

E-mail: [REDACTED]

31 May 2024

Ms Rebecca Jaffe
Partner
HLW Ebsworth Lawyers
Level 8, 447 Collins Street
Melbourne Victoria 3000

Dear Ms Jaffe,

New [REDACTED] Investigation (September 2023 – May 2024)

1. I write to advise you of the following consistent with paragraph 17 of my 7 February 2024 letter to you.
2. On 18 September 2023, I commenced an independent critical review of the July 2022 - August 2023 investigation (**Original Investigation**) by the Australian Securities and Investments Commission (**ASIC**) of [REDACTED].
3. This review provided me the opportunity to pursue new lines of investigation into both the activities of [REDACTED] and the actions of ASIC officials.
4. After 8 months of intensive full-time work and the expenditure of significant personal financial resources, I have now produced a 205-page Critical Review Report (CRR) of ASIC's Original Investigation. This CRR is supported by over 200 evidentiary exhibits including specialised legal advice.

In short, I allege that [REDACTED] (and related corporate entities) contravened both Commonwealth and NSW law during the course of ASIC's July 2022 to August 2023 investigation which has caused, and continues to cause, harm (including financial loss) to the clients of [REDACTED] and a broader array of Australians.

I further allege that it is almost unfathomable that such misconduct could not have manifested without either grand deception by [REDACTED] or ASIC's acquiesce, if not facilitation.

5. Thus, on this basis, I can advise that I have referred several ASIC officials to the National Anti-Corruption Commission (**NACC**) for investigation on suspected contraventions of section 8 of the *National Anti-Corruption Commission Act 2022*. This referral includes ASIC Deputy Chair Ms Sarah Court.

This referral to the NACC joins my existing referral of former Deputy Chair Ms Karen Chester, which after 300 days and six rounds of evidence spanning 260 pages remains a live matter.

6. Furthermore, I can confirm that in the coming days, a copy of my CRR will be provided to multiple committees within the Australian Senate and the Australian Federal Police.

CONFIDENTIAL

Provision of CRR to ASIC & HWL Ebsworth

7. On 7 March 2024, you wrote to me with a request for further information with respect to the practices of [REDACTED]. I noted in response, consistent with my 26 November 2023 email to ASIC's Ms Melissa Smith, that it was important that the investigative procedures that I had deployed played out to their natural conclusion.
8. Given that this point has now materialised, I am now prepared to provide either HWL Ebsworth (HWLE) or ASIC a copy of my CRR in conjunction with a 15-page cover letter addressed to ASIC Chairman Joseph Longo.
9. I am also prepared to provide a detailed briefing to either HWLE or ASIC with respect to the findings of the CRR and explain why I have taken the significant actions that I have.

Such a briefing would require approximately 2 hours and would ideally be held in a face-to-face setting (either in Sydney or Melbourne).

10. If HWLE or ASIC is willing to meet with me to receive the briefing, I would ask that you indicate your intention by 5pm, Friday, 31 May 2024.
11. Alternatively, if there is no interest in receiving a briefing, I will immediately proceed to:
 - submit my CRR directly to ASIC on Monday, 3 June 2024 for their consideration at ASIC's Sydney office consistent with my previous April 2022 and November 2023 practice; and
 - inform the Australian people about the real truth of ASIC's July 2022 - August 2023 investigation.
12. I await your response.

Yours sincerely,

[REDACTED]

[REDACTED]