

NOTICE OF FILING**Details of Filing**

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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".

Registrar

Important Information

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

The date of the filing of the document is determined pursuant to the Court's Rules.

Form 59
Rule 29.02(1)



Affidavit

No. 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 others named in the Schedule

Respondents

Affidavit of: Caitlin Maria Murray

Address: Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000

Occupation: Solicitor

Date: 2 February 2023

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I, Caitlin Maria Murray of Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000, Solicitor, say on oath:

1. I am a partner of the firm of solicitors, MinterEllison and the solicitor for the first applicant, Westpac Banking Corporation (**WBC**) and the second applicant Westpac New Zealand Limited (WNZL) (together, **Westpac**)

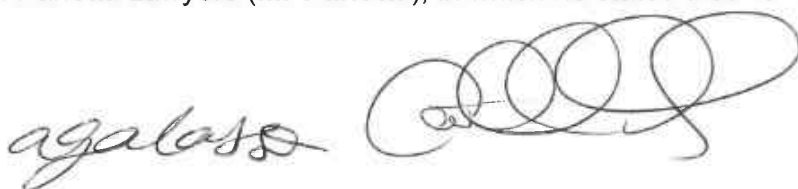
2. Exhibited to me at the time of swearing this affidavit is a paginated bundle of documents marked 'Exhibit CMM-30' (**CMM-30**). Throughout this affidavit I make reference to documents which appear at CMM-30.
3. References to time in this affidavit are to Australian Eastern Standard Time.
4. In this affidavit I have set out the means by which Westpac has sought to, and has, served documents filed in this proceeding.
5. Annexed to this affidavit and marked "**A**" is a table summarising correspondence with certain of the respondents, including the method and date of the relevant communication (**Table of Service**).

Service of *Originating Court Documents and Freezing Order Materials* on Mr Basile Papadimitriou (Mr Papas)

6. In accordance with order 3(b) of the Orders made by this Court on 28 June 2021, at approximately 3.35pm on 28 June 2021, I sent an email to the second respondent, Mr Papas, to bpapas@forumgroup.com.au, attaching by way of service a copy of the following documents in these proceedings:
 - (a) the Orders;
 - (b) the interlocutory application filed on 28 June 2021;
 - (c) the originating application filed 28 June 2021;
 - (d) the affidavit of Nicholas Antony O'Brien sworn 27 June 2021;
 - (e) the affidavit of Geoffrey Keith Anderson sworn 28 June 2021;
 - (f) the first affidavit of Caitlin Maria Murray sworn 28 June 2021;
 - (g) the second affidavit of Caitlin Maria Murray sworn 28 June 2021;
 - (h) the transcript of hearing on 28 June 2021; and
 - (i) the written submissions filed 28 June 2021,
 (the **Papas Service Email**). A copy of the Papas Service Email (excluding its attachments) is at page 1 of CMM-30.

Mr Papas' appearance and steps taken in the Proceeding

7. On 1 July 2021 at 3.28pm, I received an email from Mr Rocco Panetta, the Principal of Panetta Lawyers (**Mr Panetta**), in which he stated that he had been



instructed to act for Mr Papas in these proceedings. A copy of this email is at page 2 of CMM-30.

8. On 8 July 2021 at 9.08pm I was copied to an email from Mr Panetta attaching a stamped copy of a Notice of Address for Service and a Notice of Acting - Appointment of a Lawyer on behalf of Mr Papas in these proceedings. A copy of this email (including its attachments) is at pages 3 to 6 of CMM-30.
9. As set out in the Service Table, Mr Papas appeared by his solicitors and counsel at the case management hearings and interlocutory hearings on 2, 7, 15, 22, 28 and 30 July 2021 and on 22 September 2021.
10. On 19 July 2021, an affidavit of Mr Rocco Panetta was filed on behalf of Mr Papas in the proceeding. I have not included a copy of that affidavit in CMM-30.
11. On 30 July 2021, three affidavits of Mr Papas were filed in the proceeding. I have not included a copy of those affidavits in CMM-30.
12. On 27 September 2021, Mr Panetta filed a Notice of Ceasing to Act, a copy of which is at pages 7 to 8 of CMM-30.

Service of the Applicants' Amended Pleadings on Mr Papas

13. In accordance with the orders made on 15 July 2021, on 21 July 2021, Westpac filed its statement of claim dated 21 July 2021 and a Further Amended Originating Application dated 21 July 2021. Those documents were served on Mr Papas by email from Mr Anthony Sommer (**Mr Sommer**), a solicitor of MinterEllison under my employ, to Mr Panetta at r.panetta@panetta.com.au sent on 21 July 2021 at 6.04pm. I was copied to that email. A copy of that email (excluding its attachments) is at page 9 of CMM-30.
14. In accordance with the orders made on 30 July 2021, on 11 August 2021, Westpac filed its Amended Statement of Claim dated 10 August 2021 and Second Further Amended Originating Application dated 10 August 2021. Those documents were served on Mr Papas by email from Mr Sommer to Mr Panetta at r.panetta@panetta.com.au sent on 11 August 2021 at 10.07am. I was copied to that email. A copy of that email (excluding its attachments) is at page 10 of CMM-30.



