



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID319/2021

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

REMEDY HOUSING PTY LTD and others named in the schedule

Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 17 June 2021

WHERE MADE: Melbourne

PENAL NOTICE

TO: REMEDY HOUSING PTY LTD (ACN 637 023 851)

IF YOU:

- A. REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR**
- B. DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING,**

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.

TO: REMEDY HOUSING PTY LTD (ACN 637 023 851)

This is a '*freezing order*' made against you on 17 June 2021 by Justice Moshinsky at a hearing without notice to you after the Court read the affidavit listed in **Schedule A** to this order.



THE COURT ORDERS THAT:

Introduction

1. The application for this order is made returnable immediately.
2. The time for service of the application, supporting affidavit and originating process is abridged and service is to be effected by 4.00 pm on 22 June 2021 or as soon as practicable thereafter.
3. Subject to the next paragraph, this order has effect up to and including 4.00 pm on 24 June 2021 (the **Return Date**). On the Return Date at 9.30 am there will be a further hearing in respect of this order before the Duty Judge.
4. Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
5. In this order—
 - a. “**plaintiff**”, if there is more than one plaintiff, includes all the plaintiffs;
 - b. “**digital currency**” means *property* as defined in s 9 of the *Corporations Act 2001* (Cth) that is digital currency, virtual currency, cryptocurrency or similar;
 - c. “**you**”, where there is more than one of you, includes all of you and includes you if you are a corporation;
 - d. “**third party**” means a person other than you and the plaintiff;
 - e. “**unencumbered value**” means value free of mortgages, charges, liens or other encumbrances;
 - f. “**your assets**” include—
 - i. all your assets:
 - (A) wherever located in the world;
 - (B) whether or not they are in your name and whether they are solely or co-owned;
 - (C) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or controls the asset in accordance with your direct or indirect instructions); and
 - ii. all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest.
 - g. If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
 - h. If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.



Freezing of Assets

6. You must not:
 - a. move or in any way dispose of, deal with or diminish the value of any of your assets; or
 - b. move or transfer any assets from Australia.
7. Order 6 does not prohibit you from, before any further hearing of this matter:
 - a. paying up to \$1,000 for ordinary living or business expenses; and
 - b. paying up to \$10,000 on reasonable legal expenses.

Disclosure Orders

8. Except to the extent that a claim of privilege against self-incrimination or civil penalty privilege is made:
 - a. at or before the further hearing on the Return Date, to the best of your ability inform the plaintiff in writing of all your assets world-wide, giving their value, location and details and the extent of your interest in the assets;
 - b. within 10 working days after being served with this order, you must deliver or cause to be delivered to the plaintiff a full and detailed affidavit sworn setting out:
 - i. an itemised inventory of your assets and liabilities;
 - ii. the name and address of any bank, building society or other financial institution (both within Australia and outside Australia) at which there is an account in the name of or under your control, together with the number of such account, the name of such account and the balance of that account;
 - iii. the name and address of any Digital Currency exchange at which there is an account in the name of or under your control, together with:
 - (A) all relevant credentials and passwords for access to any Digital Currency held by you including but not limited to, the public and private access keys and/or seed, backup or recovery phrase for any software based or hardware based wallet and/or storage device;
 - (B) all authentication devices required to facilitate access, operation or control of any Digital Currency held, including but not limited to all relevant credentials and passwords for access to the authentication devices or systems, including email, SMS or mobile apps, that facilitate access, operation or control of Digital Currency; and
 - (C) any hard wallet device containing Digital Currency held or controlled by you together with that device's access code;
 - iv. the name and address of any person or persons indebted to you and the amount of the indebtedness;



- v. an itemised inventory of any and all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest;
- vi. in respect of any of your property (as defined in the *Corporations Act*) which has been given as security for any debt or liability, the details of that property and the nature of the security and the debt or liability so incurred;
- vii. the sources and amount of any income, wages, earnings or other payments:
 - (A) received in the 18 months preceding the date on which this order is made; and
 - (B) expected to be received in the 12 months following the date on which this order is made.

