### In the Matter of YANCEY

### AFFIDAVIT Evidence Act, 1995 Section 48, 69 and 170

On the 11 June 2015, I Mark John Allingham, Legal Notices Officer, with St George Bank, division of Westpac Banking Corporation, Level 20, 275 Kent Street, Sydney 2000, New South Wales being duly sworn, make oath and say as follows:

- 1. I am an officer of the St George Bank Ltd (hereinafter called 'the Bank') and have been employed with the Bank for approximately 13 years.
- 2. I am duly authorised to swear affidavits on behalf of the Bank.
- 3. My current position is Legal Notices Officer for all states. In the course of carrying out my duties, and for the purpose of swearing this affidavit, I am familiar with and have access to the records and books of account of the Bank that are used in the ordinary course of business.
- 4. My duties include processing customer requests to review transactions, responding to statutory notices from various Law Enforcement Agencies, including various Crime Commissions, and managing court orders, freezing notices and reviewing documents from internal banking systems.
- 5. The Bank is engaged in New South Wales in the ordinary business of that of a bank.
- 6. The Bank conducts its business in New South Wales at numerous branches in the said State.
- 7. In the usual and ordinary course of business of a bank, the Bank compiles and maintains business records, primarily maintained on its computer systems.
- 8. The documents annexed hereto and described in this affidavit are business records of the Bank and form part of the business records belonging to or kept by the Bank in the course of and for the purposes of its business. These documents contain representations that were made or recorded in the course of or for the purpose of those businesses. These representations were made by persons who had, or may reasonably be supposed to have had, personal information directly or indirectly supplied by a person who had or might reasonably be supposed to have had personal knowledge of the facts asserted. In the case of EFT and internet banking transactions, the amounts and descriptions are created by the persons effecting and authorising the transaction. In these cases date fields are automatically provided by the respective computer systems involved.



1 of 3



Deponent:

- 9. The documents annexed hereto are marked with a reference number. Note that this reference number is included for ease of reference and does not appear on the annexed documents itself.
- 10. Annexed hereto and marked 'A' is copy of account statement for Home Loan account number account of Fatima Hammoud and Anthony Andjic for the period 11 December 2013 to 19 April 2014.
- 11. Annexed hereto and marked 'B' is conv of account statement for Complete Freedom account account operated in the name of Fatima Hammoud for the period 11 April 2014 to 10 May 2014.
- 12. Annexed hereto and marked 'C' is a copy of a note dated 15 April 2014 from the customers in the name of Fatima Hammoud and Anthony Andjic requesting a reversal for an amount \$53,000 transferred from account to Home Loan account
- 13. Annexed hereto and marked 'D' is a copy of Audit Trial Report dated 15 April 2015 showing a "CASH CHEQUE WITHDRAWAL" of \$53,000 from account and a "LIS LOAN CREDIT" of \$53,000 into Home Loan account number
- 14. From these records I can say that on 15 April 2014 an electronic transfer of \$53,000 was credited into Home Loan account from account on the request of the customers in the name of Fatima Hammoud and Anthony Andjic this amount was reversed back to account and was recorded as a "Cash deposit" transaction on the statement of account.

#### **SWORN**

At Sydney



In the presence of an authorised witness, who states:

I, Philip Young (authorised witness) (Role).

- 1. I saw the face of the person, and
- 2. <u>I have known the person for at least 12 months</u>.

11 June 2015 (Date)

(Signature of authorised witness)