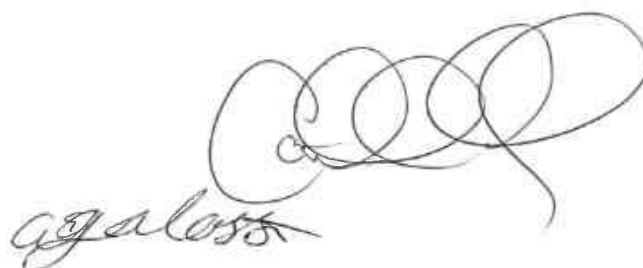
15. In accordance with the orders made on 22 September 2021, on 23 September 2021, Westpac filed its Further Amended Statement of Claim dated 23 September 2021 and Third Further Amended Originating Application dated 23 September 2021. Those documents were served on Mr Papas by email from Mr Andrew Clarke (**Mr Clarke**), a solicitor of MinterEllison under my employ, to Mr Panetta at r.panetta@panetta.com.au sent on 23 September 2021 at 4:51pm. I was copied to that email. A copy of that email (excluding its attachments) is at page 11 of CMM-30.
16. In accordance with the orders made on 20 October 2021, on 5 November 2021 Westpac filed:
 - (a) the Fourth Further Amended Originating Application (**4FAOA**); and
 - (b) the Applicants' Second Further Amended Statement of Claim (**2FASOC**).
17. On 11 November 2021 at 12:53pm, I caused Mr Clarke to send an email to the Respondents, attaching sealed copies of the 4FAOA and the 2FASOC. As set out in the service table, this email was sent to, among other email addresses, the email address "law@panetta.com.au". A copy of this email (excluding its attachments) and to which I was copied, is at page 12 of CMM-30.
18. On 15 February 2022 at 11:11am, I caused Alana Galasso (**Ms Galasso**), a solicitor of MinterEllison under my employ, to send an email to the Respondents serving the Applicants' Fifth Further Amended Originating Application. A copy of this email (excluding its attachment) is at page 13 of CMM-30. As set out in the Table of Service, this email was sent to, among other email addresses, the email address "law@panetta.com.au".
19. On 14 December 2022 at 5:43pm, I caused Mr Sommer to send an email to the Respondents serving unsealed copies of:
 - (a) the Applicants' Sixth Further Amended Originating Application (**6FAOA**); and
 - (b) the Addendum to the 2FASOC.
20. On 15 December 2022 at approximately 10:20am, I caused Kate Cockburn (**Ms Cockburn**), a solicitor of MinterEllison under my employ, to send an email to the Respondents serving sealed copies of the 6FAOA and the Addendum to the

2FASOC. A copy of the emails sent on 14 December 2022 and 15 December 2022 (excluding their attachments) are at pages 14 to 15 of CMM-30. As set out in the Table of Service, this email was sent to, among other email addresses, the email address "law@panetta.com.au".

21. In addition to the above, further steps were taken to send various documents to Mr Papas via the Greek Telephone Number and to his former solicitor, Rebekah Giles, as required by the orders made on 10 March 2022. Those steps are referenced in the Table of Service.

Service on Ms Agostino

22. Louisa Agostino (**Ms Agostino**) was joined to the proceedings on 5 November 2021, when the 4FAOA and the 2FASOC were filed.
23. Following an application for short service, on 25 January 2022, Westpac sought and obtained freezing orders against Ms Agostino. A copy of the freezing orders was emailed to the email address loulou1743@gmail.com by Ms Cockburn. A copy of the email to Ms Agostino (excluding its attachments) is at page 16 of CMM-30.
24. A copy of the orders was also sent by me to Jonathan Harris of Harris Friedman Lawyers in accordance with the orders. A copy of that email (excluding its attachments) is at page 17 of CMM-30.
25. On 1 February 2022, Robert Ishak of William Roberts Lawyers filed a Notice of Appearance on behalf of Ms Agostino.
26. On 2 February 2022 at approximately 5.20pm, I received an email from Mr Raymond Makko of William Roberts Lawyers in which he stated that he had been instructed to act for Ms Agostino in these proceedings, acknowledged receipt of the 4FAOA, and to which he attached an unsealed copy of the Notice of Acting – Appointment of Lawyer form.
27. On 2 February 2022 at approximately 7.11pm, I caused Ms Cockburn to send an email to Mr Makko attaching a copy of the 2FASOC. A copy of this email chain (without the 2FASOC) dated 2 February 2022 is at pages 18 to 19 of CMM-30.



28. On 10 March 2022, I attended an interlocutory hearing in connection with the freezing orders against Ms Agostino. Mr Ishak appeared on behalf of Ms Agostino at that time.
29. On 4 May 2022, Ms Agostino filed a defence in the proceeding, a copy of the which is at pages A.I.812-A.I.816 (MIN.5000.0006.1087) of the Court Book.
30. On 9 August 2022, Mr Ishak filed a Notice of Ceasing to Act. On 19 August 2022 substituted service orders were made permitting service on Ms Agostino in the proceedings by email to the email address lagostino1743@gmail.com, being the email address advised by Mr Ishak in his Notice of Ceasing to Act.

Service on Mr Bouchahine

31. Moussa (Tony) Bouchahine (**Mr Bouchahine**) was joined to the proceedings on 5 November 2021, when the 4FAOA and the 2FASOC were filed.
32. On 2 December 2021, Elias Tabchouri of Macquarie Law Group filed a Notice of Appearance on behalf of Mr Bouchahine.
33. On 1 December 2021 at approximately 1.33pm, Mr Sommer received an email from Samir Karnib (**Mr Karnib**) of Macquarie Law Group, attaching a letter that amongst other points, acknowledged receipt of the materials served on Mr Bouchahine. A copy of this email and its attachment is at pages 20 to 21 of CMM-30.
34. On 3 December 2021 at approximately 1.01pm, I was copied to an email from Mr Karnib attaching a sealed Notice of Acting – Appointment of Lawyer form. A copy of this email (excluding its attachment) is at page 22 of CMM-30.
35. On 7 February 2022, Mr Bouchahine filed a defence in the proceeding, a copy of which is at pages A.I.801-A.I.811 (MIN.5000.0006.1082) of the Court Book.
36. On 15 September 2022, Mr Tabchouri filed a Notice of Ceasing to Act.
37. On 29 December 2022 at approximately 11.35am, I received an email from Samantha Langan (**Ms Langan**) of Francom Legal stating that they had received instructions to act on behalf of Mr Bouchahine in these proceedings and acknowledging receipt of the draft Court Book on 2 December 2022.
38. At 11.44am on 29 December 2022 I responded to that email, following which I caused Ms Cockburn to send an email to Ms Langan providing a link to the



updated court book. A copy of this email chain (excluding its attachments) is at pages 23 to 24 of CMM-30.