Objection to Compliance with Disclosure Orders

9. If all of the persons who are able to comply with Order 8 on your behalf and with whom you have been able to communicate, wish to object to your complying with Order 8 on the grounds that some or all of the information required to be disclosed may tend to prove that they respectively:
- a. have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - b. are liable to a civil penalty;
- you must:
- c. prepare, file and serve on the plaintiff an affidavit disclosing so much of the information required to be disclosed by that order to which no objection is taken;
 - d. prepare an affidavit containing so much of the information required to be disclosed to which objection is taken and deliver it to the Court in a sealed envelope; and
 - e. prepare, file and serve on the plaintiff a separate affidavit setting out the basis of the objection.

Date that entry is stamped: 17 June 2021


Registrar



Schedule A

AFFIDAVITS RELIED ON

Affidavit of Evan Rhys Bradshaw affirmed on 16 June 2021.

NAME AND ADDRESS OF PLAINTIFF'S LAWYERS

Nathalie Pietsch
Litigation Counsel – Chief Legal Office
Australian Securities and Investments Commission
Level 7, 120 Collins Street, Melbourne, 3000
Mob: +61 0478 542 468
nathalie.pietsch@asic.gov.au



Schedule

No: VID319/2021

Federal Court of Australia
District Registry: Victoria
Division: General

Second Defendant BRENT LINDSAY SMITH

Third Defendant MAHMOUD KHODR

Fourth Defendant TREVOR LEOTA



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID319/2021

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

REMEDY HOUSING PTY LTD and others named in the schedule

Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 17 June 2021

WHERE MADE: Melbourne

PENAL NOTICE

TO: BRENT LINDSAY SMITH

IF YOU:

- A. REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR
- B. DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING,

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.

TO: BRENT LINDSAY SMITH

This is a '*freezing order*' made against you on 17 June 2021 by Justice Moshinsky at a hearing without notice to you after the Court read the affidavit listed in **Schedule A** to this order.



THE COURT ORDERS THAT:

Introduction

1. The application for this order is made returnable immediately.
2. The time for service of the application, supporting affidavit and originating process is abridged and service is to be effected by 4.00 pm on 22 June 2021 or as soon as practicable thereafter.
3. Subject to the next paragraph, this order has effect up to and including 4.00 pm on 24 June 2021 (the **Return Date**). On the Return Date at 9.30 am there will be a further hearing in respect of this order before the Duty Judge.
4. Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
5. In this order—
 - a. “**plaintiff**”, if there is more than one plaintiff, includes all the plaintiffs;
 - b. “**digital currency**” means *property* as defined in s 9 of the *Corporations Act 2001* (Cth) that is digital currency, virtual currency, cryptocurrency or similar;
 - c. “**you**”, where there is more than one of you, includes all of you and includes you if you are a corporation;
 - d. “**third party**” means a person other than you and the plaintiff;
 - e. “**unencumbered value**” means value free of mortgages, charges, liens or other encumbrances;
 - f. “**your assets**” include—
 - i. all your assets:
 - (A) wherever located in the world;
 - (B) whether or not they are in your name and whether they are solely or co-owned;
 - (C) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or controls the asset in accordance with your direct or indirect instructions); and
 - ii. all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest.
 - g. If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
 - h. If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.



Freezing of Assets

6. You must not:
 - a. move or in any way dispose of, deal with or diminish the value of any of your assets; or
 - b. move or transfer any assets from Australia.
7. Order 6 does not prohibit you from, before any further hearing of this matter:
 - a. paying up to \$1,000 for ordinary living or business expenses; and
 - b. paying up to \$10,000 on reasonable legal expenses.