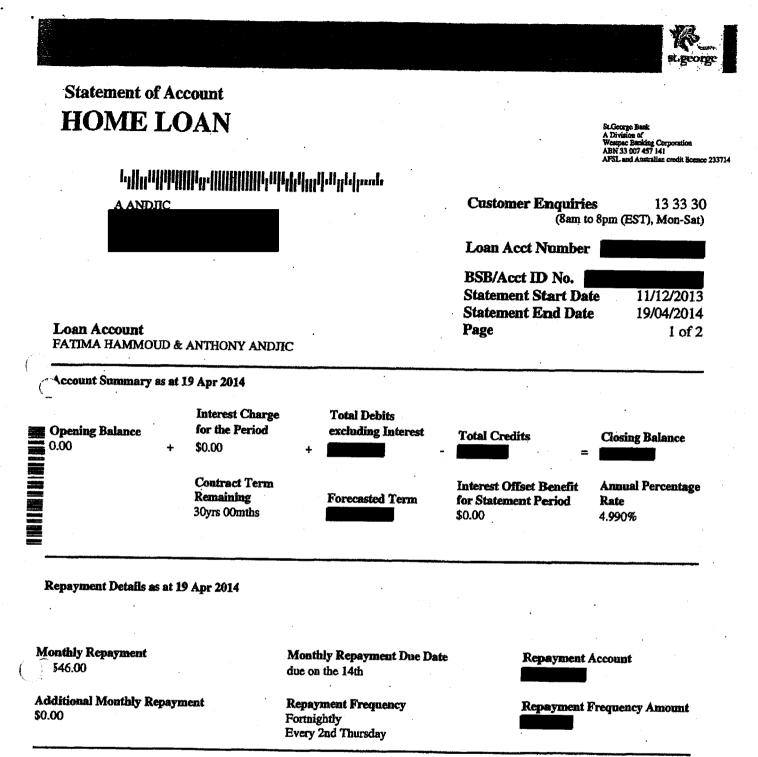
2 of 3



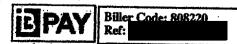
Witness:

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# ANNEXURE



Effective from 20/8/2012, the Mortgage Equaliser Facility Fee will be renamed to Full Offset Service Fee. This fee applies to loans which have a Mortgage Equaliser Offset or Repayment Offset facility. The fee is not payable if your loan is covered under an Advantage Package.



\*\*Please note: If your loan is currently at a fixed rate, then break costs may be payable if you make a prepayment (a payment exceeding your required repayment).\*

Please check all entries on this statement. Please inform the Bank promptly of any error or unauthorised transaction.

|                                | Loan Acct Number  |                                    |
|--------------------------------|---|------------------------------------|
| Phone Banking Plus<br>13 33 22 | BSB/Acct ID No.<br>Statement Start Date<br>Statement End Date<br>Page | 11/12/2013<br>19/04/2014<br>2 of 2 |
| • •                            |   |                                    |

### **Transaction Details**

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| Date   | Transaction Description                      | Debit                | Credit    | Loan Balance                       |
|--|--|----------------------|-----------|------------------------------------|
| 11 Dec 201   | 3 Opening Balance<br>Interest Rate 4.990% PA |                      |           | 0.00                               |
| 14 Apr 201<br>14 Apr 201<br>15 Apr 201<br>15 Apr 201 | 4 LOAN ADVANCE<br>4 INTERNET PMT             | 100.00<br>474,700.00 | 53,000.00 | 100.00<br>474,800.00<br>421,800.00 |
| 19 Apr 201   | INTERNET PMT                                 | 53,000.00            |           | 474,800.00<br>474,800.00           |

## J109/ Q91 / C003590/ B01/ 1007834/ M003590

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## ANNEXURE B



## Statement of Account COMPLETE FREEDOM

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## FATIMA HAMMOUD

Customer Enquiries

BSB Number Account Number

Statement Period Statement No. 13 33 30 (24 hours, seven days)

11/04/2014 to 10/05/2014 153(page 1 of 6)