39. On 16 January 2023, Elias El-Khoury of Francom Legal filed a Notice of Acting on behalf of Mr Bouchahine. A copy of the email dated 17 January 2023 serving the notice, and the notice, are at pages 25 to 30 of CMM-30.

Service on Greek Companies

40. By orders made on 7 December 2021, leave was granted to serve the 4FAOA and 2FASOC in accordance with the Hague Convention on the following entities located in Greece:
- (a) Mazcon Investments Hellas IKE (**Mazcon**) (twenty-seventh Respondent);
 - (b) Iugis Hellas IKE (forty-second Respondent);
 - (c) Iugis Energy SA (forty-third Respondent);
 - (d) D&D Group O.E (forty-eighth Respondent); and
 - (e) Aromatika Fyta Tsai Olympou Theion Ike (**Theion Ike**)(forty-ninth Respondent).
41. Theion Ike was served with copies of the 4FAOA and 2FASOC on 17 August 2022. A copy of the certificate of service dated 22 August 2022 is at pages 31 to 32 of CMM-30.
42. The relevant authorities in Greece were unable to effect service on Mazcon. However, by orders made on 22 December 2022, the 4FAOA and 2FASOC were deemed to have been served on Mazcon on or before 23 August 2022. A copy of these orders is at pages A.V.41-A.V.46 (MIN.5000.0029.1551) of the Court Book.
43. The relevant authorities in Greece were unable to serve D&D Group O.E on the basis that, according to the local Tax Office, the company "D&D Group O.E" is not registered in their records. A copy of the certificate of service dated 26 August 2022, stating the same, is at page 33 of CMM-30.
44. I have been informed by Christos Paraskevopoulos, a partner in the Greek law firm Bernitsas, located at 5 Lykaittou Street, Athens, Greece and verily believe that based on searches he has conducted, D&D Group O.E was liquidated and dissolved in December 2021.



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45. The relevant authorities in Greece were unable to serve Iugis Energy SA on the basis that the addressee was unknown at the address given. A copy of the certificate of service dated 14 September 2022, stating the same, is at page 34 to 36 of CMM-30.
46. The relevant authorities in Greece were unable to serve Iugis Hellas IKE on the basis that the recipient was unknown at the given address. A copy of the certificate of service dated 24 August 2022, stating the same, is at page 37 of CMM-30.
47. On 9 March 2022, Iugis Hellas IKE went into liquidation. Mr Vasileios Papadimitriou (i.e. Mr Papas) was appointed as liquidator of the company. A copy of a certificate from the Thessaloniki Chamber of Commerce and Industry Department of Registry/GEMI Service dated 15 December 2022 (in both Greek and English) is at pages 38 to 40 of CMM-30.

Correspondence with Liquidators in relation to petrol station entities

48. On 16 December 2022, Paul Allen (Mr Allen) and Glenn Franklin (Mr Franklin) of PKF Melbourne were appointed as liquidators of the following entities which are respondents to the proceedings, together the **Petrol Station Entities**:

Respondent No.	Entity
Fifteenth	14 KIRWIN ROAD MORWELL PTY LTD (IN LIQUIDATION) ACN: 641 402 093
Seventeenth	123 HIGH STREET TARADALE PTY LTD (IN LIQUIDATION) ACN: 639 872 512
Eighteenth	160 MURRAY VALLEY HWY LAKE BOGA PTY LTD (IN LIQUIDATION) ACN: 641 392 921
Nineteenth	31 ELLERMAN STREET DIMBOOLA PTY LTD (IN LIQUIDATION) ACN: 641 392 887
Twentieth	4 COWSLIP STREET VIOLET TOWN PTY LTD (IN LIQUIDATION) ACN: 639 872 352
Twenty-First	55 NOLAN STREET MARYBOROUGH PTY LTD (IN LIQUIDATION) ACN: 641 392 912
Twenty-Second	89 BETKA ROAD MALLACOOTA PTY LTD (IN LIQUIDATION) ACN: 641 393 179
Twenty-Fourth	9 MAIN STREET DERRINALLUM PTY LTD (IN LIQUIDATION) ACN: 639 872 736
Twenty-Sixth	275 HIGH STREET GOLDEN SQUARE PTY LTD (IN LIQUIDATION) ACN: 639 870 545

49. On 20 December 2022 at approximately 5.05pm, I sent an email to Mr Allen and Mr Franklin expressing Westpac's intention to seek an order pursuant to section

471B of the *Corporations Act 2001* (Cth) granting Westpac leave to proceed with the proceedings as against the Petrol Station Entities, and attaching draft short minutes of order seeking the same. A copy of this email and the letter attachment (only) is at pages 41 to 44 of CMM-30.

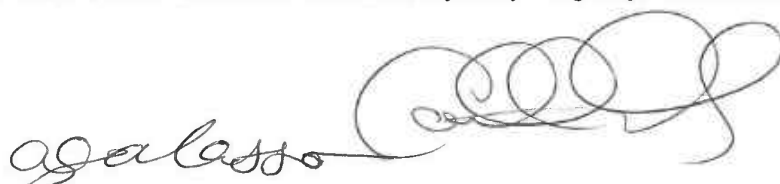
50. On 23 December 2022, I received an email from Mr Mike Chenoweth of Aitken Partners, solicitors for the liquidators of the Petrol Station Entities. This email attached a letter of the same date indicating the liquidators consent to Westpac's proposed orders. A copy of this email and its attachment are at pages 45 to 47 of CMM-30.
51. By orders made on 24 January 2023, Westpac was granted leave pursuant to s471B of the *Corporations Act 2001* (Cth) to proceed against the Petrol Station Entities. These orders also excused the Petrol Station Entities from taking any further steps in the proceedings. An employee of Aitken Partners with email anicol@aitken.com.au was copied to the email from Justice Cheeseman's Associate attaching the 24 January 2023 orders.