Disclosure Orders

8. Except to the extent that a claim of privilege against self-incrimination or civil penalty privilege is made:
 - a. at or before the further hearing on the Return Date, to the best of your ability inform the plaintiff in writing of all your assets world wide, giving their value, location and details and the extent of your interest in the assets;
 - b. within 10 working days after being served with this order, you must deliver or cause to be delivered to the plaintiff a full and detailed affidavit sworn setting out:
 - i. an itemised inventory of your assets and liabilities;
 - ii. the name and address of any bank, building society or other financial institution (both within Australia and outside Australia) at which there is an account in the name of or under your control, together with the number of such account, the name of such account and the balance of that account;
 - iii. the name and address of any Digital Currency exchange at which there is an account in the name of or under your control, together with:
 - (A) all relevant credentials and passwords for access to any Digital Currency held by you including but not limited to, the public and private access keys and/or seed, backup or recovery phrase for any software based or hardware based wallet and/or storage device;
 - (B) all authentication devices required to facilitate access, operation or control of any Digital Currency held, including but not limited to all relevant credentials and passwords for access to the authentication devices or systems, including email, SMS or mobile apps, that facilitate access, operation or control of Digital Currency; and
 - (C) any hard wallet device containing Digital Currency held or controlled by you together with that device's access code;
 - iv. the name and address of any person or persons indebted to you and the amount of the indebtedness;



- v. an itemised inventory of any and all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest;
- vi. in respect of any of your property (as defined in the *Corporations Act*) which has been given as security for any debt or liability, the details of that property and the nature of the security and the debt or liability so incurred;
- vii. the sources and amount of any income, wages, earnings or other payments:
 - (A) received in the 18 months preceding the date on which this order is made; and
 - (B) expected to be received in the 12 months following the date on which this order is made.

Objection to Compliance with Disclosure Orders

9. If you wish to object to complying with Order 8 on the grounds that some or all of the information required to be disclosed may tend to prove that you:
 - a. have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - b. are liable to a civil penalty;you must:
 - c. prepare, file and serve on the plaintiff an affidavit disclosing so much of the information required to be disclosed by that order to which no objection is taken;
 - d. prepare an affidavit containing so much of the information required to be disclosed to which objection is taken and deliver it to the Court in a sealed envelope; and
 - e. prepare, file and serve on the plaintiff a separate affidavit setting out the basis of the objection.

Travel Restraint Orders

10. Subject to further order, for a period of 6 months from the date thereof, you are restrained from leaving or attempting to leave Australia.



11. Within 24 hours of service, you must deliver up to the Registry of the Court:

- a. all passports in your name which are in your possession; and
- b. any airline tickets for any travel made for the twelve (12) month period commencing from the date of these orders;

such documents to be held by the Registry until further order.

Date that entry is stamped: 17 June 2021

Sia Lagos
Registrar



Schedule A

AFFIDAVITS RELIED ON

Affidavit of Evan Rhys Bradshaw affirmed on 16 June 2021.

NAME AND ADDRESS OF PLAINTIFF'S LAWYERS

Nathalie Pietsch
Litigation Counsel – Chief Legal Office
Australian Securities and Investments Commission
Level 7, 120 Collins Street, Melbourne, 3000
Mob: +61 0478 542 468
nathalie.pietsch@asic.gov.au



Schedule

No: VID319/2021

Federal Court of Australia
District Registry: Victoria
Division: General

Second Defendant BRENT LINDSAY SMITH

Third Defendant MAHMOUD KHODR

Fourth Defendant TREVOR LEOTA



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID319/2021

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

REMEDY HOUSING PTY LTD and others named in the schedule

Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 17 June 2021

WHERE MADE: Melbourne

PENAL NOTICE

TO: MAHMOUD KHODR

IF YOU:

- A. REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR**
- B. DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING,**

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.

TO: MAHMOUD KHODR

This is a '*freezing order*' made against you on 17 June 2021 by Justice Moshinsky at a hearing without notice to you after the Court read the affidavit listed in **Schedule A** to this order.



