

## NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 1/07/2021 2:01:39 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: Affidavit - Form 59 - Rule 29.02(1)  
File Number: NSD642/2021  
File Title: SOCIETE GENERALE (ABN 71 092 516 286) v FORUM FINANCE PTY LIMITED (ACN 152 301 172) & ANOR  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



*Sia Lagos*

Dated: 1/07/2021 2:55:49 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.



Form 59  
Rule 29.02(1)

### Affidavit

No. of 2021

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

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

Applicant

**Forum Finance Pty Limited (ACN 153 301 172)**

First Respondent

AND


**Basile Papadimitriou (also known as Bill Papas)**


Second Respondent

Affidavit of: **GURPREET BRAR**  
Address: Level 4, 65 Pirrama Road, Pyrmont NSW 2009  
Occupation: Country Director/CEO, Veolia India  
Date: 1 July 2021

#### Contents

Document number	Details	Paragraph	Page
1	Affidavit of Gurpreet Brar in support of originating application sworn on 1 July 2021		
2	Exhibit "GB-1", being a copy of a document entitled "Notice of Assignment" allegedly between Forum Finance and	4(a)	2

  
 \_\_\_\_\_  
 Witness

  
 \_\_\_\_\_  
 Deponent

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 / Matthew Youssef  
 Law firm (if applicable) Ashurst Australia  
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**Address for service** Ashurst Australia  
 (include state and postcode) Level 11, 5 Martin Place, Sydney NSW 2000

Document number	Details	Paragraph	Page
	Veolia dated 8 March 2021.		
3	Exhibit " <b>GB-2</b> ", being a copy of a document entitled "Notice of Assignment" allegedly between Forum Finance and Veolia dated 6 May 2021.	4(b)	3
4	Exhibit " <b>GB-3</b> ", being a copy of a document entitled "Notice of Assignment" allegedly between Forum Finance and Veolia dated 24 May 2021.	4(c)	3
	Exhibit " <b>GB-4</b> ", being a copy of a document entitled "Certificate of Acceptance of Delivery" dated 1 March 2021	5(a)	3
	Exhibit " <b>GB-5</b> ", being a copy of a document entitled "Certificate of Acceptance of Delivery" dated 28 April 2021	5(b)	3
	Exhibit " <b>GB-6</b> ", being a copy of a document entitled "Certificate of Acceptance of Delivery" dated 14 May 2021	5(c)	3
5	Exhibit " <b>GB-7</b> ", being a copy of the Iugis goods leased by Veolia	13	4

I Gurpreet Brar of Level 4, 65 Pirrama Road, Pyrmont in the State of New South Wales, Country Director/CEO, say on oath:

- 1 I was the Chief Financial Officer of Veolia Environmental Services (Australia) Pty Ltd (ACN 051 316 584) (**Veolia**) from 1 Feb 2018 until 31 May 2021. Since 1 June 2021, I am the Country Director and CEO at Veolia India.
- 2 The contents of this affidavit are true and correct to the best of my knowledge and belief.
- 3 Veolia is a waste management company. As part of its business offering, it uses "waste digesters", which are waste management products that transform solid organic waste such as food, into liquid. It leases waste digesters off a company called Forum Finance Pty Limited (**Forum Finance**) (among others).
- 4 Exhibited and marked:
  - (a) "**GB-1**" is a document entitled "Notice of Assignment" allegedly between Forum Finance and Veolia dated 8 March 2021 which also attaches a Payment Schedule;

  
 \_\_\_\_\_  
 Witness

  
 \_\_\_\_\_  
 Deponent

(b) "GB-2" is a document entitled "Notice of Assignment" allegedly between Forum Finance and Veolia dated 6 May 2021 which also attaches a Payment Schedule; and

(c) "GB-3" is a document entitled "Notice of Assignment" allegedly between Forum Finance and Veolia dated 24 May 2021 which also attaches a Payment Schedule.

(collectively, **Notices of Assignment**).

5 Exhibited and marked:

(a) "GB-4" is a document entitled "Certificate of Acceptance of Delivery" dated 1 March 2021;

(b) "GB-5" is a document entitled "Certificate of Acceptance of Delivery" dated 28 April 2021.

(c) "GB-6" is a document entitled "Certificate of Acceptance of Delivery" dated 14 May 2021.

(collectively, **Certificates of Acceptance**)

6 As part of my role, I was the person at Veolia responsible for signing documents such as the Notices of Assignment and the attached Payment Schedules, when they were above the delegation of the relevant executive. I do so after obtaining confirmation from the relevant head of the business line that they, and the legal team, have approved the contract.

7 Each of the Notices of Assignment and the attached Payment Schedules were above the delegation of the relevant executive.

8 I did not sign Certificates of Acceptance as part of my role as those matters would fall within the remit of the operations/sales team under the business line accepting the delivery.

  
\_\_\_\_\_  
*Witness*

  
\_\_\_\_\_  
*Deponent*

9 Each of the Notices of Assignment:

(a) includes an "acknowledgment" for and on behalf of Veolia with a signature above my name in handwriting (and in the case of the Notice of Assignment dated 8 March 2021, my name is also handwritten); and

(b) attaches a Payment Schedule which includes an alleged agreement by Veolia with a signature above my name in handwriting on pages 2/3 and on the final page of that schedule.

10 Each of the Certificates of Acceptance also includes a purported acknowledgement, agreement and declaration by Veolia with a signature to the left of my name in handwriting.

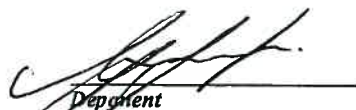
11 The signatures purporting to be mine on the Notices of Assignment and the attached payment schedules, and the Certificates of Acceptance, are not mine. My handwritten name on the Notice of Assignment dated 8 March 2021 is also not my handwriting. I did not sign or write on any of the Notices of Assignment, the Payment Schedules or the Certificates of Acceptance. I have never seen and have never been provided with any copies of the Notices of Assignment, the Payment Schedules or the Certificates of Acceptance for my signature. The first time I saw these documents was recently in the context of being asked whether the signatures appearing on them were mine.

12 The events referred to in paragraph 6 (i.e. my usual practice in dealing with documents such as the Notices of Assignment and Payment Schedules) did not happen in respect of any of the Notices of Assignment or Payment Schedules.

13 In addition, each Payment Schedule attached to the Notices of Assignment sets out a list of waste digesters said to have been supplied to Veolia, with a serial number listed for each item, and the Certificates of Acceptance, suggest that Veolia accepted that those goods had been supplied. No such goods have been delivered to Veolia, and Veolia has not entered into any contracts for the purchase/lease of those goods based on an internal review of the books and records of Veolia, and further enquiries I have made with Anthony Roderick, Chief Operating Officer – Waste for Veolia who is responsible for these activities. Each of the product descriptions in the Payment Schedules refers to an "lugis" brand waste digester. Exhibited and marked "GB-7" is a list of the only lugis goods that have been supplied to Veolia together with their serial



Witness



Deponent

