

## NOTICE OF FILING

### Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)  
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)  
Date of Lodgment: 12/09/2024 2:46:00 PM AWST  
Date Accepted for Filing: 16/09/2024 8:51:42 AM AWST  
File Number: WAD254/2024  
File Title: REALTEK SEMICONDUCTOR CORPORATION v MARTIN JONES,  
MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMINISTRATORS OF NUHEARA LIMITED  
ACN 125 167 133 (ADMINISTRATORS APPOINTED)  
Registry: WESTERN AUSTRALIA 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.



**Affidavit**

No. of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General

**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES  
AS JOINT AND SEVERAL ADMINISTRATORS OF NUHEARA LIMITED ACN 125  
167 133 (ADMINISTRATORS APPOINTED)**

Defendants

Affidavit of: David Grant Sanders

Address: C/-Bennett, Level 14, 141 St Georges Terrace PERTH WA 6000

Occupation: Legal practitioner

Date: 5 September 2024

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Filed on behalf of: Plaintiff  
Prepared by: Bennett  
Contact: Dalitso Banda  
Our Reference: DGS:DXB:118303  
Address for service: Level 14, Westralia Square  
141 St Georges Terrace  
PERTH WA 6000  
Tel: +61 8 6316 2200  
Fax: +61 8 6316 2211  
Email: elodgment@bennettlaw.com.au

No	Details	Paragraph	Page
4	Annexure "DGS-3" being a true copy of the email correspondence from Ms Chen to David Grant Sanders dated 14 March 2024 without the attachments referred to.	10	10-12
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I, David Grant Sanders, of care of Bennett, Level 14, 141 St Georges Terrace, Perth, in the State of Western Australia, Legal Practitioner, affirm as follows:

- 1 I am a Solicitor employed by Bennett, the solicitors for the plaintiff, Realtek Semiconductor Corporation (**Realtek**).
- 2 I make this affidavit in support of Realtek's application which seeks an order to extend the time to register Realtek's security on the Personal Property Securities Register (**PPSR**) bearing registration number 202403150083941 (**Security**) to 15 March 2024 pursuant to section 588FM of the Corporations Act 2001(Act) for the purpose of section 588FL(2)(b)(iv) of the Act.
- 3 The contents of this affidavit are true and correct to my own knowledge unless otherwise stated, in which case they are true and correct to the best of my knowledge, information and belief and the source of my knowledge, information and belief is stated.
- 4 On or about 12 March 2024, I received an email sent to me and Yean-Shao Liu (also known as Leroy Liu) (**Mr Liu**) of Realtek and also a non-executive director of Nuheara Limited (ACN 125 167 133) (Administrators Appointed) (**Nuheara**) by Ms Cheryl Edwardes, the chairperson of Nuheara, advising that Nuheara had entered 'safe harbour' the previous week.

- 5 On 12 March 2024, Mr Liu's assistant Ms Winnie Hou (**Ms Hou**) arranged a Microsoft teams conference on 13 March 2024 at 3pm.
- 6 On 13 March 2024 at 3pm, Mr Liu, Ms Hou and I had a Microsoft teams conference which as I recall may have been attended by other representatives of Realtek as well. During the Microsoft teams conference I was informed that Realtek had lent money to Nuheara by way of a secured convertible note.
- 7 Following the teams discussion, I arranged a search of the PPS Register and noted that Realtek's security interest was not registered.
- 8 On 13 March 2024 at approximately 5.07pm, I sent an email to Mr Liu in which I advised that I had undertaken a PPSR search which confirmed the Realtek security was not registered and recommend that it be registered as a priority. Now produced, shown to me and marked "**DGS-1**" and annexed hereto is a true copy of my email to Mr Liu dated 13 March 2024.
- 9 On 14 March 2024 at approximately 9.04am, I sent an email to Ms Megan Chen (**Ms Chen**) of Realtek, in which I again recommended that Realtek take steps as soon as possible to register their security. Now produced, shown to me and marked "**DGS-2**" and annexed hereto is a true copy of my email to Ms Chen dated 14 March 2024 without the attachment referred to.
- 10 On 14 March 2024 at approximately 5.44pm, Ms Chen sent an email to me by which Bennett was retained and instructed by Realtek to register the security interest. A copy of the Convertible Note Subscription Agreement dated 7 September 2022 was attached to that email (**Subscription Agreement**). Now produced, shown to me and marked "**DGS-3**" and annexed hereto is a true copy of the email from Ms Chen to me dated 14 March 2024 without the attachment referred to.
- 11 On 15 March 2024, I prepared the application to register the security and provided a draft of the application under cover of an email to Ms Chen at approximately 1.44pm. Now produced, shown to me and marked "**DGS-4**" and annexed hereto is a true copy of the email from me to Ms Chen dated 15 March 2024 together with the attachment referred to.
- 12 On 15 March 2024 at approximately 2.42pm, Ms Chen sent me an email instructing Bennett to lodge the registration of the security interest. Now produced, shown to me and marked "**DGS-5**" and annexed hereto is a true copy of the email from Ms Chen to me dated 15 March 2024.