Other entities

52. On 31 January 2023, I was copied to an email from Nikolas Kalcic of Aptum Legal stating that they were instructed to cease acting for 1160 Glen Huntly Road Pty Ltd ACN 639 447 984 and Mangusta (VIC) Pty Ltd ACN 631 520 682, the Fourteenth and Thirty-Ninth Respondents. A copy of this email is at page 48 of CMM-30.

Notice of the Final Hearing Date

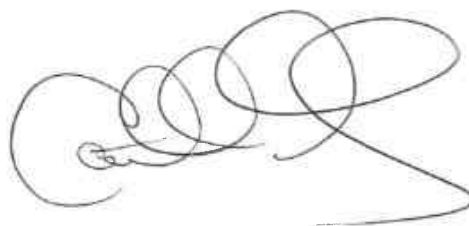
53. On 2 December 2022 at approximately 4.55pm, I caused Ms Galasso to send an email that, amongst other items, confirmed that the proceedings had been set down for trial commencing 6 February 2023. A copy of that email (excluding its attachment)s is at pages 49 to 50 of CMM-30. Ms Agostino and Mr Bouchahine were each recipients of this email, and the email was also sent to law@panetta.com.au.
54. On 5 December 2022 at approximately 2.44pm, I caused Claire Latham, a solicitor of MinterEllison under my employ, to send an email to Rebekah Giles, Ms Agostino and Mr Bouchahine confirming that the proceedings were listed for final hearing in the Federal Court of Australia, Sydney Registry, commencing on 6



February 2023 and running for a period of three weeks. A copy of this email is at page 51 of CMM-30. Again, this email was copied to law@panetta.com.au.

Service of the Applicants' Section 50 Summaries

55. Pursuant to Orders made on 10 March 2022, the Applicants prepared section 50 summaries for the purposes of s 50(2) of the *Evidence Act 1995 (Cth)* (**Section 50 Summaries**). I caused a number of emails to be sent serving these Section 50 Summaries on the Respondents.
56. On 15 July 2022 at approximately 5.00pm, I caused Ms Galasso to send the first of these emails to the Respondents serving the Applicants' Section 50 Summaries, noting that additional Section 50 Summaries would follow. A copy of this email (excluding its attachments) is at page 52 to 53 of CMM-30.
57. On 30 November 2022 at 2.07pm, I caused Ms Galasso to send an email serving the Respondents with a full and final set of the Applicants' Section 50 Summaries. A folder of annotated Section 50 Summaries "hyperlinked" to the underlying evidence that had been summarised in the relevant summary, together with the relevant documents was included in the file accessible through the download link provided in the email. A copy of this email (excluding the documents contained in the download link) is at page 54 of CMM-30.
58. On 16 December 2022 at 3:57pm, I caused Ms Cockburn to send an email to the Respondents providing a hyperlinked and paginated copy of the electronic court book. A copy of this email is at page 55 of CMM-30.
59. Each of the emails referred to above were sent to Mr Bouchahine, Ms Agostino and law@panetta.com.au.
60. A copy of the hyperlinked and paginated court book as referred to in paragraph 57 was also sent to Ms Giles via email, and to Mr Papas via the Greek Phone Number on 19 December 2022.

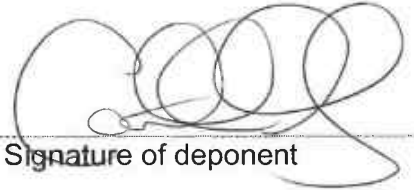


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Sworn by the deponent
at Sydney
in New South Wales
on 2 February 2023

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Signature of deponent



Before me:


Signature of witness
Alana Stephanie Giuseppina Galasso
Solicitor
Level 40, Governor Macquarie Tower, 1
Farrer Place NSW 2000.

As a witness, I certify the following matters concerning the person who made this affidavit (**deponent**):

1. I saw the face of the deponent.
2. I observed the deponent signing a copy of this affidavit.
3. I attest or otherwise confirm witnessing the deponent's signature by signing this affidavit.
4. I have known the deponent for over twelve months.

