

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 30/07/2021 2:05:27 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 4:30:03 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

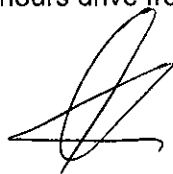
I, Basile Papadimitriou, company director, say on oath:

1. I am the Second Respondent in these proceedings.
2. I make this affidavit in response to order 8 of the freezing orders made against me by order 6 on 28 June 2021 (as varied on 2 July 2021, 9 July 2021 and 15 July 2021) to provide an affidavit setting out to the best of my ability all my assets in Australia, giving their value, location and details (including any mortgages, charges or other encumbrances to which they are subject) and the extent of my interest in the assets. I also 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 affidavit it is not my intention to waive any claim for legal professional privilege nor to waive privilege against self incrimination.

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]

4. I am informed by my solicitors and from reading media articles that the Applicant and the Court have been critical of me about the delays in providing the information sought under the freezing orders.
5. I wish to apologise to the Court for the delays in complying with the Orders. I have had difficulties with complying with the Orders due to health issues principally around contracting SARS COVID-19 during the week of 5 July 2021 where I suffered symptoms of extreme exhaustion and fever.
6. I have also been suffering from extreme anxiety and panic attacks since being served with court documents by the Applicant. It has made it extremely difficult for me to attend to the things required of me. I have been obtaining regular treatment from a health practitioner for the past 3 years in Sydney for anxiety and depression but as I am in Greece I have been unable to obtain that treatment.
7. Until recently, I have been alone in Greece and in isolation, which has been extremely difficult for me and my mental and physical health. To assist me I asked my partner to come to Greece to help me. Since her arrival my health has improved.
8. In addition to health issues, the following matters have made it difficult for me to comply with the Court orders:
 - (a) I have had limited access to technology and secure and reliable internet;
 - (b) I have an older laptop with me that has at times been unable to open large documents;
 - (c) I have no access to my accounting records and records in relation to entities such as trusts that I am associated with because my accountants will no longer assist me to obtain such records;
 - (d) on or about 9 or 10 July 2021, I lost access to my emails bpapas@forumgroup.com.au and bpapas@iugis.com.au. These emails are contained on an exchange server and are not stored on my laptop. I am unable to access past records which were stored in those emails;
 - (e) on or about 9 or 10 July 2021, I lost remote access to the servers maintained for the companies in the Forum group;
 - (f) on or about 12 or 13 July 2021 when I attempted to access my bank accounts I became aware that such access was suspended. I am presently unable to access bank accounts online to be able to provide specific information;
 - (g) I have had difficult procuring the services of a public notary in my current location as I am 3 hours drive from the next large city that has a public notary. Also due to the



summer holidays in Europe where most businesses are on holidays, it has been difficult to procure the services of a public notary.

Sworn by the deponent
at Thessaloniki Greece
Before me:



Signature of deponent

ΑΝ 032 7954

ΠΑΠΑΔΗΜΗΤΡΙΟΥ ΒΑΣΙΛΓΙΟΣ

Signature of witness

[Name and qualification of witness]



Βεβαιώνεται το γνήσιο της υπογραφή:
του ΠΑΠΑΔΗΜΗΤΡΙΟΥ
ΒΑΣΙΛΓΙΟΥ ΑΝ 032 7954
Ο υπάλληλος του ΚΩΠ-2 Δ. ΘΕΣΣΑΛΟΝΙΚΗΣ.
Δ.Ε.Σ.Π.Θ. Α.Ε.Α / Δ.Δ. Ν.Ρ.Σ.
Θεσ/νίκη 29/07/21
28 07 2021