- 13 On 15 March 2024 at approximately 3.09pm, I caused the registration to be lodged. Now produced, shown to me and marked "DGS-6" and annexed hereto is a true copy of an email to me dated 15 March 2024 attaching the verification statement for the registration.
- 14 On 18 March 2024, Bennett sent a letter to Nuheara and Thomson Geer (the solicitors for Nuheara) giving notice of the verification statement as required by the PPSA. Now produced, shown to me and marked "DGS-7" and annexed hereto is a true copy of the letter dated 18 March 2024 together with the enclosure referred to.

Sworn by the deponent  
 at PERTH  
 in WESTERN AUSTRALIA  
 on 5 September 2024  
 Before me:

)  
)  
)  
)  
)



Signature of deponent



Signature of witness

THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice certificate for at least 2 years and who holds a current practice certificate

Form 59  
Rule 29.02(8)

**Annexure "DGS-1"**

No. of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General


**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMINISTRATORS OF NUHEARA LIMITED ACN 125 167 133  
(ADMINISTRATORS APPOINTED)**

Defendant

This and the following 1 page is Annexure "DGS-1" to the Affidavit of affirmed before me on  
5 September 2024.



---

THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate

File **Message** Developer Help FilePro Acrobat

Delete Archive Reply Reply All Forward Respond All Apps Move Tags Editing Immersive Translate Zoom

Nuheara

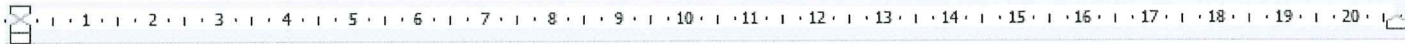


David Sanders

To: <??? <leroy@realtek.com>  
Cc: <??? <winnie.hou@realtek.com>

Reply Reply All Forward ...

Wed 13/03/2024 5:07 PM



Hi Leroy,

By way of follow up on our call:

1 Nuheara's lawyer wants to discuss with me the company's current financial position and potential implications of insolvency. Can you consult with your internal lawyers and let me know if you would like me to proceed with the call?

2 I have done a security search and confirm that Realtek's security interest in Nuheara has not been registered. I recommend that it is registered as a priority.

Kind regards



LITIGATION AND COMMERCIAL LAW



**David Sanders**  
Corporate Counsel

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D +61 8 6316 2223  
M +61 439 999 968  
[dsanders@bennettlaw.com.au](mailto:dsanders@bennettlaw.com.au)

Whadjuk Noongar Boodja  
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141 St Georges Terrace  
PERTH, WA 6000

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Form 59  
Rule 29.02(8)

**Annexure "DGS-2"**

No. of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General

**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMISTRATORS OF NUHEARA LIMITED ACN 125 167 133  
(ADMISTRATRORS APPOINTED)**

Defendant

This and the following 2 pages is Annexure "DGS-2" to the Affidavit of affirmed before me on  
5 September 2024.



