

Form 51 (version 1)
Rule 38.1

EXAMINATION NOTICE

COURT DETAILS

Court **New South Wales Court of Appeal**
Case number **117 of 2007**

TITLE OF PROCEEDINGS

Appellant **Trustees of the Roman Catholic Church**
Number of Appellants **2**

Respondent/Cross-Appellant **John Andrew Ellis**

NOTICE TO THE JUDGMENT DEBTOR

Name **John Andrew Ellis**
Address for Service **David Begg & Associates**
Solicitors
Suite 1404, Level 14
14 Martin Place
Sydney NSW 2000

The court gave judgment for costs against you on 24 May 2007. The judgment is still unsatisfied.

You must:

- Answer the examination questions at the end of the document about your present income, assets and liabilities
- Make copies of the document and things that you have been asked to produce and attach the copies to the examination notice
- Sign the examination notice
- Send the signed examination notice and the copies of the documents and things to the judgment creditor, Trustees of the Roman Catholic Church, at:
 - **Corrs Chambers Westgarth**
Governor Phillip Tower
1 Farrer Place
Sydney, NSW 2000
 - **By 9 June 2008**

If you do not comply, you may be ordered to attend court to provide this information to the court. If you are required to attend court to provide this information additional costs will be incurred.

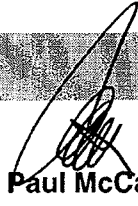
SIGNATURE

Signature of solicitor for Appellant

Name

Position

Date



Paul McCann

Solicitor for the Appellant

Questions

Income

Your total average weekly income after tax.

\$

Income of spouse/partner.

\$

Your employment details

What is the name of your principal employer?

What is the address of your principal employer?

SUBURB	POSTCODE

Property owned by you

		CURRENT VALUE
Home	PROPERTY ADDRESS	\$ <input style="width: 80%;" type="text"/>
Funds in banks/ Financial Institutions	BRANCH BSB AND ACCOUNT NUMBER	\$ <input style="width: 80%;" type="text"/>
	BRANCH BSB AND ACCOUNT NUMBER	\$ <input style="width: 80%;" type="text"/>
Investments	NAME AND TYPE OF INVESTMENT	\$ <input style="width: 80%;" type="text"/>
	FULL NAMES OF ALL OWNERS	
	NUMBER OF SHARES HELD YOUR % SHARE	
Motor vehicle	YEAR MAKE	\$ <input style="width: 80%;" type="text"/>
	MODEL REGISTRATION NO.	
Household contents		\$ <input style="width: 80%;" type="text"/>
Other personal property	SPECIFY	\$ <input style="width: 80%;" type="text"/>
TOTAL VALUE OF PROPERTY OWNED BY YOU		\$ <input style="width: 80%; border: 2px solid black;" type="text"/>

Your liabilities

Average weekly expenses

ITEM	WEEKLY AMOUNT
Food	\$
Household supplies	\$
Mortgage/Rent	\$
Gas	\$
Electricity	\$
Heating fuel	\$
Telephone	\$
Motor vehicle	
Petrol	\$
Maintenance	\$
Fares	\$
Clothing and shoes	\$
Medical/Hospital funds	\$
Entertainment/hobbies	\$
Education expenses, including fees and levies	\$
Chemist/pharmaceutical	\$
Visa Card/Bank Card	\$
Hire Purchase Payments	\$
Other necessary commitments (specify)	\$
TOTAL	\$

LIABILITIES	NAME OF BANK/ INSTITUTION	TOTAL AMOUNT OWED
Home Mortgage		\$
Other Loans		\$
Credit Cards		\$
Credit Cards		\$
Other liabilities (please specify)		\$

Additional Questions regarding your financial circumstances

Do you have any income, assets or liabilities not disclosed in this examination notice?

If you answered yes to the previous question, give details of the other income, assets or liabilities.

What arrangements are you prepared to make to satisfy this debt?

Additional questions

- 1 Do you have an interest in any real property or personal property owned by a third party or your wife? If so provide details.
- 2 Have you made any contribution to any real or personal property owned by a third party or your wife in the last 5 years? If so provide details.
- 3 Have you sold any property (real or personal) in the last 5 years? If so, provide details of the property's value, the purchaser and sale price.
- 4 What are the terms of your fee arrangement with the firm of David Begg & Associates and Dr Andrew Morrison SC and Richard Royle of counsel in relation to New South Wales Court of Appeal Proceedings 117 of 2007 (**Proceedings**)?
- 5 Were you required to pay any fees to David Begg & Associates or counsel in relation to the Proceedings?
- 6 Have you paid any, or all, of the fees or costs required to be paid to David Begg & Associate or counsel in relation to the Proceedings?
- 7 If any fees or costs were paid to David Begg & Associates or counsel in relation to the Proceedings, how did you obtain funds to do so?
- 8 Are any funds held on trust for you or for your benefit by any person?
- 9 Do you have any right to indemnification from, or contribution by any other person in relation to the costs you incurred in the commencement and conduct of the Proceedings, whether written, oral or implied (through common law by any agency or similar agreement)?

Please note that any reference to "person" has the meaning as defined in the Corporations Act 2001.

Documents to be produced

Copies of the following documents must be attached by the judgment debtor and returned with this notice to the judgment creditor.

- 1 All income tax returns and Notices of Assessment for the last 3 financial years.
- 2 Salary/Wage records for the last 12 months.
- 3 Bank statements for the last 3 years.
- 4 Any applications for loans with any Bank, Building Society, Credit Union or other financial institution or originals or copies of loan schedules, loan accounts and/or mortgage documents prepared in the last 3 years.
- 5 Certificates of title to any real property in your name and/or you wife or ex-wife's name.
- 6 Share option, derivatives and/or debenture certificates or any other documents recording investments with holdings by you in any other entity, business or investment.
- 7 Any of the above documents in relation to a company of which you are director or secretary.
- 8 Any documents which record the terms on which you sold any real or personal property in the last 3 years.
- 9 Any receipts issued by David Begg & Associates or Dr Andrew Morrison SC or Richard Royle of counsel for fees paid in relation to the Proceedings.
- 10 Any document which records the terms of any rights of indemnification from or contribution by another person in relation to the expenses you incurred in to the initiation and conduct of the Proceedings.

Any other document which may indicate your financial status or which evidence your relationship and dealing with any other person (excluding legal advisers) in so far as it relates to the Proceedings.

SIGNATURE OF JUDGMENT DEBTOR

The information contained in the examination notice is true.

I have attached copies of the documents that I have been asked to produce.

Signature of judgment debtor

Name

Date

HOW TO COMPLETE THIS FORM**THESE INSTRUCTIONS ARE NOT TO BE FILED**

Do not include any information about the proceedings on this part of the form.

**** OPTIONAL INFORMATION**

Some information in this form may not be relevant to your proceedings. An item marked with ** may be omitted if it is not relevant to your proceedings.

COURT DETAILS / TITLE OF PROCEEDINGS

Copy this information from the originating process.

NOTICE TO THE JUDGMENT DEBTOR

Include details of the date of the judgment.

Include the judgment debtor's name and address.

Include details about where the judgment debtor is to send the completed notice and the date by which the notice must be sent.

SIGNATURE

This form must be signed by:

- The solicitor for the party
- If the party does not have a solicitor, an authorised person, or the party.

If a solicitor or authorised person is signing the form, include information about the capacity in which the person is signing the form eg. Solicitor for the defendant.

EXAMINATION

The examination questions can be adapted as necessary if the examination notice is being served on a company.