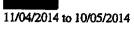
#### FATIMA HAMMOUD

| C                       | Opening Balance Total Credits<br>670.69 + 211,497.91                       | <b>Total Debits</b> - 211,916.65 | =         | Closing Balance<br>251.95 |
|-------------------------|--|----------------------------------|-----------|---------------------------|
| <b>Fransact</b><br>Date | ion Details<br>Transaction Description                                     | Debit                            | Credit    | Balance \$                |
| 1 400                   | OPENING BALANCE  |                                  |           | 670.69                    |
|                         | INTERNET DEPOSIT 11APR 12:37<br>FROM                                       | •                                | 90,700.61 | 91,371.30                 |
| 1 APR                   | BANK CHEQUE WDL  | 90,700.61                        |           | 670.69                    |
|                         | BANK CHEQUE FEE  | 10.00                            | •         | 660.69                    |
|                         | EFTPOS PURCHASE 11APR 18:12<br>DIANE NINA NIKRO RIVERWOOD AU               | 140.00                           |           | 520.69                    |
| 1 APR                   | EFTPOS REFUND 11APR 18:13<br>MEDICARE BENEFIT MELBOURNE AU                 |                                  | 124.50    | 645.19                    |
| 1 APR                   | Anthony Andjic<br>For Use  |                                  | 1,000.00  | 1,645.19                  |
| 1 APR                   | FFA PAYSMART PTY<br>C-LIFEHEA  | 23.05                            |           | 1,622.14                  |
| 1 APR                   | MEDIBANK<br>30090634H  | 25.40                            |           | 1,596.74                  |
| 2 APR                   | EFTPOS PURCHASE 12APR 10:28<br>THE CANDY BOX WOODPARK                      | 100.00                           |           | 1,496.74                  |
| 2 APR                   | INTERNET WITHDRAWAL 12APR 18:39<br>TO                                      | 1,000.00                         |           | <b>496.7</b> 4            |
|                         | VISA PURCHASE 10/04/14<br>MYER ROSELANDS ROSELANDS<br>EFFECTIVE DATE 11APR | 169.95                           |           | <b>326.79</b>             |
| 4 APR                   | INTERNET WITHDRAWAL 13APR 11:10<br>TO                                      | 26.79                            |           | 300.00                    |
|                         | INTERNET DEPOSIT 14APR 11:36<br>FROM                                       | r <sup>3</sup>                   | 1,000.00  | 1,300.00                  |
|                         | ATM WITHDRAWAL 13APR 19:18<br>CBA ATM COLES GRNACRE NSW 211198 AUS         | 50.00                            |           | 1,250.00                  |
|                         | ATM OPERATOR FEE WDL 13APR 19:18<br>CBA ATM COLES GRNACRE NSW 211198 AUS   | 2.00                             |           | 1,248.00                  |

St.George Bank - A Division of Westpac Banking Corporation ABN 33 007 457 141 AFSL and Australian credit licence 233714.

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Account Number Statement Period Statement No.



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| Tran             | saction Details continued   |                    |           |   |
|------------------|---|--------------------|-----------|---|
| Date             | Transaction Description<br>SUB TOTAL CARRIED FORWARD FROM PREVIOUS PAGE | <sup>*</sup> Debit | Credit    | Balance \$ 1,248.00                     |
| 14 AP            | R Anthony   |                    | 500.00    | 1,748.00                                |
|                  | Savings   |                    |           | -,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
| 14 AP            | R WGL: HOM  | 104.61             |           | 1,643.39                                |
| 15 AD            | C110B75427 01   |                    |           |   |
| 15 AP.           | R ANNUAL PACKAGE FEE  | 395.00             |           | 1,248.39                                |
| 15 AP            | R INTERNET WITHDRAWAL 15APR 08:53                                       | 1,000.00           |           | 248.39                                  |
| 15 API           | R INTERNET DEPOSIT 15APR 09:39<br>FROM                                  |                    | 52,795.15 | 53,043.54                               |
| 15 API           | TO  | 53,000.00          |           | 43.54                                   |
| 15 APR<br>15 APR |   | 3,950.00           | 3,950.00  | 3,993.54<br>43.54                       |
| 15 400           | TO TO CASH DEPOSIT 2112194321   |                    |           |   |
|                  |   |                    | 53,000.00 | 53,043.54                               |
|                  |   | 190.00             |           | 52,853.54                               |
| . 15 APR         | VISA PURCHASE 13/04/14  | 57.33              |           | 52,796.21                               |
|                  | COLES GREENACRE NSW<br>EFFECTIVE DATE 14APR                             |                    |           |   |
| 16 APR           |   | 52,000.00          |           | 796.21                                  |
| j APR            | INTERNET WITHDRAWAL 16APR 08:15   | 61.21              | ,         | 735.00                                  |
| 16 APR           | VISA PURCHASE 14/04/14  | 35.00              |           | 700.00                                  |
| •                | PUNCHBOWL CITYRAIL PUNCHBOWL  | 20.00              |           | 700.00                                  |
|                  | EFFECTIVE DATE 15APR  |                    |           |   |
| 17 APR           | ATM WITHDRAWAL 17APR 14:39<br>ST.GEORGE BANK BURWOOD NSW 2 AU           | 50.00              |           | 650.00                                  |
| 19 APR           | EFTPOS PURCHASE 19APR 12:50   | 139.95             |           | 510.05                                  |
|                  | DIANA FERRARI 41051 EAST GARDENS NSW                                    | 207.70             |           | 710.02                                  |
| 22 APR           |   | 55.53              |           | 454.52                                  |
|                  | TO VODAFONE POSTPAID  |                    | •         |   |
|                  | INTERNET DEPOSIT 22APR 14:10  |                    | 686.64    | 1,141.16                                |
|                  | FROM<br>VISA PURCHASE 17/04/14  |                    |           |   |
|                  | GOLDMARK BURWOOD  | 59.00              |           | 1,082.16 <sup>.</sup>                   |
|                  | EFFECTIVE DATE 19APR  |                    |           |   |
|                  | TRANSFER CREDIT   |                    | 24.43     | 1 106 50                                |
|                  | DFS PAYROLL   |                    | 24.45     | 1,106.59<br>3,575.07                    |
|                  | PAYROLL   |                    | -,        | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~  |
|                  | SUB TOTAL CARRIED FORWARD TO NEXT PAGE                                  |                    |           | 3,575.07                                |
|                  |   |                    |           |   |