\_\_\_\_\_  
THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate



## Annaleise Pure

---

**From:** Kylie Evans on behalf of David Sanders  
**Sent:** Thursday, 14 March 2024 9:04 AM  
**To:** 'meganchen193@realtek.com'  
**Cc:** 'leroy@realtek.com'; 'wms@realtek.com'; 'ivanpan@realtek.com'  
**Subject:** (117383) Nuheara  
**Attachments:** Cost Agreement Terms and Conditions 14\_03\_2024 .pdf

<b>Categories:</b>	FilePro	
<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	'meganchen193@realtek.com'	
	'leroy@realtek.com'	
	'wms@realtek.com'	
	'ivanpan@realtek.com'	
	David Sanders	Delivered: 14/03/2024 9:04 AM

Dear Megan

Thank you for your email.

All of the matters you have referred to in your email are part of our fiduciary and professional conduct obligations in Australia to all of our clients so you can certainly be assured that confidentiality will always be strictly preserved and we will never act in a conflict of interest situation. In the current circumstances we have also never acted for Nuheara and so do not anticipate any potential conflicts arising.

As foreshadowed, I have *attached* a copy of our standard terms and conditions for your consideration. Most if not all Australian law firms operate under similar terms and conditions so you may be familiar with them but if you have any queries let me know. I confirm as discussed that my current hourly charge out rate is \$700 (apologies it has recently increased so I gave you the wrong number yesterday).

In terms of timing, there is no hurry from my point of view for you to make a decision as to how you wish to proceed. I do note, however, that as per my email to Leroy yesterday:

1. I recommend that you take steps as soon as possible to register your security interest to protect your position, which is a relatively simple and quick matter.
2. Nuheara's lawyers are clearly anxious to have a discussion with your appointed lawyers in relation to Nuheara's current financial position and potential implications of insolvency, noting as discussed yesterday that Nuheara's shares are currently suspended from trading on ASX as a result of a delay in filing their statutory half year accounts.

I look forward to hearing from you further when your management team has made its decision.

Kind regards

# Bennett

LITIGATION AND COMMERCIAL LAW



**David Sanders**  
Corporate Counsel

T +61 8 6316 2200  
D +61 8 6316 2223  
M +61 439 999 968  
[dsanders@bennettlaw.com.au](mailto:dsanders@bennettlaw.com.au)

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141 St Georges Terrace  
PERTH, WA 6000

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Form 59  
Rule 29.02(8)

**Annexure "DGS-3"**

No. of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General

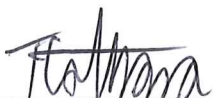
**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMISTRATORS OF NUHEARA LIMITED ACN 125 167 133  
(ADMISTRATRORS APPOINTED)**

Defendant

This and the following 2 pages is Annexure "DGS-3" to the Affidavit of affirmed before me on  
5 September 2024.



---

THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate

**Annaleise Pure**

---

**From:** Megan Chen <meganchen193@realtek.com>  
**Sent:** Thursday, 14 March 2024 5:44 PM  
**To:** David Sanders  
**Cc:** 劉彥劭; James Shiau; Ivan Pan  
**Subject:** RE: (117383) Nuheara  
**Attachments:** Subscription Agreement - Nuheara Limited (78984271vFINAL).pdf

Dear David:

Thanks a lot for your prompt response.

Please be advised that we'd like to retain you to help us with the security registration proceedings. Given the urgency of this case, just wondering if you could kindly proceed ASAP. I am attaching subject agreement in this email, in hope to expedite the whole process. I understand that you are ok with the confidentiality and conflicts of interest terms, so I believe that any information and discussion exchanged between us are covered by attorney-client privilege. We are ok with your hour-rate.

Please kindly let me know if you have any question on this matter.

Thanks a lot for your assistance.

BR  
Megan

---

寄件者: Kylie Evans <kevans@bennettlaw.com.au> 代表 David Sanders <dsanders@bennettlaw.com.au>  
寄件日期: 2024 年 3 月 14 日 上午 09:04  
收件者: Megan Chen  
副本: 劉彥劭; James Shiau; Ivan Pan  
主旨: (117383) Nuheara

External mail.

Dear Megan

Thank you for your email.

All of the matters you have referred to in your email are part of our fiduciary and professional conduct obligations in Australia to all of our clients so you can certainly be assured that confidentiality will always be strictly preserved and we will never act in a conflict of interest situation. In the current circumstances we have also never acted for Nuheara and so do not anticipate any potential conflicts arising.

