

**Affidavit**

Federal Court of Australia No.  
District Registry: Victoria  
Division: Corporations

VID 562 of 2010

IN THE MATTER OF: SONRAY CAPITAL MARKETS PTY LTD  
(IN LIQUIDATION) ACN 104 482 993

**GEORGE GEORGES & JOHN ROSS LINDHOLM**  
IN THEIR CAPACITIES AS JOINT AND SEVERAL LIQUIDATORS OF  
SONRAY CAPITAL MARKETS PTY LTD (IN LIQUIDATION) ACN 104 482 993  
First plaintiffs

and others according to the schedule

**Affidavit of David John Porter**

I, DAVID JOHN PORTER of Level 15, 485 Bourke Street, Melbourne, lawyer, say on oath:

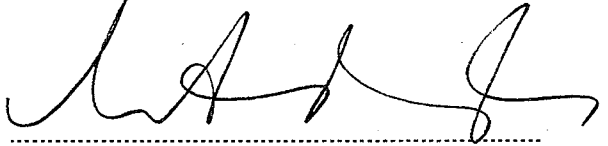
- 1 I am a partner of Norton Rose Australia. I am responsible for the conduct of this matter.
- 2 Exhibited and marked **DJP-1** is a settlement deed between the plaintiffs in this proceeding, Saxo Bank A/S and HLB Mann Judd (Vic) Partnership. I have exhibited the counterpart of the settlement deed executed by plaintiffs but substituting the execution pages for Saxo Bank A/S and HLB Mann Judd (Vic) Partnership. I have not exhibited the entire counterparts executed Saxo Bank A/S and HLB Mann Judd (Vic) Partnership because:
  - (a) I am still awaiting receipt of the original counterpart originals from Saxo Bank A/S and HLB Mann Judd (Vic) Partnership; and

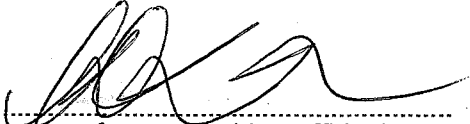



Filed on behalf of (name & role of party)	Plaintiffs
Prepared by (name of person/lawyer)	Allan Kawalsky
Law firm (if applicable)	Norton Rose Australia
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Address for service (include state and postcode)	Norton Rose Australia, RACV Tower, 485 Bourke Street, Melbourne Victoria 3000 Email: allan.kawalsky@nortonrose.com

(b) each counterpart is several hundred pages long.

**SWORN** by David John Porter on  
31 October 2011 before me:

)  
)  
)  
)  
  
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Signature of David Porter

  
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Signature of person taking affidavit

**KARLI ALEXANDRA CIBICH**  
BAGV Tower, 465 Bourke Street  
Melbourne Victoria 3000  
AN Australian Legal Practitioner  
within the meaning of the  
Legal Profession Act 2004.

**SCHEDULE OF PARTIES**

**GEORGE GEORGES & JOHN ROSS LINDHOLM**  
IN THEIR CAPACITIES AS JOINT AND SEVERAL LIQUIDATORS OF  
SONRAY CAPITAL MARKETS PTY LTD (IN LIQUIDATION) ACN 104 482 993  
**First Plaintiffs**

**SONRAY CAPITAL MARKETS PTY LTD (IN LIQUIDATION)**  
ACN 104 482 993  
**Second Plaintiffs**

**SEABORN INTERNATIONAL PTY LTD**  
ABN 24 114 085 090  
AS TRUSTEE FOR THE SEABORN FAMILY TRUST  
**First Defendant**

**MARYLAND PTY LTD** ACN 150 886 427  
AS TRUSTEE FOR THE NORWEGIAN TRUST  
**Second Defendant**

**ALISANTE PTY LTD**  
ACN 067 268 802  
**Third Defendant**

**BON RIVER PTY LTD**  
ACN 059 666 750  
**Fourth Defendant**


**ROLAND MARK WARD AS TRUSTEE FOR**  
**THE AWARD SUPERANNUATION FUND**  
ABN 66 473 078 418  
**Fourth Defendant**

**EFAX PTY LTD** ACN 001 886 120  
**Fifth Defendant**

CERTIFICATE OF COMPLIANCE

I, KARLI ALEXANDRA CIBICH, certify to the Court that the affidavit of David John Porter sworn on 31 October 2011 filed on behalf of the plaintiffs complies with Order 14, rule 2 of the Federal Court Rules.

Date: October 2011



Solicitor for the plaintiffs

**KARLI ALEXANDRA CIBICH**  
RACV Tower, 485 Bourke Street  
Melbourne Victoria 3000  
An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Act 2004.

Filed on behalf of (name & role of party)	Plaintiffs
Prepared by (name of person/lawyer)	Allan Kawalsky
Law firm (if applicable)	<b>Norton Rose Australia</b> Law firm (if applicable) Norton Rose Australia Law
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