

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 26/07/2019 7:02:15 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: NSD2191/2018
File Title: IN THE MATTER OF HALIFAX INVESTMENT SERVICES PTY LTD
(ADMINISTRATORS APPOINTED) ACN 096 980 522
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink, reading 'Warwick Soden'.

Dated: 26/07/2019 7:07:42 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.



Affidavit

No. NSD2191 of 2018

Federal Court of Australia
 District Registry: New South Wales
 Division: General

IN THE MATTER OF HALIFAX INVESTMENT SERVICES PTY LIMITED (IN LIQUIDATION)
 ACN: 096 980 522

**PHILIP ALEXANDER QUINLAN, MORGAN JOHN KELLY AND STEWART McCALLUM IN
 THEIR CAPACITIES AS JOINT AND SEVERAL LIQUIDATORS OF HALIFAX INVESTMENT
 SERVICES PTY LTD (IN LIQUIDATION) ACN 096 980 522**

Plaintiffs

Affidavit of: **Ian Phillip Sutherland**
 Address: Level 38, Three International Towers Sydney, 300 Barangaroo Avenue,
 Sydney, NSW 2000
 Occupation: Chartered Accountant
 Date: 26 July 2019

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1.	Affidavit of Ian Phillip Sutherland affirmed on 26 July 2019	1-4	1-2

I, Ian Phillip Sutherland of Level 38, Three International Towers Sydney, 300 Barangaroo Avenue, Sydney, NSW 2000 Chartered Accountant, say on oath:

- On 26 June 2019 I affirmed an affidavit in these proceedings (**First Affidavit**). I make this further affidavit primarily to correct and qualify certain matters addressed in my First Affidavit.

Filed on behalf of **Philip Alexander Quinlan and Morgan John Kelly in their capacities as joint and several liquidators of Halifax Investment Services Pty Ltd (In Liquidation), Plaintiffs**
 Prepared by **Jason Opperman and Lewis Seelenmeyer**
 Law firm **K&L Gates**
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[Form approved 01/08/2011]

2. Unless otherwise stated, undefined capitalised terms in this affidavit have the same meaning as given in my First Affidavit.

Paragraph 26(c)

3. I have noticed typographical errors in paragraph 26(c) of my First Affidavit which I wish to correct. In paragraph 26(c):

- (a) I refer to the "IB Master Account" however I ought to have referred to the "IB AU Master Account"; and
- (b) I refer to the ""IB Prop" accounts" however I ought to have referred to the "IB AU Prop Account and IB NZ Prop Account".

Paragraph 69

4. I have noticed that there are slight errors in the wording of paragraph 69 which I would like to clarify. I intended paragraph 69 to read as follows (with the amendments which in wish to make in underline):

There are a total of 11,938 ~~active clients~~ active client accounts in the Halifax Group, and there appear to have been 26,489 deposits since 2016 alone. Going back even further, there have been 24,863 deposits on the IB Platform alone since 2007. This means that the Liquidators have, as part of the specific tracing exercises referred to above, looked at approximately 0.34% of ~~clients~~ active client accounts, or approximately 0.24% of deposits since 2016.

Sworn by the deponent
at Sydney
in New South Wales
on 26 July 2019
Before me:

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)
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)
)

Signature of deponent

Signature of witness

Name of witness: Catherine Louise Crawford

Address of witness: Level 31, 1 O'Connell Street Sydney NSW 2000

Qualification of witness: Solicitor