

## NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 30/07/2021 2:03:55 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: NSD616/2021  
File Title: WESTPAC BANKING CORPORATION ABN 33 007 457 141 v FORUM  
FINANCE PTY LIMITED & ORS  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF  
AUSTRALIA



*Sia Lagos*

Dated: 30/07/2021 4:29:35 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. 616 of 2021

Federal Court of Australia  
District Registry: NSW  
Division: General

### Westpac Banking Corporation

Applicant

### Forum Finance Pty Ltd (in liquidation) and others

Respondents

Affidavit of: **Basile Papadimitriou**  
Address: 23 Margaret St Rozelle New South Wales  
Occupation: Company Director  
Date: 29 July 2021

I Basile Papadimitriou, company director, say on oath:

1. I am the second respondent in this proceeding.
2. I make this affidavit in response to Annexure D, Schedule A of the freezing orders made against me by order on 28 June 2021 (as varied on 2 July 2021, 9 July 2021 and 15 July 2021, the "Orders") to provide an affidavit setting out to the best of my ability the Listed Things sought by the Applicant.
3. In making this my affidavit it is not my intention to waive any claim for legal professional privilege, privilege against self incrimination or client legal privilege that may attach to anything provided.

### Problems with access to information

4. I was informed that on 28 June 2021 search orders were executed at my place of residence in Australia and all devices with electronic storage were seized.

Filed on behalf of (name & role of party) Basile Papadimitriou, Second Respondent  
Prepared by (name of person/lawyer) Rocco Panetta, Lawyer  
Law firm (if applicable) Panetta Lawyers  
Tel 02 9159 9048 Fax 02 8572 9992  
Email law@panetta.com.au  
**Address for service**  
(include state and postcode) Level 6, 111 Elizabeth St Sydney NSW 2000

[Form approved 01/08/2011]

- 5. I do not have access to any of the Listed Things on my personal computer and lost remote access to my emails and Forum and IUGIS company servers on or about 9 or 10 July 2021.
- 6. I understand that the original location of the Listed Things is on the servers of Forum Group (including Forum Finance). I understand that this server and all documents are now under the control of the liquidators appointed to Forum Finance and other entities in the Forum group of companies.
- 7. Of the Listed Things located on that server, I understand that following has not been provided as referred to at paragraph (i) of the Orders.

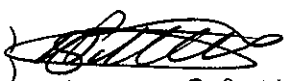
*(i) Any electronic document recording telephone calls, sms messages, whatsapp (or other electronic messaging system or platform) messages or other electronic text messages between:*

*(i) Mr Papas and Mr Price in relation to a Customer; and*

*(ii) Mr Papas and any representative of a Customer in relation to a Payment Schedule with Forum Finance.*

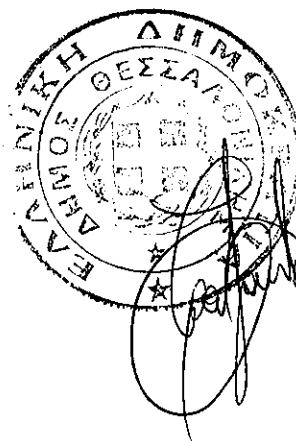
- 8. I do not have the mobile phone with the above records in my possession nor do I have a back up of those records in my possession. I believe the mobile phone with those records is either at my home at 23 Margaret St Rozelle NSW or at another property at 5 Bulkara St Wagstaffe NSW.

Sworn by the deponent  
at Thessaloniki Greece  
Before me:

)   
 ) AN 0827954  
 ) Signature of deponent  
 ) ΠΑΠΑ ΔΗΜΗΤΡΙΟΥ ΒΑΣΙΛΙΟΣ

Signature of witness

[Name and qualification of witness]



Βεβαιώνεται το γνήσιο της υπογραφής  
 του Παναγιωτή Παπαδημητρίου  
 Βασιλίου  
 διαβ. ΕΛΛ. ΑΝΟ 827954  
 Ο ΔΙΚΗΓΟΡΟΣ ΤΟΥ ΚΕΠ-2 Δ. ΘΕΣΣΑΛΟΝΙΚΗΣ  
 ΕΛΩΘ. 29/7/2021 July 27/21  
 Θεσ/νίκη  
 ΟΡΤΕΙΝΗ  
 ΤΡΑΓΑΝΤΖΟΥ  
 29 07 2021