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queries let me know. I confirm as discussed that my current hourly charge out rate is \$700 (apologies it has recently increased so I gave you the wrong number yesterday).

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I look forward to hearing from you further when your management team has made its decision.

Kind regards



**David Sanders**  
Corporate Counsel

T +61 8 6316 2200  
D +61 8 6316 2223  
M +61 439 999 968  
[dsanders@bennettlaw.com.au](mailto:dsanders@bennettlaw.com.au)

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Form 59  
Rule 29.02(8)

**Annexure "DGS-4"**

No. of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General

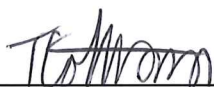
**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMINISTRATORS OF NUHEARA LIMITED ACN 125 167 133  
(ADMINISTRATORS APPOINTED)**

Defendant

This and the following 2 pages is Annexure "DGS-4" to the Affidavit of affirmed before me on  
5 September 2024.



---

THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate

**Annalise Pure**

---

**From:** Kylie Evans on behalf of David Sanders  
**Sent:** Friday, 15 March 2024 1:44 PM  
**To:** meganchen193@realtek.com  
**Cc:** leroy@realtek.com; wms@realtek.com; ivanpan@realtek.com  
**Subject:** (117912) Nuheara Security Registration  
**Attachments:** PPSR - Create a collateral application - Review - step 4 of 6 DRAFT 15.03.2024.pdf

Dear Megan

I refer to our previous email exchange in relation to this matter.

Please find *attached* our draft application to register your security interest on the Australian Personal Property Security Register.

By way of brief summary, the key details are as follows:

1. Realtek is listed as the secured party and we have obtained a Secured Party Group Number as required to do the registration.
2. We have included our office as the address for service. This could be changed at a later date, but we recommend at least for present purposes that we leave our office in here.
3. The collateral class is what is described as 'all present and after-acquired property' in circumstances where you have a general security right over all property of Nuheara Limited.
4. We are proposing a duration of registration of 7 years as this is the longest period you can register for the minimum fee of \$6.00. In the unlikely event you wanted to register it longer we could register it for 25 years for a small additional fee, but given the convertible notes are due for repayment within the next 6 months this would seem unnecessary.
5. The grantor of the security is listed as Nuheara Limited.
6. The way the Personal Property Security Register works there is no requirement to actually provide either details or a copy of the underlying security documentation (in this case the Convertible Note Agreement), which is why we have not referred to it in the application. The point of registration is simply to notify anyone searching the Register that you have a security interest over all of Nuheara Limited's assets.

Once the registration has occurred, we are also required to notify Nuheara Limited of the registration which we will also attend to for you.

If you are able to confirm that you are happy for us to lodge this registration we can proceed to do so this afternoon. Alternatively if you have queries or comments let me know.

Kind regards

**Bennett**  
LITIGATION AND COMMERCIAL LAW



**David Sanders**  
Corporate Counsel

T +61 8 6316 2200  
D +61 8 6316 2223  
M +61 439 999 968  
[dsanders@bennettlaw.com.au](mailto:dsanders@bennettlaw.com.au)

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You are here:

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[Create a registration](#)

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[Start application](#)

2

[Collateral](#)

3

[Grantor](#)  
(if applicable)

4

Application review

5

[Payment](#)  
(if applicable)

6

[Confirmation](#)

## Application review - step 4 of 6

Please review your registration and make changes if necessary.

