

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 30/07/2019 5:19:20 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 that reads 'Warwick Soden'.

Dated: 31/07/2019 11:14:04 AM 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.



Further Supplementary Affidavit of Morgan John Kelly

No. NSD 2191 of 2018

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

**IN THE MATTER OF HALIFAX INVESTMENT SERVICES PTY LTD (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: **Morgan John Kelly**
 Address: Tower Three, International Towers Sydney, 300 Barangaroo Avenue, Sydney
 NSW 2000
 Occupation: Registered Liquidator
 Date: 29 July 2019

Contents

| Document number | Details | Paragraph | Page |
|-----------------|---|-----------|------|
| 1. | Affidavit of Morgan John Kelly sworn 29 July 2019 | 1-3 | 1-2 |

Filed on behalf of **Philip Alexander Quinlan, Morgan John Kelly and Stewart McCallum,**
 Plaintiffs
 Prepared by **Jason Opperman and Lewis Seelenmeyer**
 Law firm **K&L Gates**
 Tel +61 2 9513 2300 Fax +61 2 9513 2399
 Email jason.opperman@klgates.com and lewis.seelenmeyer@klgates.com
 DX 170 Sydney Ref 7410175.00017
 Address for service Level 31, 1 O'Connell Street, Sydney NSW 2000

[Form approved 01/08/2011]

I, Morgan John Kelly of Tower Three, International Towers Sydney, 300 Barangaroo Avenue, Sydney NSW 2000, Registered Liquidator, affirm:

- 1. I am a joint and several liquidator of Halifax Investment Services Pty Ltd (In Liquidation) ACN 096 980 522 together with Philip Alexander Quinlan.
- 2. On 26 June 2019 I affirmed an affidavit in these proceedings and on 26 July 2019 I affirmed a second affidavit in these proceedings (**Second Affidavit**). I make this further affidavit to correct and qualify a matter addressed in my Second Affidavit.

Typographical error in paragraph 15(a)(ii)(A) of my Second Affidavit

- 3. I have noticed that there is an error in the wording in paragraph 15(a)(ii)(A) of my Second Affidavit which I would like to clarify. I intended that sub-paragraph (A) of paragraph 15(a)(ii)(A) to read as follows (with the single amendment I wish to make in underline).

(A) *it can be established that the deposits were made ~~before~~ after 10.00 am;*

Affirmed by the deponent
 at Sydney
 in NSW
 on 29 July 2019
 Before me:

)
)
)
)
)



Signature of deponent



Signature of witness

Name of witness: *Lewis Robert Hugh Seelenmeyer*
 Address of witness: Level 31, 1 O'Connell Street Sydney NSW 2000
 Qualification of witness: Solicitor