

**Haydar Tuncer**

**From:** s 22  
**Sent:** Tuesday, 15 November 2022 12:33 PM  
**To:** s 22; s 22  
**Cc:** s 22; s 22; s 22; s 22  
**Subject:** FTX Australia Pty Ltd – Permission to register Notice of Suspension [SEC=OFFICIAL]

Thanks dear s 22 I'm ready to go when you receive the approval.

Kind regards

s 22  
 Chief Hearing Delegate, Chief Legal Office  
**Australian Securities and Investments Commission**  
 Level 5, 100 Market Street, Sydney, NSW, 2000  
 +s 22  
[@asic.gov.au](mailto:s 22@asic.gov.au)

EA: s 22 | Tel: s 22 | s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)



ASIC acknowledges the Traditional Owners of the lands and waters on which we live and work. We pay respect to Elders past and present as the custodians of the world's oldest continuing cultures.



**From:** s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>  
**Sent:** Tuesday, 15 November 2022 12:21 PM  
**To:** s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>  
**Cc:** s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>  
**Subject:** RE: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Thank you s 22 and s 22 I will make some calls to gauge views and let you know s 22

Kind regards

s 22

s 22  
 Group Senior Manager (Market Conduct), Market Supervision  
**Australian Securities and Investments Commission**  
 Level 9, 120 Collins Street, Melbourne, 3001  
 Tel: s 22  
 Mob: s 22  
[@asic.gov.au](mailto:s 22@asic.gov.au)



ASIC

FOI 211-2022

From: s 22 <[redacted]@asic.gov.au>  
Sent: Tuesday, 15 November 2022 11:02 AM  
To: s 22 <[redacted]@asic.gov.au>; s 22 <[redacted]@asic.gov.au>  
Cc: s 22 <[redacted]@asic.gov.au>; s 22 <[redacted]@asic.gov.au>; s 22 <[redacted]@asic.gov.au>; s 22 <[redacted]@asic.gov.au>  
Subject: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Thanks s 22 Thanks s 22

I agree that if ASIC can be 100% certain that no affected party will appeal this decision to the AAT, then there is no need to wait until tomorrow.

I think approval from your SEL is required for any proposed departure from the RG with respect to media release issues.

Regards

s 22

Senior Manager, Administrative Law Team, Chief Legal Office

**Australian Securities and Investments Commission**

Level 5, 100 Market Street, Sydney, 2000

Tel: s 22 | Mob: s 22  
[redacted]@asic.gov.au



ASIC

From: s 22 <[redacted]@asic.gov.au>  
Sent: Tuesday, 15 November 2022 10:39 AM  
To: s 22 <[redacted]@asic.gov.au>; s 22 <[redacted]@asic.gov.au>  
Cc: s 22 s 22 Elisabeth Saunders  
<Elisabeth.Saunders@asic.gov.au>; s 22 <[redacted]@asic.gov.au>  
Subject: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Dear s 22

Our regulatory guidance (RG 98) states that we will give until the second business day to allow the recipient of an order to make an application to the AAT. s 22 is the Admin Law expert and I defer to her superior knowledge. (For what it's worth, my view is that if the Administrators agree that they are not seeking a review of the decision to suspend FTX Australia Pty Ltd's licence, it should be OK to diverge from the policy.

Over to s 22

Kind regards

s 22

Chief Hearing Delegate, Chief Legal Office

**Australian Securities and Investments Commission**

Level 5, 100 Market Street, Sydney, NSW, 2000

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[redacted]@asic.gov.au

EA: s 22 | Tel: s 22 | s 22 <[redacted]@asic.gov.au>



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FOI 211-2022

ASIC acknowledges the Traditional Owners of the lands and waters on which we live and work. We pay respect to Elders past and present as the custodians of the world's oldest continuing cultures.

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From: s 22 <[REDACTED]@asic.gov.au>

Sent: Tuesday, 15 November 2022 9:49 AM

To: s 22 <[REDACTED]@asic.gov.au>

Cc: s 22 <[REDACTED]@asic.gov.au>; s 22 <[REDACTED]@asic.gov.au>; s 22 <[REDACTED]@asic.gov.au>; s 22 <[REDACTED]@asic.gov.au>

Subject: RE: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Good morning s 22

We were planning to issue a media release today given the public interest in the voluntary administration of FTX Australia and FTX Express and the Chapter 11 bankruptcy proceedings of related companies abroad. Is there an exceptions process or decision escalation path to consider and decide whether we should update the register and issue a media release today rather than wait until tomorrow?