---

### Summary

Collateral 1: All present and after-acquired property - No exceptions

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---

### Introduction

Registration kind: Security interest  
Collateral type: Commercial property  
Registrations are: Not transitional

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---

### Secured party group

[Use a different secured party group](#)

Secured party group number: 103605964

### Secured party 1

Name: Realtek Semiconductor Corporation

### Address for service

Email: dsanders@bennettlaw.com.au  
Mailing address: C/- Bennett Law, PO Box 7766, Cloisters Square  
PERTH, WA  
AUSTRALIA, 6850

Physical address: C/- Bennett Law, Level 14, Westralia Square,  
141 St Georges Terrace  
PERTH, WA  
AUSTRALIA, 6000

[Back to top](#)

---

### Collateral

Edit

### Collateral 1

Collateral type: Commercial property  
Collateral class: All present and after-acquired property - No exceptions  
  
Duration of registration: 7 year(s)  
  
Collateral: Not stated  
Giving of notice identifier: DGS:117912

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---

### Grantor

Edit

#### Grantor 1

Australian Company Number: 125 167 133  
Organisation Name: NUHEARA LIMITED  
(Verified by ASIC Register)

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---

**Total fee: \$6.00**

Client billing reference:

Form 59  
Rule 29.02(8)

**Annexure "DGS-5"**

No.      of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General

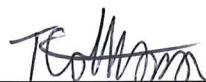
**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMINISTRATORS OF NUHEARA LIMITED ACN 125 167 133  
(ADMINISTRATORS APPOINTED)**

Defendant

This and the following 3 pages is Annexure "DGS-5" to the Affidavit of affirmed before me on  
5 September 2024.



---

THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate

**Annaleise Pure**

---

**From:** Megan Chen <meganchen193@realtek.com>  
**Sent:** Friday, 15 March 2024 2:42 PM  
**To:** David Sanders  
**Cc:** 劉彥劭; James Shiau; Ivan Pan  
**Subject:** RE: (117912) Nuheara Security Registration

Dear David:

Yes, please file the security registration on our behalf and please lodge notification to your Patent Office as well.

In addition, please notify Nuheara the registration on our behalf, but no more than that.

Thanks a lot.

BR  
Megan

---

**寄件者:** David Sanders <dsanders@bennettlaw.com.au>  
**寄件日期:** 2024年3月15日 下午 02:26  
**收件者:** Megan Chen  
**副本:** 劉彥劭; James Shiau; Ivan Pan  
**主旨:** RE: (117912) Nuheara Security Registration

External mail.

Dear Megan,

In response to each question:

1 This means all property Nuheara had at the time the security took effect (which was when Nuheara shareholder approval was received), all property it has acquired since, and any further property it acquires while the security remains in place.

2 Yes intellectual property assets are covered (in Australia). It is also possible to lodge a notification on the Australian Patent register if you would like to, although this is not usually done.

3 The answer to this is more complex so I will not be able to provide it to you until next week, as I will shortly be leaving for a meeting for the rest of the afternoon.



Kind regards

**Bennett**  
LITIGATION AND COMMERCIAL LAW



**David Sanders**  
Corporate Counsel

T +61 8 6316 2200  
D +61 8 6316 2223  
M +61 439 999 968  
[dsanders@bennettlaw.com.au](mailto:dsanders@bennettlaw.com.au)

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---

**From:** Megan Chen <meganchen193@realtek.com>

**Sent:** Friday, March 15, 2024 2:19 PM

**To:** David Sanders <dsanders@bennettlaw.com.au>

**Cc:** 劉彥劭 <leroy@realtek.com>; James Shiau <wms@realtek.com>; Ivan Pan <ivanpan@realtek.com>

**Subject:** RE: (117912) Nuheara Security Registration

Dear David:

Just'd like to verify the following issues:

The 'all present and after-acquired property' means any property Nuheara obtained from the time we file registration? Is there any way we can retroactively apply our security to the properties on or about the date we executed the Convertible Note Agreement?

Secondly, I'd like to clarify if Nuheara's intangible assets, i.e., intellectual property rights, is included in the scope of our security registration?

Thirdly, because we did not register within 20 days when our agreement come into effect, would our registration still be enforceable against external administrator or trustee in the event of Nuheara's insolvency?

Thanks.

BR  
Megan

---

**寄件者:** Kylie Evans <kevans@bennettlaw.com.au> 代表 David Sanders <dsanders@bennettlaw.com.au>

**寄件日期:** 2024年3月15日 下午 01:44

**收件者:** Megan Chen

**副本:** 劉彥劭; James Shiau; Ivan Pan

**主旨:** (117912) Nuheara Security Registration

External mail.

Dear Megan

I refer to our previous email exchange in relation to this matter.

