

Form 509H

(paragraph 459E (2) (e))

Corporations Act 2001

CREDITOR'S STATUTORY DEMAND FOR PAYMENT OF DEBT

To Dural Alliances Pty Ltd ACN 620 742 994 of 88 Perfection Ave, Stanhope Gardens NSW 2768 (address of the company's registered office)

1. The company owes DCP Litigation Holdings Pty Ltd of Suite 22, 1-7 Jordan St, Gladesville 2111 ("the creditor")

*the amount of \$179,999.82 being the amount of the debt described in the Schedule.

2. Attached is the affidavit of Mark Smith, dated 16 November 2019, verifying that the amount is due and payable by the company.

3. The creditor requires the company, within 21 days after service on the company of this demand:

(a) to pay to the creditor the *amount of the debt/*total of the amounts of the debts; or

(b) to secure or compound for the *amount of the debt/*total of the amounts of the debts, to the creditor's reasonable satisfaction.

4. The creditor may rely on a failure to comply with this demand within the period for compliance set out in subsection 459F (2) as grounds for an application to a court having jurisdiction under the Corporations Act 2001 for the winding up of the company.

5. Section 459G of the Corporations Act 2001 provides that a company served with a demand may apply to a court having jurisdiction under the Corporations Act 2001 for an order setting the demand aside. An application must be made within 21 days after the demand is served and, within the same period:

(a) an affidavit supporting the application must be filed with the court; and

(b) a copy of the application and a copy of the affidavit must be served on the person who served the demand.

A failure to respond to a statutory demand can have very serious consequences for a company. In particular, it may result in the company being placed in liquidation and control of the company passing to the liquidator of the company.

6. The address of the creditor for service of copies of any application and affidavit is Suite 22, 1-7 Jordan St, Gladesville NSW 2111.

SCHEDULE

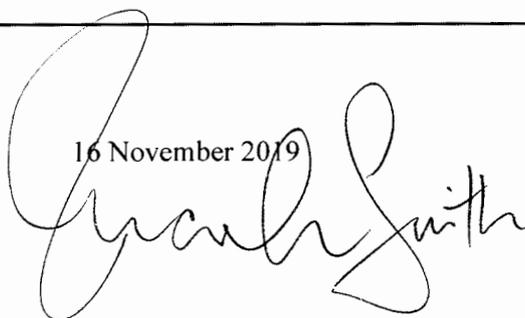
Description of the debt	Amount of the debt
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<i>Sum payable under clause 10.3 of deed of assignment dated on or about 5 July 2018 being 33.3333% of Resolution Sum payable by reason of breach/es and repudiation of the deed by creditor through its lawyers on or about 8 January 2019.</i>	\$179,999.82
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Total Amount \$179,999.82

Dated: 16 November 2019

signed:



Print name: Mark Smith capacity: Authorised officer, *Director*.

Corporation or partnership name (if applicable):

NOTES:

1. The form must be signed by the creditor or the creditor's solicitor. It may be signed on behalf of a partnership by a partner, and on behalf of a corporation by a director or by the secretary or an executive officer of the corporation.
2. The amount of the debt or, if there is more than one debt, the total of the amounts of the debts, must exceed the statutory minimum of \$2,000.
3. Unless the debt, or each of the debts, is a judgment debt, the demand must be accompanied by an affidavit that:
 - (a) verifies that the debt, or the total of the amounts of the debts, is due and payable by the company; and
 - (b) complies with the rules.
4. A person may make a demand relating to a debt that is owed to the person as assignee.
5. This form was amended in 2006 as part of amendments of the Corporations Regulations 2001. For the period of 12 months after the commencement of those amendments a person

may comply with paragraph 459E (2) (e) of the Corporations Act 2001 in relation to a statutory demand for payment of debt by using:

- (a) the version of this form that was in force immediately before the commencement of the amendments; or
- (b) this version of the form.

*Omit if inapplicable

DCP Litigation Holdings Pty Ltd ACN 627 653 829
Creditor(s)

Dural Alliances Pty Ltd ACN 620 742 994
Debtor company

I, Mark Smith of 2a Beecroft Road, Beecroft NSW 2119 (Director and Authorised officer), state on oath / solemnly and sincerely affirm and declare:

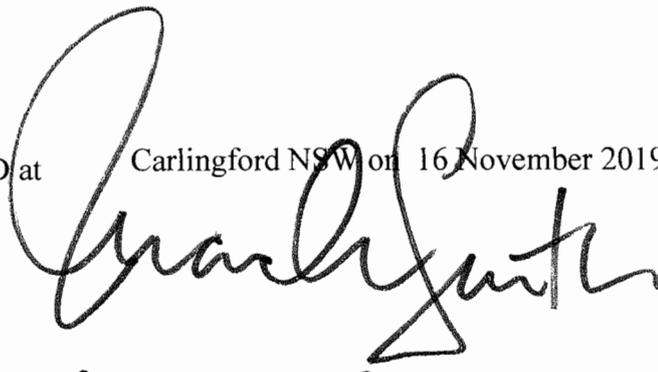
- 1) I am the authorised officer of the creditor.
- 2) Pursuant to a Deed of 5 July 2018 (the deed), the creditor is the assignee of debtor (the assignor) and is entitled to demand from the debtor, pursuant to clause 10.3, its share of the agreed resolution payable to the debtor.
- 3) I am authorised by the creditor(s) to make this affidavit within my responsibilities, duties and brief.
- 4) I have inspected the relevant books and records of the assignor. As assignee, the creditor is owed the sum stated in the schedule contained within the statutory demand.
- 5) I believe that there is no genuine dispute about the existence or amount of the debt, nor that it is immediately due and payable.
- 6) The debt, demand / notice and affidavit comply with the rules.



SWORN #AFFIRMED at

Carlingford NSW on 16 November 2019

Signature of deponent



Name of witness

ARRY. H. STEINBERG

Address of witness

106/4 COLUMBIA CRT. BAULKHAM HILLS

Capacity of witness

NSW JP 164948
[#Justice of the peace #Solicitor #Barrister
#Commissioner for affidavits #Notary public]

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

1. #I saw the face of the deponent. [OR, delete whichever option is inapplicable]

~~#I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.~~

2. #I have known the deponent for at least 12 months. [OR, delete whichever option is inapplicable]

~~#I have confirmed the deponent's identity using the following identification document:~~

Identification document relied on
(may be original or certified copy)

Signature of witness