Kind regards

s 22

s 22

Group Senior Manager (Market Conduct), Market Supervision

**Australian Securities and Investments Commission**

Level 9, 120 Collins Street, Melbourne, 3001

Tel: s 22

Mob: s 22

<[REDACTED]@asic.gov.au>



**ASIC**

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From: s 22 <[REDACTED]@asic.gov.au>

Sent: Tuesday, 15 November 2022 9:01 AM

To: s 22 <[REDACTED]@asic.gov.au>

Cc: s 22 <[REDACTED]@asic.gov.au>; s 22 <[REDACTED]@asic.gov.au>; s 22 <[REDACTED]@asic.gov.au>

<[REDACTED]@asic.gov.au>

Subject: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Dear s 22

Thank you for the news.

I will arrange for the Register to be updated tomorrow morning, as per the protocol. (I'll 'cc' you into my email). At that point, you can issue a media release if you wish.

Kind regards

s 22

FOI 211-2022

Chief Hearing Delegate, Chief Legal Office

**Australian Securities and Investments Commission**

Level 5, 100 Market Street, Sydney, NSW, 2000

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From: s 22 @asic.gov.au>

Sent: Monday, 14 November 2022 7:17 PM

To: s 22 @asic.gov.au>

Cc: s 22 @asic.gov.au>; s 22 @asic.gov.au>; s 22 @asic.gov.au>

**Subject:** Re: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Hi s 22

Confirming that the Administrators have acknowledged receipt of the notice of licence suspension.

Kind regards

s 22

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From: s 22 @asic.gov.au>

Sent: Monday, November 14, 2022 5:41:06 PM

To: s 22 @asic.gov.au>

Cc: s 22 @asic.gov.au>; s 22 @asic.gov.au>; s 22 @asic.gov.au>

**Subject:** FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Dear s 22

Thank you for serving the documents. I agree with your proposed plan of action to follow up with the Administrators tomorrow, if they don't send a confirmatory email beforehand.

I also agree to hold off on posting a hard copy in the hope service can be effected electronically.

Kind regards

s 22

Chief Hearing Delegate, Chief Legal Office

**Australian Securities and Investments Commission**

Level 5, 100 Market Street, Sydney, NSW, 2000

EA: s 22 | Tel: s 22 | s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)



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From: s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>

Sent: Monday, 14 November 2022 5:07 PM

To: s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>

Cc: s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>

Subject: FW: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Good afternoon s 22

Thank you for considering our brief on Friday afternoon and reaching your decision and preparing the notice today.

I confirm that I have served the notice of suspension on the Administrators by email (see below) and am awaiting an acknowledgment of receipt. I wasn't intending to separately send a hard copy in the post tonight (unless you prefer), but will reassess tomorrow if I have not received a written acknowledgment.

Kind regards

s 22

s 22  
Group Senior Manager (Market Conduct), Market Supervision

**Australian Securities and Investments Commission**

Level 9, 120 Collins Street, Melbourne, 3001

Tel: s 22

Mob: s 22

[s 22@asic.gov.au](mailto:s 22@asic.gov.au)



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From: Andrew Templer

Sent: Monday, 14 November 2022 3:54 PM

To: John Mouawad <[jmouawad@kordamentha.com](mailto:jmouawad@kordamentha.com)>; Rahul Goyal <[RGoyal@kordamentha.com](mailto:RGoyal@kordamentha.com)>; Scott Langdon <[slangdon@kordamentha.com](mailto:slangdon@kordamentha.com)>

Cc: Paul Hewson <[phewson@kordamentha.com](mailto:phewson@kordamentha.com)>; Chris Meehan <[cmeehan@kordamentha.com](mailto:cmeehan@kordamentha.com)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>; s 22 [@asic.gov.au](mailto:s 22@asic.gov.au)>

Subject: FTX Australia Pty Ltd – Notice of Suspension of Australian Financial Services Licence [SEC=OFFICIAL]

Dear Messrs Mouawad, Goyal and Langdon



Please find enclosed by way of service a notice of the suspension of Australian financial services licence number 323193 held by FTX Australia Pty Ltd (In Voluntary Administration), a statement of reasons for suspending the licence and the information sheet 'ASIC decisions – Your rights'.

I would be grateful if you could please acknowledge receipt of the notice by return email.

Please let me or s 22 know if you have any questions about the notice of suspension.

Yours faithfully

s 22

s 22

Group Senior Manager (Market Conduct), Market Supervision

**Australian Securities and Investments Commission**

Level 9, 120 Collins Street, Melbourne, 3001

Tel: s 22

Mob: s 22

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**ASIC**