Please find *attached* our draft application to register your security interest on the Australian Personal Property Security Register.

By way of brief summary, the key details are as follows:

1. Realtek is listed as the secured party and we have obtained a Secured Party Group Number as required to do the registration.
2. We have included our office as the address for service. This could be changed at a later date, but we recommend at least for present purposes that we leave our office in here.
3. The collateral class is what is described as 'all present and after-acquired property' in circumstances where you have a general security right over all property of Nuheara Limited.
4. We are proposing a duration of registration of 7 years as this is the longest period you can register for the minimum fee of \$6.00. In the unlikely event you wanted to register it longer we could register it for 25 years for a small additional fee, but given the convertible notes are due for repayment within the next 6 months this would seem unnecessary.
5. The grantor of the security is listed as Nuheara Limited.
6. The way the Personal Property Security Register works there is no requirement to actually provide either details or a copy of the underlying security documentation (in this case the Convertible Note Agreement), which is why we have not referred to it in the application. The point of registration is simply to notify anyone searching the Register that you have a security interest over all of Nuheara Limited's assets.

Once the registration has occurred, we are also required to notify Nuheara Limited of the registration which we will also attend to for you.

If you are able to confirm that you are happy for us to lodge this registration we can proceed to do so this afternoon. Alternatively if you have queries or comments let me know.

Kind regards

# Bennett

LITIGATION AND COMMERCIAL LAW



**David Sanders**  
Corporate Counsel

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D +61 8 6316 2223  
M +61 439 999 968  
[dsanders@bennettlaw.com.au](mailto:dsanders@bennettlaw.com.au)

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Form 59  
Rule 29.02(8)

**Annexure "DGS-6"**

No. of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General

**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMISTRATORS OF NUHEARA LIMITED ACN 125 167 133  
(ADMISTRATRORS APPOINTED)**

Defendant

This and the following 6 pages is Annexure "DGS-6" to the Affidavit of affirmed before me on  
5 September 2024.



---

THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate

**Annaleise Pure**

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**From:** notifications@ppsr.gov.au  
**Sent:** Friday, 15 March 2024 3:09 PM  
**To:** David Sanders  
**Subject:** PPSR 92772344 - Verification Statement for: 202403150083941; Giving of Notice Identifier: DGS:117912 - Production - [SEC=OFFICIAL]  
**Attachments:** Verification statement for 202403150083941.pdf

The Verification Statement for a Financing Statement for PPSR Registration Number: 202403150083941 is attached as a PDF document.

You should check the attached Verification Statement to ensure that all information is correct. Please be aware that a defect in a registration may result in an ineffective registration.

This email was sent by an automated system.

Do not reply to this email. All enquiries and questions should be made via the PPSR website. Please type 'www.ppsr.gov.au' into your web browser.

Important: This email and any attached documents do not constitute legal advice. Seeking professional advice in relation to the specific issues affecting you and/or your business is recommended. Any personal information collected by AFSA is managed in accordance with AFSA's privacy policy, which can be viewed at AFSA's website ([www.afsa.gov.au/privacy](http://www.afsa.gov.au/privacy)) or you can request a copy. If you have received this transmission in error please notify us immediately by emailing [enquiries@ppsr.gov.au](mailto:enquiries@ppsr.gov.au) and delete all copies. If this email or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the email or attachments.





15/03/2024

## Verification Statement Financing Statement

This verification statement is provided under section 156 of the *Personal Property Securities Act 2009*

This PPSR registration was created on 15/03/2024 18:08:37 (Canberra Time)

### PPSR Registration Details

PPSR Registration number:	202403150083941	Change number:	80290526
Registration kind:	Security interest		
Giving of notice identifier:	DGS:117912		
Registration start time:	15/03/2024 18:08:37 (Canberra Time)		
Registration end time:	15/03/2031 23:59:59 (Canberra Time)		
Registration last changed:	15/03/2024 18:08:37 (Canberra Time)		
Subordinate registration:	Not stated	Transitional:	No

### Grantor Details

Organisation identifier:	125 167 133	Organisation identifier type:	ACN
Organisation name:	NUHEARA LIMITED (Verified)		