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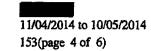
Account Number Statement Period Statement No.

11/04/2014 to 10/05/2014 153(page 3 of 6)

| Date   | ction Details continued<br>Transaction Description               |          |          |            |
|--------|--|----------|----------|------------|
| Jac    | SUB TOTAL CARRIED FORWARD FROM PREVIOUS PAGE                     | Debit    | Credit   | Balance \$ |
| 23 APR | VISA PURCHASE 19/04/14   | (0.00    |          | 3,575.07   |
|        | CONTEMPO INVESTMENT EASTGARDE                                    | 69.92    |          | 3,505.15   |
|        | EFFECTIVE DATE 22APR   |          |          |            |
| 24 APR | INT <u>ERNET WITHD</u> RAWAL 24APR 08:42                         |          |          |            |
|        | TO   | 1,500.00 |          | 2,005.15   |
| 24 APR | INTERNET WITHDRAWAL 24APR 08:46                                  |          |          |            |
|        | TO   | 77.55    |          | 1,927.60   |
| 24 APR | INTERNET WITHDRAWAL 24APR 09:10                                  |          |          |            |
|        | TO   | 150.00   |          | 1,777.60   |
| 24 APR |  |          | •        |            |
|        |  | 22.35    |          | 1,755.25   |
| 24 APR | ENCASA SYDNEY NSWAU<br>Anthony                                   |          |          |            |
|        | part 1   |          | 1,000.00 | 2,755.25   |
| 4 APR  |  | _        | •        |            |
|        | VISA PURCHASE 22/04/14<br>PUNCHBOWL CITYRAIL PUNCHBOWL           | 9.20     |          | 2,746.05   |
|        |  |          |          |            |
|        | EFFECTIVE DATE 23APR<br>FFA PAYSMART PTY                         |          | •        |            |
|        | LIFEHEA  | 23.05    |          | 2,723.00   |
| 6 APR  | INT <u>ERNET WITHD</u> RAWAL 25APR 08:48                         | ·        |          |            |
|        | TO   | 1,000.00 |          | 1,723.00   |
|        |  |          |          |            |
|        |  | 300.00   |          | 1,423.00   |
|        | ST.GEORGE BANK BURWOOD NSW 2 AU<br>VISA PURCHASE 23/04/14        | •        |          |            |
|        | PUNCHBOWL CITYRAIL PUNCHBOWL                                     | 9.20     |          | 1,413.80   |
|        | EFFECTIVE DATE 24APR   |          |          |            |
|        | INTERNET WITHDRAWAL 27APR 14:25                                  |          |          |            |
|        | IO   | 404.60   |          | 1,009.20   |
|        |  |          |          |            |
|        | AMORE CAM HUONG BURWOOD NSW                                      | 200.00   |          | 809.20     |
| APR F  | EFTPOS PURCHASE 29APR 07:51                                      |          |          | ,          |
| F      |  | 35.00    |          | 774.20     |
| APR V  | IAND I WAY BELMORE CI BELMORE NSWAU<br>/ISA PURCHASE 24/04/14    |          |          |            |
|        | UNCHBOWL CITYRAIL PUNCHBOWL                                      | 9.20     | •        | 765.00     |
|        | FFECTIVE DATE 28APR  |          |          |            |
| APR V  |  |          |          |            |
|        |  | 686.64   |          | 78.36      |
| MAY A  | TM WITHDRAWAL 01MAY 10:17  |          |          | •          |
|        | VINTEN CENTRE AT ME AND      | 20.00    |          | 58.36      |
| MAY A  | TIMEY CENTRAL PLAZA SYDNEY NS<br>TM OPERATOR FEE WDL 01MAY 10:17 |          |          |            |
| S      | VINTER CURRENT AND           | 2.00     |          | 56.36      |
| MAY A  |  | -        |          |            |
|        | avings   |          | 500.00   | 556.36     |
|        | UB TOTAL CARRIED FORWARD TO NEXT PAGE                            |          |          |            |
|        | ONGLES TONNALD TO NEAT FAGE                                      |          |          | 556.36     |
|        |  |          |          |            |