THE COURT ORDERS THAT:

Introduction

1. The application for this order is made returnable immediately.
2. The time for service of the application, supporting affidavit and originating process is abridged and service is to be effected by 4.00 pm on 22 June 2021 or as soon as practicable thereafter.
3. Subject to the next paragraph, this order has effect up to and including 4.00 pm on 24 June 2021 (the **Return Date**). On the Return Date at 9.30 am there will be a further hearing in respect of this order before the Duty Judge.
4. Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
5. In this order—
 - a. “**plaintiff**”, if there is more than one plaintiff, includes all the plaintiffs;
 - b. “**digital currency**” means *property* as defined in s 9 of the *Corporations Act 2001* (Cth) that is digital currency, virtual currency, cryptocurrency or similar;
 - c. “**you**”, where there is more than one of you, includes all of you and includes you if you are a corporation;
 - d. “**third party**” means a person other than you and the plaintiff;
 - e. “**unencumbered value**” means value free of mortgages, charges, liens or other encumbrances;
 - f. “**your assets**” include—
 - i. all your assets:
 - (A) wherever located in the world;
 - (B) whether or not they are in your name and whether they are solely or co-owned;
 - (C) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or controls the asset in accordance with your direct or indirect instructions); and
 - ii. all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest.
 - g. If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
 - h. If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.



Freezing of Assets

6. You must not:
 - a. move or in any way dispose of, deal with or diminish the value of any of your assets; or
 - b. move or transfer any assets from Australia.
7. Order 6 does not prohibit you from, before any further hearing of this matter:
 - a. paying up to \$1,000 for ordinary living or business expenses; and
 - b. paying up to \$10,000 on reasonable legal expenses.

Disclosure Orders

8. Except to the extent that a claim of privilege against self-incrimination or civil penalty privilege is made:
 - a. at or before the further hearing on the Return Date, to the best of your ability inform the plaintiff in writing of all your assets world wide, giving their value, location and details and the extent of your interest in the assets;
 - b. within 10 working days after being served with this order, you must deliver or cause to be delivered to the plaintiff a full and detailed affidavit sworn setting out:
 - i. an itemised inventory of your assets and liabilities;
 - ii. the name and address of any bank, building society or other financial institution (both within Australia and outside Australia) at which there is an account in the name of or under your control, together with the number of such account, the name of such account and the balance of that account;
 - iii. the name and address of any Digital Currency exchange at which there is an account in the name of or under your control, together with:
 - (A) all relevant credentials and passwords for access to any Digital Currency held by you including but not limited to, the public and private access keys and/or seed, backup or recovery phrase for any software based or hardware based wallet and/or storage device;
 - (B) all authentication devices required to facilitate access, operation or control of any Digital Currency held, including but not limited to all relevant credentials and passwords for access to the authentication devices or systems, including email, SMS or mobile apps, that facilitate access, operation or control of Digital Currency; and
 - (C) any hard wallet device containing Digital Currency held or controlled by you together with that device's access code;
 - iv. the name and address of any person or persons indebted to you and the amount of the indebtedness;



- v. an itemised inventory of any and all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest;
- vi. in respect of any of your property (as defined in the *Corporations Act*) which has been given as security for any debt or liability, the details of that property and the nature of the security and the debt or liability so incurred;
- vii. the sources and amount of any income, wages, earnings or other payments:
 - (A) received in the 18 months preceding the date on which this order is made; and
 - (B) expected to be received in the 12 months following the date on which this order is made.

Objection to Compliance with Disclosure Orders

9. If you wish to object to complying with Order 8 on the grounds that some or all of the information required to be disclosed may tend to prove that you:
- a. have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - b. are liable to a civil penalty;
- you must:
- c. prepare, file and serve on the plaintiff an affidavit disclosing so much of the information required to be disclosed by that order to which no objection is taken;
 - d. prepare an affidavit containing so much of the information required to be disclosed to which objection is taken and deliver it to the Court in a sealed envelope; and
 - e. prepare, file and serve on the plaintiff a separate affidavit setting out the basis of the objection.