### Collateral Details

Collateral type:	Commercial property
Collateral class:	All present and after-acquired property - No exceptions

### Secured Party Details

Organisation name:	Realtek Semiconductor Corporation (Unable to be verified)
--------------------	---

### Address for Service

Contact name:	David Sanders
Email:	dsanders@bennettlaw.com.au
Mailing address:	C/- Bennett Law PO Box 7766 Cloisters Square PERTH WA 6850 AUSTRALIA
Physical address:	C/- Bennett Law Level 14, Westralia Square 141 St Georges Terrace PERTH WA 6000 AUSTRALIA

You may be obliged by section 157 of the *Personal Property Securities Act 2009* to give a notice of this verification statement to another person. The notice must be in the approved form. Information about your obligations under section 157 of the *Personal Property Securities Act 2009* is available from: [www.ppsr.gov.au](http://www.ppsr.gov.au).

### **Privacy and Terms and Conditions**

The Australian Financial Security Authority is subject to the *Privacy Act 1988* which requires that we comply with the Australian Privacy Principles (APPs) set out in the Act. The APPs set out how Australian Government agencies should collect, use, store and disclose personal information and how individuals can access records containing their personal information.

Access to and use of the PPSR is subject to the General Conditions of Use, as well as other relevant terms and conditions. All relevant terms and conditions can be found at [www.ppsr.gov.au](http://www.ppsr.gov.au).

End of Verification Statement

EMAIL: [enquiries@ppsr.gov.au](mailto:enquiries@ppsr.gov.au) WEBSITE: [www.ppsr.gov.au](http://www.ppsr.gov.au)

---

GPO Box 1944 Adelaide SA 5001

1300 00 77 77



Form 59  
Rule 29.02(8)

**Annexure "DGS-7"**

No.      of 2024

Federal Court of Australia

District Registry: Western Australia

Division: General

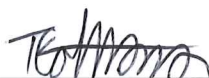
**REALTEK SEMICONDUCTOR CORPORATION**

Plaintiff

**MARTIN JONES, MATTHEW WOODS AND CLINT JOSEPH IN THEIR CAPACITIES AS  
JOINT AND SEVERAL ADMISTRATORS OF NUHEARA LIMITED ACN 125 167 133  
(ADMISTRATRORS APPOINTED)**

Defendant

This and the following 3 pages is Annexure "DGS-7" to the Affidavit of affirmed before me on  
5 September 2024.



---

THOMAS ANTHONY COLTRONA

A legal practitioner who has held a practice  
certificate for at least 2 years and who holds  
a current practice certificate

Our ref: DGS:117912  
Contact: David Sanders  
Direct Line: +61 8 6316 2200  
Email: dsanders@bennettlaw.com.au

18 March 2024

The Directors  
Nuheara Limited  
190 Aberdeen Street  
NORTHBRIDGE WA 6003

Hedley Roost  
Partner  
Thomson Geer  
Level 29, Central Park Tower  
152-158 St Georges Terrace  
PERTH WA 6000  
By Email: hroost@tglaw.com.au

Dear Directors and Hedley

## Notice of Verification Statement – Nuheara Limited & Realtek Semiconductor Corporation

We act for the secured party, Realtek Semiconductor Corporation (**Realtek**).

A financing statement has been lodged on the Personal Property Securities Register on behalf of Realtek.

The *attached* notice of verification statement (Registration Number 202403150083941) is provided to you under section 157 of the *Personal Property Securities Act 2009* (Cth).

Please let me know if you have any queries in relation to the above.

Yours sincerely



David Sanders  
Corporate Counsel

Encl

# B

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PERTH WA 6000

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Lawfirst Pty Ltd  
ABN 69 147 622 197  
An incorporated legal practice  
trading as Bennett.



15/03/2024

## Verification Statement

### Financing Statement

This verification statement is provided under section 156 of the *Personal Property Securities Act 2009*

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End of Verification Statement

EMAIL: [enquiries@ppsr.gov.au](mailto:enquiries@ppsr.gov.au) WEBSITE: [www.ppsr.gov.au](http://www.ppsr.gov.au)

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