

## NOTICE OF FILING

### Details of Filing

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File Title: SOCIETE GENERALE (ABN 71 092 516 286) v FORUM FINANCE PTY LIMITED (ACN 153 301 172) & ORS  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



*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. NSD642 of 2021

Federal Court of Australia  
District Registry: New South Wales  
Division: Commercial and Corporations

### Societe Generale (ABN 71 092 516 286)

Applicant

### Forum Finance Pty Limited (ACN 153 301 172) (In Liquidation) and others named in the Schedule

Respondents

Affidavit of: Ian Timothy Bolster  
Address: Level 11, 5 Martin Place, Sydney NSW 2000  
Occupation: Solicitor  
Date: 18 October 2022

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3.	Exhibit "ITB-40", being a copy of an email from Ashurst to Panetta Lawyers, Rebekah of Company Giles and Allens serving the Court Book dated 23 September 2022	10	3

Filed on behalf of (name & role of party) Societe Generale (ABN 71 092 516 286), Applicant  
 Prepared by (name of person/lawyer) Ian Timothy Bolster  
 Law firm (if applicable) Ashurst Australia  
 Tel (02) 9258 6697 Tel (02) 9258 6697  
 Email ian.bolster@ashurst.com  
**Address for service** Ashurst Australia  
 (include state and postcode) Level 11, 5 Martin Place, Sydney NSW 2000

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4.	Exhibit " <b>ITB-41</b> ", being a copy of screenshots of the text message sent to the Greek Phone Number on 23 September 2022	11	3
5.	Exhibit " <b>ITB-42</b> ", being a copy of an email from Ashurst to Panetta Lawyers, Rebekah of Company Giles and Allens serving the First Affidavit of Service and its exhibits dated 5 October 2022	12	3
6.	Exhibit " <b>ITB-43</b> ", being a copy of screenshots of the text message sent to the Greek Phone Number on 5 October 2022	13	3

I, Ian Timothy Bolster of Level 11, 5 Martin Place, Sydney in the State of New South Wales, Solicitor, say on oath:

1. I am a partner at Ashurst, and am the solicitor for the applicant.
2. The contents of this affidavit are true and correct to the best of my knowledge and belief as at the time of swearing this affidavit.
3. The source of my knowledge of the matters set out in this affidavit are from my own knowledge or the documents that are exhibited to this affidavit.
4. I swore an affidavit in this proceeding on 9 August 2022, in which I set out the means by which the applicant has served documents on the respondents (**First Affidavit of Service**).
5. In this affidavit, I set out the means by which the applicant has served on the respondents:
  - (a) the First Affidavit of Service;
  - (b) the applicant's opening written outline of submissions (which are dated 8 September 2022); and
  - (c) the court book dated 23 September 2022 (**Court Book**), which included (among other things) the First Affidavit of Service and its exhibits (which, together with the First Affidavit of Service, were separately served on 5 October 2022) as well as the applicant's opening submissions. In this affidavit, when referring to serving the Court Book I am referring to serving all of the documents included in the Court Book, including the First Affidavit of Service and the applicant's opening submissions.
6. Unless otherwise stated, capitalised terms in this affidavit have the same meaning as in the First Affidavit of Service.

**Service on Mr Papas**

7. As set out in paragraphs 28 and 30 of the First Affidavit of Service, on 10 March 2022 and 30 May 2022 the Court made orders prescribing how the applicant was to serve any material it will rely on at the trial on Mr Papas. The effect of those orders is that documents be sent by email to law@panetta.com.au and rebekah@companygiles.com.au, and by sms to the Greek Phone Number.
8. On 8 September 2022 at 6.44pm, Ashurst sent an email serving the applicant's written outline of opening submissions to, among others, law@panetta.com.au and rebekah@companygiles.com.au. Exhibited and marked "ITB-38" is a copy of that email.
9. On 8 September 2022 at 6.38pm, I sent a message from a mobile phone number ending in 5841 to the Greek Phone Number. The message contained a link through which a zip file containing the applicant's written outline of opening submissions could be downloaded. The message was marked as "Delivered". Exhibited and marked "ITB-39" is a copy of screenshots of the sent message. The original screenshots displayed the full Greek Phone Number, which has been redacted for the purpose of exhibiting it to this affidavit.
10. On 23 September 2022 at 4.21pm, Ashurst sent an email serving the Court Book to, among others, law@panetta.com.au and rebekah@companygiles.com.au. The email contained a link through which a zip file containing the Court Book could be downloaded. Exhibited and marked "ITB-40" is a copy of that email.
11. On 23 September 2022 at 6.13pm, I sent a message from a mobile phone number ending in 5841 to the Greek Phone Number. The message contained a link through which a zip file containing the Court Book could be downloaded. The message was marked as "sent as text message". Exhibited and marked "ITB-41" is a copy of screenshots of the sent message. The original screenshots displayed the full Greek Phone Number, which has been redacted for the purpose of exhibiting it to this affidavit.
12. On 5 October 2022 at 7.22am, Ashurst sent an email serving a standalone copy of the First Affidavit of Service and its exhibits (ie just those documents themselves and not as part of the Court Book). The email contained a link through which the First Affidavit of Service and its exhibits could be downloaded. Exhibited and marked "ITB-42" is a copy of that email.
13. On 5 October 2022 at 7.30am, I sent a message from a mobile phone number ending in 5841 to the Greek Phone Number. The message contained a link through which the First Affidavit of Service and its exhibits could be downloaded. The message was marked as "sent as text message". Exhibited and marked "ITB-43" is a copy of screenshots of the sent message. The original screenshots displayed the full Greek Phone Number, which has been redacted for the purpose of exhibiting it to this affidavit.



**Service on Forum Finance and FGFS**

- 14. As set out in paragraphs 50 and 55 of the First Affidavit of Service, Allens are the solicitors for Forum Finance and FGFS.
- 15. The emails referred to in paragraphs 8, 10 and 12 above (exhibits "ITB-38", "ITB-40" and "ITB-42") were also sent to Allens.

SWORN by the deponent  
at Sydney  
in New South Wales  
on 18 October 2022  
Before me:

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)  
)  
)



Signature of deponent



Signature of witness

Carla-Rose Brett  
Solicitor  
Level 11, 5 Martin Place, Sydney NSW 2000

**Schedule**

First Respondent	FORUM FINANCE PTY LIMITED (ACN 153 301 172) (IN LIQUIDATION)
Second Respondent	BASILE PAPADIMITRIOU
Third Respondent	FORUM GROUP FINANCIAL SERVICES PTY LTD (ACN 623 033 705) (IN LIQUIDATION)