6. I have significant experience advising, running, supervising and managing the legal technology of large scale litigation. This legal technology includes electronic document review tools and databases, the extraction of documents and electronic materials from third parties and the processing of those documents and materials for upload into a document review platform. I also have familiarity with the coding of documents obtained from third parties.
7. I have worked with MinterEllison's primary document review tool, Nuix Discover (**Nuix**) since 2008.
8. Nuix is a document review tool used to host, review, tag, redact and produce or discover client or third party documents. Nuix is most commonly used for electronic discovery or to review documents to be produced pursuant to, or received in response to, a notice to produce or subpoena.
9. In or about July 2021, MinterEllison's Legal Technology team set up a Nuix database to host the documents relevant to these proceedings on behalf of the Applicants (**Case Database**).
10. MinterEllison's Legal Technology team is responsible for administration of the Case Database, which includes processing and uploading documents from their original format into Nuix and into the Case Database.

Document IDs and Party Codes

11. When a document is uploaded to the Case Database it is allocated a unique document identifier (**Document ID**). Document IDs follow a consistent format, as set out in the Federal Court's default document management guidelines for electronic discovery (Technology and the Court Practice Note, GPN-TECH). The first three letters of a Document ID are the **Party Code**, which typically identifies the source or party producing the document.
12. Party Codes are assigned at the point of processing and upload into Nuix and cannot be changed without considerable rework.
13. MinterEllison's Legal Technology team has allocated Party Codes to each document set that has been received in the proceedings and added to the Case Database. A document set is a particular tranche of material from one particular source, for example, documents produced by a particular entity in response to a subpoena. The Code has

been allocated based on the source of the documents, which information has been obtained from, or confirmed with, solicitors working on these proceedings at MinterEllison.

14. Annexed and marked 'A' is a schedule detailing the Party Codes allocated by MinterEllison to material in the Case Database, together with the source of those documents and the party from whom those documents were received.
15. These codes are displayed in Nuix in a data field called "Document Source". MinterEllison's Legal Technology team has reconciled the Document Source values against the list of Party Codes in Annexure A.
16. Various documents within the Case Database were provided to MinterEllison's Legal Technology Team by members of McGrathNicol's data management team including Victoria Larkin, Sara Deady, Chen Ji and Anisha Karel. These documents had unique document IDs associated with McGrathNicol's document management platform which followed the naming convention 'FOR.00000000' (where I refer to the numbers following the letters 'FOR' these numbers vary based on the individual document, with each document having a unique document ID).
17. Where documents sourced from McGrathNicol's document management platform have been subsequently uploaded to the Case Database they been allocated unique document IDs that are different to the McGrathNicol document IDs referred to at paragraph 16 above for the purpose of the Case Database. As outlined in Annexure A, the document IDs allocated to 'FOR.' documents received from McGrathNicol that are now hosted in the Case Database are:
 - (a) 'MCN';
 - (b) 'FGF.5000.0002'; and
 - (c) 'FOG.1000.0001';

Deduplication

18. The documents under a Party Code in Nuix reflect the whole set of documents received from that source, except where documents have been de-duplicated.
19. Deduplication is an automated process applied to documents at processing and upload to Nuix. The digital contents of each document is converted to a unique fingerprint using an MD5 algorithm. Documents will have the same MD5 value only if they are exact digital copies.

20. At the processing and upload stage, deduplication automatically identifies whether an exact digital copy of a document already exist in Nuix. If a copy already exists, the document is not loaded a second time. Instead, the existing document is updated to reflect any new information, such as a second Document Source.
21. As a result of deduplication, a document from one source may be identified by a Party Code of a different source, if an exact copy of the document had already been processed into Nuix. This is common for emails sent from one source to another, in which case the email sent within one source set is a digital copy of the email received in a different source set. Another common example is when a document is distributed to and saved by multiple custodians.
22. Deduplication is a commonly accepted process in electronic discovery to manage costs and to minimise document burden. The benefits from deduplication increase significantly as the number of sources of documents in the proceedings increase. MinterEllison's approach to deduplication is consistent with the Federal Court's default document management guidelines for electronic discovery.

Sworn by the deponent
at Sydney in New South Wales
on 4 February 2022

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)
)
)
)



Signature of deponent

Before me:

Alana Stephanie Giuseppina Galasso

Solicitor
Level 40, Governor Macquarie Tower, One Farrer
Place, Sydney NSW 2000



Signature of witness

Solicitor
Level 40, Governor Macquarie Tower, 1 Farrer
Place NSW 2000.

