

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMERCIAL COURT
CORPORATIONS LIST

S CI 2015

IN THE MATTER OF BANKSIA SECURITIES LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) ABN 45 004 736 458

BETWEEN

ANTHONY GREGORY MCGRATH, JOSEPH DAVID HAYES, MATTHEW WAYNE CADDY AND ROBERT MICHAEL KIRMAN AS RECEIVERS AND MANAGERS OF BANKSIA SECURITIES LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) ABN 45 004 736 458

First Plaintiffs

BANKSIA SECURITIES LIMITED (IN LIQUIDATION) (RECEIVERS AND MANAGERS APPOINTED) ABN 45 004 736 458

Second Plaintiff

AFFIDAVIT OF JOSEPH DAVID HAYES "JH-43"

Date sworn: 16 December 2015
Filed on behalf of: The Plaintiffs
Prepared by:
Ashurst Australia
Level 26
181 William Street
MELBOURNE VIC 3000

Solicitor's Code: 53
DX: 388
Tel: (03) 9679 3000
Fax: (03) 9679 3111
Ref: 03 3000 9288
Attention: Ross McClymont
Email: ross.mcclymont@ashurst.com

This is the exhibit marked "**JH-43**" now produced and shown to Joseph David Hayes at the time of swearing his affidavit on 16 December 2015.


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Exhibit "JH-43"

Email from Robert Lea to Joseph Hayes dated

12 February 2014

From: Robert Lea [mailto:robjlea789@gmail.com]
Sent: Wednesday, 12 February 2014 12:26 PM
To: Joe Hayes
Cc: Tony McGrath; Barry Kogan; McClymont, Ross 3025; Sloan, Michael 3027
Subject: Re: FW: Banksia: Trustee Fees: Further Submission

Morning Joe,

I am currently travelling in the Philippines and a little out of touch.

Please be advised that I do not support any payment to the Trustee without a Court decision to do so.

However, I also advise that I will be happy with majority of the Committee members decision on this issue.

Regards, thnx,

Robert Lea/ Ballarat.

PS: I will be back in OZ and available for e meeting on 27th Feb

On Tue, Feb 11, 2014 at 2:18 PM, Joe Hayes <jhayes@mcgrathnicol.com> wrote:

Dear Committee Members

Please see below which was sent yesterday, we may have experienced technical difficulties as we are only just receiving 'Undeliverable' emails from your email accounts today.

I apologise if you have already received this email.

Kind regards – Joe