Travel Restraint Orders

10. Subject to further order, for a period of 6 months from the date thereof, you are restrained from leaving or attempting to leave Australia.



11. Within 24 hours of service, you must deliver up to the Registry of the Court:

- a. all passports in your name which are in your possession; and
- b. any airline tickets for any travel made for the twelve (12) month period commencing from the date of these orders;

such documents to be held by the Registry until further order.

Date that entry is stamped: 17 June 2021

Sia Lagos
Registrar



Schedule A

AFFIDAVITS RELIED ON

Affidavit of Evan Rhys Bradshaw affirmed on 16 June 2021.

NAME AND ADDRESS OF PLAINTIFF'S LAWYERS

Nathalie Pietsch
Litigation Counsel – Chief Legal Office
Australian Securities and Investments Commission
Level 7, 120 Collins Street, Melbourne, 3000
Mob: +61 0478 542 468
nathalie.pietsch@asic.gov.au



Schedule

No: VID319/2021

Federal Court of Australia
District Registry: Victoria
Division: General

Second Defendant BRENT LINDSAY SMITH

Third Defendant MAHMOUD KHODR

Fourth Defendant TREVOR LEOTA



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID319/2021

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

REMEDY HOUSING PTY LTD and others named in the schedule

Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 17 June 2021

WHERE MADE: Melbourne

PENAL NOTICE

TO: TREVOR LEOTA

IF YOU:

- A. REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR**
- B. DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING,**

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

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TO: TREVOR LEOTA

This is an order made against you on 17 June 2021 by Justice Moshinsky at a hearing without notice to you after the Court read the affidavit listed in **Schedule A** to this order.



THE COURT ORDERS THAT:

Introduction

1. The application for this order is made returnable immediately.
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3. Subject to the next paragraph, this order has effect up to and including 4.00 pm on 24 June 2021 (the **Return Date**). On the Return Date at 9.30 am there will be a further hearing in respect of this order before the Duty Judge.
4. Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
5. In this order—
 - a. “**plaintiff**”, if there is more than one plaintiff, includes all the plaintiffs;
 - b. “**digital currency**” means *property* as defined in s 9 of the *Corporations Act 2001* (Cth) that is digital currency, virtual currency, cryptocurrency or similar;
 - c. “**you**”, where there is more than one of you, includes all of you and includes you if you are a corporation;
 - d. “**third party**” means a person other than you and the plaintiff;
 - e. “**unencumbered value**” means value free of mortgages, charges, liens or other encumbrances;
 - f. “**your assets**” include—
 - i. all your assets:
 - (A) wherever located in the world;
 - (B) whether or not they are in your name and whether they are solely or co-owned;
 - (C) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or controls the asset in accordance with your direct or indirect instructions); and
 - ii. all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest.
 - g. If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
 - h. If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.