And as a witness, I certify the following matters concerning the person who made this affidavit (the deponent) in accordance with the requirements of section 27 of the *Oaths and Affirmations Act 2018* (VIC):

1. The affidavit was signed or initialled by the deponent by an electronic signature.
2. I witnessed the deponent signing a copy of this affidavit by electronic signature in real time.
3. I attest or otherwise confirm witnessing the deponent's electronic signature over audio visual link.
4. I have used an electronic copy of the affidavit in completing the jurat requirements under section 26 of the *Oaths and Affirmations Act 2018* (VIC).
5. I have confirmed the deponent's identity using the following identification document:

Drivers Licence **Confidential**

Signature of witness



Schedule of Parties

No. NSD616/2021

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

Applicants

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

Respondents

First Respondent Forum Finance Pty Limited (in liquidation) ACN 153 301 172
 Second Respondent: Basile Papadimitriou
 Third Respondent Vincenzo Frank Tesoriero
 Fourth Respondent: Forum Group Financial Services Pty Ltd (provisional liquidators
 appointed) ACN 623 033 705
 Fifth Respondent: Forum Group Pty Ltd (Receivers Appointed) (in liquidation) ACN
 153 336 997
 Sixth Respondent: Forum Enviro Pty Ltd (provisional liquidators appointed)
 ACN 168 709 840
 Seventh Respondent: Forum Enviro (Aust) Pty Ltd (provisional liquidators appointed) ACN
 607 484 364
 Eighth Respondent 64-66 Berkeley St Hawthorn Pty Ltd ACN 643 838 662
 Ninth Respondent 14 James Street Pty Ltd (in liquidation) ACN 638 449 206
 Tenth Respondent 26 Edmonstone Road Pty Ltd (in liquidation) ACN 622 944 129
 Eleventh Respondent 5 Bulkara Street Pty Ltd (in liquidation) ACN 630 982 160
 Twelfth Respondent 6 Bulkara Street Pty Ltd (in liquidation) ACN 639 734 473
 Thirteenth Respondent 23 Margaret Street Pty Ltd ACN 623 715 373
 Fourteenth Respondent 1160 Glen Huntly Road Pty Ltd ACN 639 447 984
 Fifteenth Respondent 14 Kirwin Road Morwell Pty Ltd ACN 641 402 093
 Sixteenth Respondent Canner Investments Pty Ltd ACN 624 176 049
 Seventeenth Respondent 123 High Street Taradale Pty Ltd ACN 639 872 512
 Eighteenth Respondent 160 Murray Valley Hwy Lake Boga Pty Ltd ACN 641 392 921
 Nineteenth Respondent 31 Ellerman Street Dimboola Pty Ltd ACN 641 392 887
 Twentieth Respondent 4 Cowslip Street Violet Town Pty Ltd ACN 639 872 352
 Twenty-First Respondent 55 Nolan Street Maryborough Pty Ltd ACN 641 392 912
 Twenty-Second Respondent 89 Betka Road Mallacoota Pty Ltd ACN 641 393 179

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

This page and the following 2 pages constitute "Annexure A" referred to in the affidavit of Chandana Roshan Kumaragamae sworn before me on 4 February 2022

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Alana Stephanie Giuseppina Galasso
Solicitor
An Australian Legal Practitioner within the meaning of the
Legal Profession Uniform Law (NSW)

Annexure "A"

Federal Court of Australia Proceedings NSD616/2021 – Westpac Banking Corporation & Anor v Forum Finance Pty Ltd & Ors

MinterEllison Nuix Database (the 'Case Database') List of Codes

Current as at 4 February 2022

Code	Description
AFS	AFSH Nominees Pty Ltd material produced in packet S15 in response to the subpoena issued on 29 July 2021
AMX	American Express material produced in packet S20 in response to the subpoena issued on 4 August 2021
ANZ	Australian and New Zealand Banking Group material produced packets S17, S36, S38, S48 and S54 in response to the subpoenas issued on 29 July 2021 and 2 November 2021
ASK	Aksara Holdings Pty Ltd material produced in packets S39 and S50 in response to the subpoena issued on 6 September 2021
BCI	Buxton (Oakleigh) Commercial & Industrial Pty Ltd in packet S55 response to the subpoena issued on 23 November 2021
CBA	Commonwealth Bank of Australia material produced in packet S24, S7, S30, S42 and S61 in response to the subpoenas issued on 29 July 2021, 6 September 2021, 29 September 2021 and 23 November 2021.
COL	Materials provided to Westpac by Coles
COR	Materials produced informally by the solicitors of the Receivers of Forum Group Pty Ltd, Cornwalls, in response to the subpoena issued to Forum Group Pty Ltd in July 2021 prior to Forum Group Pty Ltd's joinder to proceedings)
DEV	Devnul Investments Pty Ltd material produced in packet S10 in response to the subpoena issued on 29 July 2021
DHA	Department of Home Affairs material produced in packet S9 in response to the subpoena issued on 29 July 2021
EQW	Materials provided to Westpac by EQWE Pty Ltd (extracted by CYTER)
FEA	Forum Enviro (Aust) Pty Ltd materials produced in response to the subpoena issued on 12 July 2021 (pre-joinder to proceedings) – produced informally to the parties by Hilton Bradley Lawyers on behalf of former administrators, Mackay Goodwin.
FGF.5000.0001	Forum Group Financial Services Pty Ltd material produced in response to the subpoena issued on 12 July 2021 (pre-joinder to proceedings) – produced informally to the parties by Hilton Bradley Lawyers on behalf of former administrators, Mackay Goodwin
FGF.5000.0002	Materials provided to Westpac by the Liquidators of the Forum Group of Companies McGrathNicol
FOE	Forum Enviro Pty Ltd material produced in response to the subpoena issued on 12 July 2021 (pre-joinder to proceedings) – produced informally