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 (in liquidation) ACN 623 033 705
Fifth Respondent:	Forum Group Pty Ltd (Receivers Appointed) (in liquidation) ACN 153 336 997
Sixth Respondent:	Forum Enviro Pty Ltd (in liquidation) ACN 168 709 840
Seventh Respondent:	Forum Enviro (Aust) Pty Ltd (in liquidation) ACN 607 484 364
Eighth Respondent:	64-66 Berkeley St Hawthorn Pty Ltd (in liquidation) 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 (in liquidation) ACN 623 715 373
Fourteenth Respondent:	1160 Glen Huntly Road Pty Ltd ACN 639 447 984
Fifteenth Respondent:	14 Kirwin Road Morwell Pty Ltd (in liquidation) ACN 641 402 093
Sixteenth Respondent:	Canner Investments Pty Ltd (in liquidation) ACN 624 176 049
Seventeenth Respondent:	123 High Street Taradale Pty Ltd (in liquidation) ACN 639 872 512
Eighteenth Respondent:	160 Murray Valley Hwy Lake Boga Pty Ltd (in liquidation) ACN 641 392 921
Nineteenth Respondent:	31 Ellerman Street Dimboola Pty Ltd (in liquidation) ACN 641 392 887
Twentieth Respondent:	4 Cowslip Street Violet Town Pty Ltd (in liquidation) ACN 639 872 352
Twenty-First Respondent:	55 Nolan Street Maryborough Pty Ltd (in liquidation) ACN 641 392 912
Twenty-Second Respondent:	89 Betka Road Mallacoota Pty Ltd (in liquidation) ACN 641 393 179
Twenty-Third Respondent:	9 Gregory Street Ouyen Pty Ltd (in liquidation) ACN 641 392 707
Twenty-Fourth Respondent:	9 Main Street Derrinallum Pty Ltd (in liquidation) ACN 639 872 736
Twenty-Fifth Respondent:	286 Carlisle Street Pty Limited (in liquidation) ACN 610 042 343
Twenty-Sixth Respondent:	275 High Street Golden Square Pty Ltd (in liquidation) ACN 639 870 545
Twenty-Seventh Respondent:	Mazcon Investments Hellas IKE
Twenty-Eighth Respondent:	Palante Pty Ltd ACN 135 344 151 (in liquidation)
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 (in liquidation) ACN 161 088 115
Thirty-Ninth Respondent	Mangusta (Vic) Pty Ltd ACN 631 520 682
Fortieth Respondent	193 Carlisle Street Enterprises Pty Ltd (in liquidation) ACN 612 615 237
Forty-First Respondent	8-12 Natalia Ave Oakleigh Pty Ltd (in liquidation) 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 Tsai Olympou Theion Ike
Fiftieth Respondent	A Giamouridis P.C., with the distinctive title "GIAMOURIDIS INDUSTRIAL WORKSHOP" in the Greek Commercial Registry

'A'

This page and the following 8 pages constitute 'Annexure A' referred to in the affidavit of Caitlin Maria Murray sworn before me on 2 February 2023



Alana Stephanie Giuseppina Galasso
Solicitor

An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (NSW)

Table of Service – 2 February 2023

	Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
1.	Basile Papadimitriou ¹ (Second Respondent)	<p>01.07.21 – Rocco Panetta (Panetta Lawyers)</p> <p>Court appearances:</p> <ul style="list-style-type: none"> 2 July 2021 (Mr Hourigan) 7 July 2021 (Mr Hourigan) 9 July 2021 (Mr Hourigan) 15 July 2021 (Mr Johnson and Ms E. Glover) 22 July 2021 (Mr Johnson) 28 July 2021 (Mr Johnson) 30 July 2021 (Mr Johnson) 22 September 2021 (Mr Panetta) 	<p>16.09.21 – Rocco Panetta (Panetta Lawyers)</p> <p>Substituted Service Orders: various iterations of substituted service orders have been made with respect to BP, including on 01.10.21, 20.10.21, and 10.03.22. The 10 March Orders provide for service on BP by: (a) email to law@panetta.com.au; WhatsApp message to the BP Greek Telephone Number; and by email to rebekah@companygiles.com.au.</p> <p><u>Contempt Orders</u>: On 20 October 2021, the Court charged Mr Papas with contempt, found that he was likely to withdraw from the jurisdiction of the court, and issued a warrant for his arrest and detention. Substituted service orders were made in the WBC proceeding son 20 October 2021 in connection with the service of the contempt documents. [Note: sub-service orders made in SMBC</p>	<ul style="list-style-type: none"> Initial Court Documents: In accordance with order 3(b) of the Orders made on 28 June 2021, at approximately 3.35pm on 28 June 2021, an email was sent to Mr Papas at bpapas@forumgroup.com.au, providing the following: <ul style="list-style-type: none"> (a) the Orders (which include a freezing order made against Mr Papas); (b) the interlocutory application filed on 28 June 2021; (c) the originating application filed 28 June 2021; (d) the affidavit of Nicholas Antony O'Brien sworn 27 June 2021; (e) the affidavit of Geoffrey Keith Anderson sworn 28 June 2021; (f) the first affidavit of Caitlin Maria Murray sworn 28 June 2021; (g) the second affidavit of Caitlin Maria Murray sworn 28 June 2021; (h) the transcript of hearing on 28 June 2021; and (i) the written submissions filed 28 June 2021. 2FASOC: Unsealed copy served via email on 5.11.21 at 6:46pm. Sealed copy served on 11.11.21 at 12:53pm (law@panetta.com.au) Lay Evidence: email sent on 04.02.22 at 6:55pm (sent to law@panetta.com.au) 5FAOA: email sent on 15.02.22 at 11:11am (law@panetta.com.au) 6FAOA: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am (law@panetta.cpm.au). Addendum to the 2FASOC: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am (law@panetta.com.au)