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6. Except to the extent that a claim of privilege against self-incrimination or civil penalty privilege is made:
 - a. at or before the further hearing on the Return Date, to the best of your ability inform the plaintiff in writing of all your assets world wide, giving their value, location and details and the extent of your interest in the assets;
 - b. within 10 working days after being served with this order, you must deliver or cause to be delivered to the plaintiff a full and detailed affidavit sworn setting out:
 - i. an itemised inventory of your assets and liabilities;
 - ii. the name and address of any bank, building society or other financial institution (both within Australia and outside Australia) at which there is an account in the name of or under your control, together with the number of such account, the name of such account and the balance of that account;
 - iii. the name and address of any Digital Currency exchange at which there is an account in the name of or under your control, together with:
 - (A) all relevant credentials and passwords for access to any Digital Currency held by you including but not limited to, the public and private access keys and/or seed, backup or recovery phrase for any software based or hardware based wallet and/or storage device;
 - (B) all authentication devices required to facilitate access, operation or control of any Digital Currency held, including but not limited to all relevant credentials and passwords for access to the authentication devices or systems, including email, SMS or mobile apps, that facilitate access, operation or control of Digital Currency; and
 - (C) any hard wallet device containing Digital Currency held or controlled by you together with that device's access code;
 - iv. the name and address of any person or persons indebted to you and the amount of the indebtedness;
 - v. an itemised inventory of any and all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest;
 - vi. in respect of any of your property (as defined in the *Corporations Act*) which has been given as security for any debt or liability, the details of that property and the nature of the security and the debt or liability so incurred;
 - vii. the sources and amount of any income, wages, earnings or other payments:
 - (A) received in the 18 months preceding the date on which this order is made; and
 - (B) expected to be received in the 12 months following the date on which this order is made.



Objection to Compliance with Disclosure Orders

7. If you wish to object to complying with Order 6 on the grounds that some or all of the information required to be disclosed may tend to prove that you:
 - a. have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - b. are liable to a civil penalty;you must:
 - c. prepare, file and serve on the plaintiff an affidavit disclosing so much of the information required to be disclosed by that order to which no objection is taken;
 - d. prepare an affidavit containing so much of the information required to be disclosed to which objection is taken and deliver it to the Court in a sealed envelope; and
 - e. prepare, file and serve on the plaintiff a separate affidavit setting out the basis of the objection.

Travel Restraint Orders

8. Subject to further order, for a period of 6 months from the date thereof, you are restrained from leaving or attempting to leave Australia.
9. Within 24 hours of service, you must deliver up to the Registry of the Court:
 - a. all passports in your name which are in your possession; and
 - b. any airline tickets for any travel made for the twelve (12) month period commencing from the date of these orders;

such documents to be held by the Registry until further order.

Date that entry is stamped: 17 June 2021

Sia Lagos
Registrar



Schedule A

AFFIDAVITS RELIED ON

Affidavit of Evan Rhys Bradshaw affirmed on 16 June 2021.

NAME AND ADDRESS OF PLAINTIFF'S LAWYERS

Nathalie Pietsch
Litigation Counsel – Chief Legal Office
Australian Securities and Investments Commission
Level 7, 120 Collins Street, Melbourne, 3000
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nathalie.pietsch@asic.gov.au



Schedule

No: VID319/2021

Federal Court of Australia
District Registry: Victoria
Division: General

Second Defendant BRENT LINDSAY SMITH

Third Defendant MAHMOUD KHODR

Fourth Defendant TREVOR LEOTA



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID319/2021

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

REMEDY HOUSING PTY LTD and others named in the schedule

Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 17 June 2021

WHERE MADE: Melbourne

PENAL NOTICE

TO: MAY-ANN SMITH

IF YOU:

- A. REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR**
- B. DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING,**

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.

TO: MAY-ANN SMITH

This is a '*freezing order*' made against you on 17 June 2021 by Justice Moshinsky at a hearing without notice to you after the Court read the affidavit listed in **Schedule A** to this order.



THE COURT ORDERS THAT:

Introduction

1. The application for this order is made returnable immediately.
2. The time for service of the application, supporting affidavit and originating process is abridged and service is to be effected by 4.00 pm on 22 June 2021 or as soon as practicable thereafter.
3. Subject to the next paragraph, this order has effect up to and including 4.00 pm on 24 June 2021 (the **Return Date**). On the Return Date at 9.30 am there will be a further hearing in respect of this order before the Duty Judge.
4. Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
5. In this order—
 - a. “**plaintiff**”, if there is more than one plaintiff, includes all the plaintiffs;
 - b. “**digital currency**” means *property* as defined in s 9 of the *Corporations Act 2001* (Cth) that is digital currency, virtual currency, cryptocurrency or similar;
 - c. “**you**”, where there is more than one of you, includes all of you and includes you if you are a corporation;
 - d. “**third party**” means a person other than you and the plaintiff;
 - e. “**unencumbered value**” means value free of mortgages, charges, liens or other encumbrances;
 - f. “**your assets**” include—
 - i. all your assets:
 - (A) wherever located in the world;
 - (B) whether or not they are in your name and whether they are solely or co-owned;
 - (C) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or controls the asset in accordance with your direct or indirect instructions); and
 - ii. all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest.
 - g. If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
 - h. If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.