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Account Number Statement Period Statement No.



|        | tion Details continued  |          |          |                      |
|--------|---|----------|----------|----------------------|
| Date   | Transaction Description<br>SUB TOTAL CARRIED FORWARD FROM PREVIOUS PAGE | Debit    | Credit   | Balance \$<br>556.36 |
| 02 MAY | INTERNET WITHDRAWAL 02MAY 08:00   | 500.00   |          | 56.36                |
| 03 MAY | INTERNET DEPOSIT 03MAY 10:01<br>FROM                                    |          | 100.00   | 156.36               |
| 03 MAY | EFTPOS PURCHASE 03MAY 11:02<br>GOLDMARK BANKSTOWN NS                    | 38.00    |          | 118.36               |
| US MAY | ATM WITHDRAWAL 03MAY 11:54<br>ST.GEORGE BANK BANKSTOWN NSW2 AU          | 50.00    | ·        | 68.36                |
| )3 MAY | EFTPOS PURCHASE 03MAY 12:56<br>KMART BANKSTOWN NSW AU                   | 2.00     |          | 66.36                |
|        | DFS PAYROLL<br>PAYROLL  |          | 2,468.49 | 2,534.85             |
| 7 MAY  | SGL   | 12.76    |          | 2,522.09             |
| 7 MAY  | SGL   | 29.24    |          | 2,492.85             |
|        | INTERNET WITHDRAWAL 08MAY 09:48   | 1,500.00 |          | 992.85               |
|        | INTERNET WITHDRAWAL 08MAY 09:48<br>TO                                   | 92.85    |          | 900.00               |
|        | WESTPAC INS<br>Q1CF794252D 10   |          | 104.61   | 1,004.61             |
|        | Anthony<br>Payment  |          | 1,000.00 | 2,004.61             |
| MAY I  | PSA OF NSW SUBS   | 52.80    |          | 1,951.81             |
|        | ATM WITHDRAWAL 09MAY 10:03<br>ST.GEORGE BANK SYDNEY NSW 2 AU            | 60.00    |          | 1,891.81             |
|        | NTERNET WITHDRAWAL 09MAY 10:23  | 1,000.00 |          | 891.81               |
|        | NTERNET WITHDRAWAL 09MAY 10:24  | 16.81    |          | 875.00               |
| F      | AHAR HAMMOUD<br>ay's hens   | ÷        | 75.00    | 950.00               |
| MAY F  | FA PAYSMART PTY<br>LIFEHEA  | 23.05    |          | 926.95               |
| V      | TSA PURCHASE 08/05/14<br>AGABOND CRUISES PYRMONT<br>FFECTIVE DATE 08MAY | 675.00   |          | 251.95               |
| мач с  | LOSING BALANCE  |          |          | 251.95               |



Account Number Statement Period Statement No.