	to the parties by Hilton Bradley Lawyers on behalf of former administrators, Mackay Goodwin
FOG.5000.0001	Forum Group Pty Ltd material produced in response to the subpoena issued on 12 July 2021 (pre-joinder to proceedings) – produced informally to the parties by Hilton Bradley Lawyers on behalf of former administrators, Mackay Goodwin
FOG.1000.0001	Materials provided to Westpac by the Liquidators of the Forum Group of Companies McGrathNicol
FMA	Fort Matilda Pty Ltd material produced in packets S49 and S53 in response to the subpoenas issued on 29 September 2021 and 19 October 2021
GRY	Grays (Vic) Pty Limited material produced informally to MinterEllison on 14 December 2021, 15 December 2021 and 1 February 2022 in response to the subpoena issued on 6 December 2021 (Grays (Vic) Pty Limited produced packets S64 and SS70)
JAF	JAF Nominees Pty Ltd material produced in packet S32 in response to the subpoenas issued on 6 September 2021 and 9 September 2021
JOH	John Hunt material produced in packet S63 in response to the subpoena issued on 6 December 2021
JUD	Judo Bank material produced in packets S21, S52 and S56 in response to the subpoenas issued on 29 July 2021 and 23 November 2021
LAS	Lasky Oakleigh Industrial Pty Ltd material produced in packet S44 in response to the subpoena issued on 29 September 2021
LAT	La Trobe financial material produced in packets S31 and S41 in response to the subpoenas issued on 6 September 2021 and 29 September 2021,
LEN	Lending Association material produced in packet S43 in response to the subpoena issued on 29 September 2021
MAC	Macrovue Pty Ltd material produced in packets S26, S33 and S35 in response to subpoenas issued on 23 August 2021 and 9 September 2021
MCN	Materials provided on 25 October 2021 by the Liquidators of the Forum Group of Companies
MGN	Mackay Goodwin material produced in relation to s 70-45 IPSC request for pre-appointment consultation with Bill Papas
MIR	Mirvac Birkenhead Point Marina Pty Ltd material produced in packet S11 in response to the subpoena issued on 29 July 2021
NAB	National Australia Bank material produced in packets S1, S3, S4, S5, S12, S14, S16, S27, S28, S37, S40 and S58 in response to the subpoenas issued on 2 July 2021, 29 July 2021, 20 September 2021 and 23 September 2021 and pursuant to Bankers Trust Production orders
NAT	Material produced informally to MinterEllison on 6 October 2021 by SFL Lawyers on behalf of Natave Pty Ltd in response to the subpoena issued on 29 September 2021 (Natave produced packets S46 and S47)
OAK	Oakleigh Industrial Pty Ltd material produced in packet S45 in response to the subpoena issued on 29 September 2021
PAB	Pacific Blue Pty Ltd material produced informally to MinterEllison on 6 August 2021 (which was shared with all parties in the proceedings via

	sharefile on 6 August 2021) in response to the subpoena issued on 29 July 2021
PCT	Perpetual Corporate Trust Limited material produced in packet S8 in response to the subpoena issued on 29 July 2021
PLA	Placelea Pty Ltd material produced in packet S51 in response to the subpoena issued on 29 September 2021
ROA	NSW Roads and Maritime Services material produced in packet S23 in response to the subpoena issued on 23 August 2021
ROT	Rothsay Chartered Accountants material produced in packets S2, S18 and S34 in response to the subpoenas issued on 2 July 2021 and 29 July 2021
SEC	Search Order Electronic Copies – material provided by CYTER following search order collection exercise and keyword narrowing down of documents
SOH	Search Order Hardcopy material collected at the premises of Forum Finance Pty Ltd in Sydney and Brisbane
THI	Think Tank Group Pty Ltd material produced in packet S22 in response to the subpoena issued on 25 August 2021
TRA	Victorian Department of Transport material produced in packet S25 in response to the subpoena issued on 23 August 2021
VIN	Vincenzo Tesoriero material produced in packets S19 in response to notices to produce issued on 27 July 2021
VVE	Viva Energy material produced in packets S57 and S60 in response to the subpoena issued on 23 November 2021
WBC	Westpac Banking Corporation – files provided by Westpac
WES	Westpac Banking Corporation – files provided by Westpac

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 4/02/2022 4:26:03 PM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
File Number: NSD616/2021
File Title: WESTPAC BANKING CORPORATION ABN 33 007 457 141 & ANOR v
FORUM FINANCE PTY LIMITED (IN LIQUIDATION) ACN 153 301 172
& ORS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF
AUSTRALIA



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

Dated: 4/02/2022 4:32:17 PM AEDT

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

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