Freezing of Assets

6. You must not:
 - a. move or in any way dispose of, deal with or diminish the value of any of your assets; or
 - b. move or transfer any assets from Australia.
7. Order 6 does not prohibit you from, before any further hearing of this matter:
 - a. paying up to \$1,000 for ordinary living or business expenses; and
 - b. paying up to \$10,000 on reasonable legal expenses.

Disclosure Orders

8. Except to the extent that a claim of privilege against self-incrimination or civil penalty privilege is made:
 - a. at or before the further hearing on the Return Date, to the best of your ability inform the plaintiff in writing of all your assets world wide, giving their value, location and details and the extent of your interest in the assets;
 - b. within 10 working days after being served with this order, you must deliver or cause to be delivered to the plaintiff a full and detailed affidavit sworn setting out:
 - i. an itemised inventory of your assets and liabilities;
 - ii. the name and address of any bank, building society or other financial institution (both within Australia and outside Australia) at which there is an account in the name of or under your control, together with the number of such account, the name of such account and the balance of that account;
 - iii. the name and address of any Digital Currency exchange at which there is an account in the name of or under your control, together with:
 - (A) all relevant credentials and passwords for access to any Digital Currency held by you including but not limited to, the public and private access keys and/or seed, backup or recovery phrase for any software based or hardware based wallet and/or storage device;
 - (B) all authentication devices required to facilitate access, operation or control of any Digital Currency held, including but not limited to all relevant credentials and passwords for access to the authentication devices or systems, including email, SMS or mobile apps, that facilitate access, operation or control of Digital Currency; and
 - (C) any hard wallet device containing Digital Currency held or controlled by you together with that device's access code;
 - iv. the name and address of any person or persons indebted to you and the amount of the indebtedness;



- v. an itemised inventory of any and all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest;
- vi. in respect of any of your property (as defined in the *Corporations Act*) which has been given as security for any debt or liability, the details of that property and the nature of the security and the debt or liability so incurred;
- vii. the sources and amount of any income, wages, earnings or other payments:
 - (A) received in the 18 months preceding the date on which this order is made; and
 - (B) expected to be received in the 12 months following the date on which this order is made.

Objection to Compliance with Disclosure Orders

9. If you wish to object to complying with Order 8 on the grounds that some or all of the information required to be disclosed may tend to prove that you:
- a. have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - b. are liable to a civil penalty;
- you must:
- c. prepare, file and serve on the plaintiff an affidavit disclosing so much of the information required to be disclosed by that order to which no objection is taken;
 - d. prepare an affidavit containing so much of the information required to be disclosed to which objection is taken and deliver it to the Court in a sealed envelope; and
 - e. prepare, file and serve on the plaintiff a separate affidavit setting out the basis of the objection.

Date that entry is stamped: 17 June 2021


Registrar



Schedule A

AFFIDAVITS RELIED ON

Affidavit of Evan Rhys Bradshaw affirmed on 16 June 2021.