11/04/2014 to 10/05/2014 153(page 5 of 6)

| C                       |   |                                     |                                    |          |
|-------------------------|---|-------------------------------------|------------------------------------|----------|
| Summa<br>Date<br>11 APR | ry of Automatic Deduction<br>Paid To<br>FFA PAYSMART PTY<br>LIFEHEA |                                     | <b>Amount \$</b> 23.05             |          |
| 11 APR                  | MEDIBANK  |                                     | 25.40                              |          |
| 14 APR                  | WGI:  |                                     | 104.61                             |          |
| 24 APR                  |   |                                     | 23.05                              |          |
| 30 APR                  | -LIFBHEA<br>WGI:100605979HOM  |                                     | 686.64                             |          |
| 7 MAY                   | SGL   |                                     | 12.76                              |          |
| 7 MAY                   | SGL   |                                     | <b>29.24</b>                       |          |
| 8 MAY                   | PSA OF NSW SUBS   |                                     | 52.80                              |          |
| 9 MAY                   | FFA PAYSMART PTY<br>C-LIFEHEA                                       |                                     | 23.05                              |          |
| Interest I              | Details   |                                     |                                    | <u> </u> |
|                         | to Date<br>ous Year   | Credit Interest<br>\$0.00<br>\$0.00 | Debit Interest<br>\$0.00<br>\$0.00 | •        |

Information

- Please check all entries on this statement and inform the Bank promptly of any error or unauthorised transaction.
- If your card is lost or stolen, please call us immediately on 1800 028 208.
- This statement should be retained for taxation purposes.
- When enquiring about the "termination value" of your account, you can visit your nearest branch or call 1300 658 120 and say "existing account".
- To contact us to make suggestions, compliments or find out more about our products and services, please call the customer enquiries number on this statement. This service may also be used to address and resolve complaints.

Account Number Statement Period Statement No.



11/04/2014 to 10/05/2014 153(page 6 of 6)

## Summary of Transaction Fees 01/04/2014 TO 30/04/2014

| Transaction Type                                  | Total Trans      | Free | Charged | Rate \$ | Total \$ |
|---|------------------|------|---------|---------|----------|
| Phone Banking                                     | 0                | 0    | 0       | 0.00    | 0.00     |
| Internet/Business Banking Online                  | 17               | 17   | Ō       | 0.00    | 0.00     |
| EFTPOS  | 9                | 9    | o       | 0.00    | 0.00     |
| Cheque  | 0                | 0    | Ō       | 0.00    | 0.00     |
| Over The Counter                                  | o                | 0    | 0       | 0.00    | 0.00     |
| St.George/BankSA/BankMelbourne ATM                | 2                | 2    | ŏ       | 0.00    | 0.00     |
| Bank@Post   | ō                | õ    | Ő       | 0.00    | 0.00     |
| Agency  |                  | Ő    | o       | 0.00    | 0.00     |
| Direct Debits                                     |                  | 4    | ŏ       | 0.00    | 0.00     |
| Overseas Cash Withdrawal                          |                  | 0    | ŏ       | 5.00    | 0.00     |
| VISA Debit  | 11               | 11   | ŏ       | 0.00    | 0.00     |
| St.George/BankSA/BankMelb ATM Mini Trans. History |                  | 0    | 0       | 0.00    | 0.00     |
| eriodical Payments                                |                  | 0    | - 1     |         |          |
| Account Service Fee                               | Statistics and a |      | 0       | 4.00    | 0.00     |
| SUB TOTAL   | 43               |      |         |         | 0.00     |
| EEREBATE  | 43               | 43   | 0       |         | 0.00     |
| OTALS   | 43               | 43   | 0       |         | 0.00     |

There is a flat monthly account service fee on this account. However if you meet the minimum monthly deposit by the last business day of the month, the Account Service Fee will be waived. Withdrawal transactions via branches, cheques, St.George/Bank of Melbourne/BankSA/Westpac branded ATMs, EFTPOS and Phone and Internet banking transfers (including Bpay payments) are fee free.

Summary of Transaction Fees for O/B ATM Inquiries/Withdrawals transactions APR - NIL

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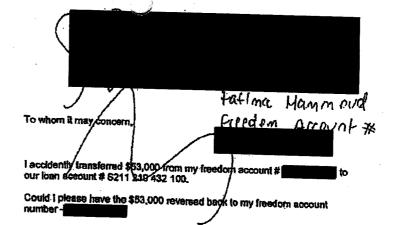
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## ANNEXURE

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