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			proceedings at this time for service on Papas.]	<ul style="list-style-type: none"> ▪ <u>Opening Submissions</u>: by email on 15 September 2022 at 9.37pm (law@panetta.com.au). ▪ <u>Notice of Final Hearing Date</u>: email from Associate to Justice Thawley on 14.10.22 at 10:32am attaching orders of 14.10.22 (law@panetta.com.au). Email sent to law@panetta.com.au on 02.12.22 at 4.55pm confirming final hearing date. WhatsApp message sent to Mr Papas (Greek Telephone Number) on 30.11.22 advising final hearing date. Additional email sent to Ms Giles at rebekah@companygiles.com.au on 05.12.22 at 2.44pm confirming final hearing date. ▪ <u>Section 50 Summaries</u>: By various emails from 15 July 2022. Final set of tender and hyperlinked copies served via email on 30 November 2022 at 2.07pm (law@panetta.com.au, to Ms Giles via email at rebekah@companygiles.com.au and to Mr Papas via WhatsApp to the Greek Telephone Number) ▪ <u>Court Book</u>: <ul style="list-style-type: none"> ○ Index provided by email to law@panetta.com.au and rebekah@companygiles.com.au on 02.12.22 at 4.55pm. ○ Hyperlinked and paginated copy sent via email to law@panetta.com.au on 16.12.22 at 3.57pm; via email to rebekah@companygiles.com.au on 19.12.22 at 1:38pm; and via text to Mr Papas (Greek Telephone Number) on 19.12.22 at 1:19pm. ○ The Court Book was also provided to Ms Giles at rebekah@companygiles.com.au by email on 19 December 2022 at 1.36pm. Copies of the 6FAOA, Addendum to the 2FASOC and Opening Submissions were included in the Court Book
2.	1160 Glen Huntly Road Pty Ltd ACN 639 447 984 (Fourteenth Respondent)	09.03.22 – Madgwicks 10.08.22 – Nigel Evans (Aptum Legal)		<ul style="list-style-type: none"> ▪ <u>2FASOC</u>: Unsealed copy served via email on 5.11.21 at 6:46pm. Sealed copy served on 11.11.21 at 12:53pm via email to various Madgwicks lawyers, including Sazz.Nasimi@madgwicks.com.au. ▪ <u>Lay Evidence</u>: email sent on 04.02.22 at 6:55pm to Sazz.Nasimi@madgwicks.com.au.

	Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
		<p>Defence filed 20 April 2022.</p> <p>On 31 October 2022, Aptum (by email) indicated that a consolidated defence would be filed in respect of various corporate respondents, including 1160 Glen Huntly Road Pty Ltd, This is yet to be filed.</p> <p>On 31 January 2021, Aptum (by email) advised that they were instructed to cease acting for this respondent.</p>		<ul style="list-style-type: none"> ▪ <u>5FAOA</u>: email sent on 15.02.22 at 11:11am to Sazz.Nasimi@madgwicks.com.au. ▪ <u>6FAOA</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am to nikolas@aptumlegal.com.au. ▪ <u>Addendum to the 2FASOC</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am to nikolas@aptumlegal.com.au. ▪ <u>Opening Submissions</u>: by email on 15 September 2022 at 9.37pm to nikolas@aptumlegal.com.au. ▪ <u>Final Hearing Date</u>: email from Associate to Justice Thawley on 14.10.22 at 10:32am attaching orders of 14.10.22, received by nikolas@aptumlegal.com.au. Email sent to nikolas@aptumlegal.com.au on 02.12.22 at 4.55pm confirming final hearing date. ▪ <u>Section 50 Summaries</u>: By various emails from 15 July 2022 to Sazz.Nasimi@madgwicks.com.au. Final set of tender and hyperlinked copies served via email on 30 November 2022 at 2.07pm to nikolas@aptumlegal.com.au. ▪ <u>Court Book</u>: Index provided by email on 02.12.22 at 4.55pm. Hyperlinked and paginated copy sent via email on 16.12.22 at 3.57pm to nikolas@aptumlegal.com.au.
3.	<p>14 Kirwin Road Morwell Pty Ltd (in Liquidation) ACN 641 402 093 (Fifteenth Respondent)</p> <p>123 High Street Taradale Pty Ltd (in Liquidation) ACN 639 872 512 (Seventeenth Respondent)</p>	<p>09.03.22 – Madgwicks</p> <p>10.08.22 – Nigel Evans (Aptum Legal)</p> <p>November 22 – Michael Sloan (Ashurst)</p>		<ul style="list-style-type: none"> ▪ <u>2FASOC</u>: Unsealed copy served via email on 5.11.21 at 6:46pm. Sealed copy served on 11.11.21 at 12:53pm via email to various Madgwicks lawyers, including Sazz.Nasimi@madgwicks.com.au. ▪ <u>Lay Evidence</u>: email sent on 04.02.22 at 6:55pm to Sazz.Nasimi@madgwicks.com.au. ▪ <u>5FAOA</u>: email sent on 15.02.22 at 11:11am to Sazz.Nasimi@madgwicks.com.au.

Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
160 Murray Valley Hwy Lake Boga Pty Ltd (in Liquidation) ACN 641 392 921 (Eighteenth Respondent)	Aitken Partners now acts for the liquidators of these companies (Paul Allen and Glen Franklin). They have consented to leave to continue the proceedings against the Company. Defence filed 20 April 2022. On 31 October 2022, Aptum (by email) indicated that a consolidated defence would be filed in respect of various corporate respondents, including 14 Kirwin Road Morwell Pty Ltd, This is yet to be filed.		<ul style="list-style-type: none"> ▪ <u>6FAOA</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am to Ashurst. Copy sent to Aitken Partners (pallen@pkf.com.au and gfranklin@pkf.com.au) on 20.12.22 at 5.05pm. ▪ <u>Addendum to the 2FASOC</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am to Ashurst ▪ <u>Opening Submissions</u>: by email on 15 September 2022 at 9.37pm to nikolas@aptumlegal.com.au. ▪ <u>Final Hearing Date</u>: email from Associate to Justice Thawley on 14.10.22 at 10:32am attaching orders of 14.10.22 received by nikolas@aptumlegal.com.au. Email sent to Aitken Partners (pallen@pkf.com.au and gfranklin@pkf.com.au) on 20.12.22 at 5.05pm providing final hearing dates. ▪ <u>Section 50 Summaries</u>: By various emails from 15 July 2022 to Sazz.Nasimi@madgwicks.com.au. Final set of tender and hyperlinked copies served via email on 30 November 2022 at 2.07pm to nikolas@aptumlegal.com.au. ▪ <u>Court Book</u>: Index provided by email on 02.12.22 at 4.55pm. Hyperlinked and paginated copy sent via email on 16.12.22 at 3.57pm to Ashurst.
31 Ellerman Street Dimboola Pty Ltd (in Liquidation) ACN 641 392 887 (Nineteenth Respondent)			
4 Cowslip Street Violet Town Pty Ltd (in Liquidation) ACN 639 872 352 (Twentieth Respondent)			
55 Nolan Street Maryborough Pty Ltd (in Liquidation) ACN 641 392 912 (Twenty-First Respondent)			
89 Betka Road Mallacoota Pty Ltd (in Liquidation) ACN 641 393 179 (Twenty-Second Respondent)			
9 Main Street Derrinallum Pty Ltd (in Liquidation) ACN 639 872 736 (Twenty-Fourth Respondent)			

	Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
	275 High Street Golden Square Pty Ltd (in Liquidation) ACN 639 870 545 (Twenty-Sixth Respondent)			
4.	Mazcon Investments Hellas IKE (Twenty-Seventh Respondent)	<p>By orders dated 07.12.2021, leave granted to serve 4FAOA and 2FASOC in accordance with the Hague Convention at the following address: 17 Ionos Dragoumi, 54625 Thessaloniki, Greece</p> <p>By orders made on 22 December 2022, the Court deemed service to be effected on Mazcon on or before 23 August 2022.</p>		
5.	Iugis (UK) Limited (Thirty-Second Respondent)	<p>By orders dated 07.12.2021, leave granted to serve the 4FAOA and 2FASOC in accordance with the Hague Convention by sending a copy of the sealed documents by international registered post with return receipt to this address: 64 New Cavendish Street, London, United Kingdom, W1G 8TB.</p> <p>The 4FAOA, 2FASOC and 7 December 2021 orders were delivered to this address on 28 April 2022.</p> <p>Sometime after 22 April 2022, but before 29 April, it became known to us that there had been a changed in registered office address and liquidators appointed to the company. The 4FAOA and 2FASOC was delivered to the new address (Suite 3, Regency House, 91 Western Road, Brighton BN1 2NW) on 9 May 2022.</p> <p>Email sent on 29 April 2022 to Liquidators at INS-IUGUKL@alvarezandmarsal.com seeking confirmation of appointment. Email received on 4 May 2022 from ehill@alvarezandmarsal.com with confirmation of appointment. Email sent to ehill@alvarezandmarsal.com attaching the court documents and 10 March 2022 Orders.</p>		
6.	Mangusta (Vic) Pty Ltd ACN 631 520 682 (Thirty-Ninth Respondent)	06.05.22 – Madgwicks 15.08.2022 – Nigel Evans (Aptum Legal)		<ul style="list-style-type: none"> ▪ <u>2FASOC</u>: Unsealed copy served via email on 5.11.21 at 6:46pm. Sealed copy served on 11.11.21 at 12:53pm via email to various Madgwicks lawyers, including Sazz.Nasimi@madgwicks.com.au. ▪ <u>Lay Evidence</u>: email sent on 04.02.22 at 6:55pm to Sazz.Nasimi@madgwicks.com.au.

	Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
		<p>Defence filed 14 June 2022.</p> <p>On 31 October 2022, Aptum (by email) indicated that a consolidated defence would be filed in respect of various corporate respondents, including Mangusta (Vic) Pty Ltd</p> <p>On 31 January 2021, Aptum (by email) advised that they were instructed to cease acting for this respondent.</p>		<ul style="list-style-type: none"> ▪ <u>5FAOA</u>: email sent on 15.02.22 at 11:11am to Sazz.Nasimi@madgwicks.com.au. ▪ <u>6FAOA</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am to nikolas@aptumlegal.com.au. ▪ <u>Addendum to the 2FASOC</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am to nikolas@aptumlegal.com.au. ▪ <u>Opening Submissions</u>: by email on 15 September 2022 at 9.37pm to nikolas@aptumlegal.com.au. ▪ <u>Final Hearing Date</u>: email from Associate to Justice Thawley on 14.10.22 at 10:32am attaching orders of 14.10.22. ▪ <u>Section 50 Summaries</u>: By various emails from 15 July 2022 to Sazz.Nasimi@madgwicks.com.au.. Final set of tender and hyperlinked copies served via email on 30 November 2022 at 2.07pm to nikolas@aptumlegal.com.au. <p><u>Court Book</u>: Index provided by email on 02.12.22 at 4.55pm. Hyperlinked and paginated copy sent via email on 16.12.22 at 3.57pm to nikolas@aptumlegal.com.au.</p>
7.	Iugis Hellas IKE (Forty-Second Respondent)	<p>By orders dated 07.12.2021, leave granted to serve 4FAOA and 2FASOC in accordance with the Hague Convention at the following address: Giannitson 90, 54627 Thessaloniki, Greece.</p> <p>Respondent unable to be served as "the recipient is unknown at the given address".</p> <p>On 9 March 2022, Iugis Hellas IKE went into liquidation. Mr Vasileios Papadimitriou (i.e. Mr Papas) was appointed as liquidator of the company.</p>		
8.	Iugis Energy SA (Forty-Third Respondent)	<p>By orders dated 07.12.2021, leave granted to serve 4FAOA and 2FASOC in accordance with the Hague Convention at the following address: Building square 48A, Industrial Area of Thessaloniki, 57022 Sindos, Thessaloniki, Greece.</p> <p>Respondent unable to be served as "the addressee is unknown at the address given".</p>		

	Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
9.	Moussa (Tony) Bouchahine ² (Forty-Sixth Respondent)	02.12.21 – Elias Tabchouri (Macquarie Law Group) 16.01.23 – Elias El Khoury and Samantha Langan (Francom Legal) Defence filed 7 February 2022	15.09.22 – Elias Tabchouri (Macquarie Law Group)	<ul style="list-style-type: none"> ▪ <u>2FASOC</u>: Service effected by process server on 11.11.2021 at 6pm by delivering the documents to a female person apparently above the age of 16 years and residing or apparently residing at 69 Austin Avenue Croydon NSW 2132, which is Moussa Bouchahine's usual place of abode. ▪ <u>Lay Evidence</u>: email sent on 04.02.22 at 6:55pm to skarnib@mlglaw.com.au. ▪ <u>5FAOA</u>: email sent on 15.02.22 at 11:11am to skarnib@mlglaw.com.au. ▪ <u>6FAOA</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10:20am to tbouchahine@gmail.com. ▪ <u>Addendum to the 2FASOC</u>: email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10:20am to tbouchahine@gmail.com. ▪ <u>Opening Submissions</u>: by email on 15 September 2022 at 9:37pm to skarnib@mlglaw.com.au. ▪ <u>Final Hearing Date</u>: email from Associate to Justice Thawley on 14.10.22 at 10:32am attaching orders of 14.10.22 received by tbouchahine@gmail.com. Emails sent to tbouchahine@gmail.com on 02.12.22 at 4:55pm and on 05.12.22 at 2:44pm confirming final hearing dates. ▪ <u>Section 50 Summaries</u>: By various emails from 15 July 2022. Final set of tender and hyperlinked copies served via email on 30 November 2022 at 2:07pm to tbouchahine@gmail.com. ▪ <u>Court Book</u>: Index provided by email on 02.12.22 at 4:55pm. Hyperlinked and paginated copy sent via email on 16.12.22 at 3:57pm to tbouchahine@gmail.com. Provided to Francom Legal (samanthal@francomlegal.com.au) on 29.12.22 at 12:00pm.

² Last Address for Service: Last known email address is tbouchahine@gmail.com.

	Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
10.	Louisa Maria Agostino ³ (Forty-Seventh Respondent)	01.02.22 – Robert Ishak (William Roberts Lawyers) Defence filed 4 May 2022. Court appearance on 10 March 2022 (Mr Ishak)	09.08.22 – Robert Ishak (Williams Roberts Lawyers) Substituted Service Order: Orders made 19.08.22. Service effected by email to lagostino1743@gmail.com .	<ul style="list-style-type: none"> ▪ <u>Freezing Order:</u> <ul style="list-style-type: none"> ○ The following materials, amongst others, were sent to Louise Agostino via text message on 24.01.22 at 3.48pm; and via email to loulou1743@gmail.com on 24.01.22 at 3:55pm: <ul style="list-style-type: none"> ▪ Interlocutory Application for a freezing Order against Louise Agostino; ▪ Affidavit of Caitlin Murray dated 24 January 2022 and Exhibit CMM-20 to the same; ▪ Orders granting leave to file the interlocutory application and supporting evidence with short service. ○ Notice of listing of the interlocutory application sent to Louise Agostino via email to loulou1743@gmail.com on 24.01.22 at 6:52pm. ○ Orders dated 25 January 2022 (containing the Freezing Order against Louise Agostino) emailed to loulou1743@gmail.com by his Honour Justice Lee's Associate, Sebastian King, on 25.01.22 at 9:28pm. ▪ <u>2FASOC:</u> email sent to William Roberts Lawyers (raymond.makko@williamroberts.com.au) on 02.02.2022 at 7.11pm. ▪ <u>Lay Evidence:</u> email sent on 04.02.22 at 6:55pm (William Roberts Lawyers) ▪ <u>5FAOA:</u> email sent on 15.02.22 at 11:11am (William Roberts Lawyers) ▪ <u>6FAOA:</u> email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am. ▪ <u>Addendum to the 2FASOC:</u> email sent on 14.12.22 at 5:43pm; sealed copies provided via email on 15.12.22 at 10.20am.

³ By orders dated 07.12.2021, leave was granted to serve the 4FAOA and 2FASOC in accordance with the Hague Convention at the following address: D1 located at 11 Megalou Alexandrou Avenue, Thessaloniki Greece or D2 located at 1 Lytra Street, Thessaloniki, Greece. Service via the Hague convention was not necessary as William Roberts Lawyers came on the record.

	Respondent Name	Appearance/s Filed	Notice of Ceasing to Act / Substituted services orders	Service Materials – items we have served
				<ul style="list-style-type: none"> ▪ <u>Final Hearing Date</u>: Emails sent to lagostino1743@gmail.com on 02.12.22 at 4.55pm and on 05.12.22 at 2.44pm confirming final hearing dates. ▪ <u>Section 50 Summaries</u>: Final set of tender and hyperlinked copies served via email to lagostino1743@gmail.com on 30 November 2022 at 2.07pm. ▪ <u>Court Book</u>: Index provided by email on 02.12.22 at 4.55pm. Hyperlinked and paginated copy sent via email on 16.12.22 at 3.57pm (lagostino1743@gmail.com).
11.	D&D Group O.E (Forty-Eighth Respondent)	<p>By orders dated 07.12.2021, leave granted to serve 4FAOA and 2FASOC in accordance with the Hague Convention at the following address: 35 Grigoriou E'Stre, Thessaloniki, Postal Code 54248, Greece.</p> <p>Respondent unable to be served as "unknown recipient – according to the local Tax Office, the company "D&D Group O.E." is not registered in their records."</p> <p>Westpac has been informed, by solicitors in Greece, that this entity was liquidated and dissolved in December 2021.</p>		
12.	Aromatika Fyta Tsai Olympou Theion Ike (Forty-Ninth Respondent)	<p>By orders dated 07.12.2021, leave granted to serve 4FAOA and 2FASOC in accordance with the Hague Convention at the following address: 1st KM of Regional National Road of Katerini, Thessaloniki, 60100, Katerini, Greece.</p> <p>Respondent served on 17 August 2022.</p>		