NAME AND ADDRESS OF PLAINTIFF'S LAWYERS

Nathalie Pietsch
Litigation Counsel – Chief Legal Office
Australian Securities and Investments Commission
Level 7, 120 Collins Street, Melbourne, 3000
Mob: +61 0478 542 468
nathalie.pietsch@asic.gov.au



Schedule

No: VID319/2021

Federal Court of Australia
District Registry: Victoria
Division: General

Second Defendant BRENT LINDSAY SMITH

Third Defendant MAHMOUD KHODR

Fourth Defendant TREVOR LEOTA



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID319/2021

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION

Plaintiff

REMEDY HOUSING PTY LTD and others named in the schedule

Defendants

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 17 June 2021

WHERE MADE: Melbourne

PENAL NOTICE

TO: JULIANA KHODR

IF YOU:

- A. REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR**
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TO: JULIANA KHODR

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4. Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
5. In this order—
 - a. “**plaintiff**”, if there is more than one plaintiff, includes all the plaintiffs;
 - b. “**digital currency**” means *property* as defined in s 9 of the *Corporations Act 2001* (Cth) that is digital currency, virtual currency, cryptocurrency or similar;
 - c. “**you**”, where there is more than one of you, includes all of you and includes you if you are a corporation;
 - d. “**third party**” means a person other than you and the plaintiff;
 - e. “**unencumbered value**” means value free of mortgages, charges, liens or other encumbrances;
 - f. “**your assets**” include—
 - i. all your assets:
 - (A) wherever located in the world;
 - (B) whether or not they are in your name and whether they are solely or co-owned;
 - (C) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or controls the asset in accordance with your direct or indirect instructions); and
 - ii. all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest.
 - g. If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
 - h. If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.



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Disclosure Orders

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 - a. at or before the further hearing on the Return Date, to the best of your ability inform the plaintiff in writing of all your assets world wide, giving their value, location and details and the extent of your interest in the assets;
 - b. within 10 working days after being served with this order, you must deliver or cause to be delivered to the plaintiff a full and detailed affidavit sworn setting out:
 - i. an itemised inventory of your assets and liabilities;
 - ii. the name and address of any bank, building society or other financial institution (both within Australia and outside Australia) at which there is an account in the name of or under your control, together with the number of such account, the name of such account and the balance of that account;
 - iii. the name and address of any Digital Currency exchange at which there is an account in the name of or under your control, together with:
 - (A) all relevant credentials and passwords for access to any Digital Currency held by you including but not limited to, the public and private access keys and/or seed, backup or recovery phrase for any software based or hardware based wallet and/or storage device;
 - (B) all authentication devices required to facilitate access, operation or control of any Digital Currency held, including but not limited to all relevant credentials and passwords for access to the authentication devices or systems, including email, SMS or mobile apps, that facilitate access, operation or control of Digital Currency; and
 - (C) any hard wallet device containing Digital Currency held or controlled by you together with that device's access code;
 - iv. the name and address of any person or persons indebted to you and the amount of the indebtedness;



- v. an itemised inventory of any and all property (as defined in the *Corporations Act*) whether real or personal owned or controlled by you or in which you have any legal or beneficial interest;
- vi. in respect of any of your property (as defined in the *Corporations Act*) which has been given as security for any debt or liability, the details of that property and the nature of the security and the debt or liability so incurred;
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 - b. are liable to a civil penalty;
- you must:
- c. prepare, file and serve on the plaintiff an affidavit disclosing so much of the information required to be disclosed by that order to which no objection is taken;
 - d. prepare an affidavit containing so much of the information required to be disclosed to which objection is taken and deliver it to the Court in a sealed envelope; and
 - e. prepare, file and serve on the plaintiff a separate affidavit setting out the basis of the objection.

Date that entry is stamped: 17 June 2021


Registrar



Schedule A

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NAME AND ADDRESS OF PLAINTIFF'S LAWYERS

Nathalie Pietsch
Litigation Counsel – Chief Legal Office
Australian Securities and Investments Commission
Level 7, 120 Collins Street, Melbourne, 3000
Mob: +61 0478 542 468
nathalie.pietsch@asic.gov.au



Schedule

No: VID319/2021

Federal Court of Australia
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Division: General

Second Defendant BRENT LINDSAY SMITH

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