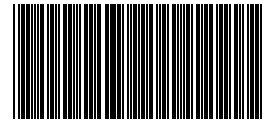




Filed: 20 October 2023 4:20 PM



D0001SINF1

Form 40
UCPR 35.1

AFFIDAVIT OF Cindy Chen - 20 October 2023

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Corporations List
Registry	Supreme Court Sydney
Case number	2023/00314352

TITLE OF PROCEEDINGS

First Plaintiff	Sule Arnautovic
Second Plaintiff	HILLS LIMITED

FILING DETAILS

Filed for	Sule Arnautovic, Plaintiff 1 HILLS LIMITED, Plaintiff 2
-----------	--

Legal representative	David Patrick Armstrong
Legal representative reference	

Telephone	(02)80357913
-----------	--------------

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Affidavit (General) (e-Services), along with any other documents listed below, were filed by the Court.

Affidavit (UCPR 40) (Affidavit of Cindy Chen - 20 October 2023 (for filing).pdf)

[attach.]

IN THE SUPREME COURT OF NEW SOUTH WALES
DIVISION: EQUITY
REGISTRY: SYDNEY
CORPORATIONS LIST

No. 314352 of 2023

IN THE MATTER OF HILLS LIMITED (SUBJECT TO DEED OF COMPANY
ARRANGEMENT)
ACN: 007 573 417

**SULE ARNAUTOVIC AND JOHN VOURIS IN THEIR CAPACITY AS JOINT AND SEVERAL
DEED ADMINISTRATORS OF HILLS LIMITED (SUBJECT TO DEED OF COMPANY
ARRANGEMENT) ACN 007 573 417**

First Plaintiff

**HILLS LIMITED (SUBJECT TO DEED OF COMPANY ARRANGEMENT)
(ACN 007 573 417)**
Second Plaintiff

Affidavit of: Xinyi (Cindy) Chen
Address: Hall Chadwick, Level 40, 2 Park Street, Sydney NSW 2000
Occupation: Accountant
Date: 20 October 2023

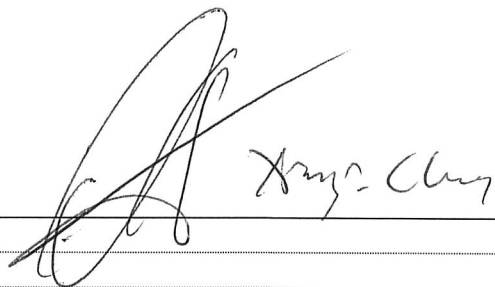
Contents

I, **Xinyi (Cindy) Chen**, of Hall Chadwick Pty Limited (**Hall Chadwick**) at Level 40, 2 Park Street, Sydney NSW 2000, say on oath:

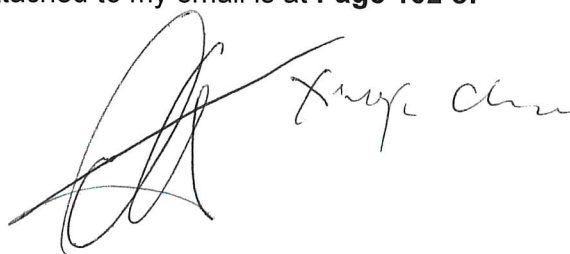
OVERVIEW

1. I am an employee in the Corporate Insolvency and Business Recovery team at Hall Chadwick.

Filed on behalf of (name & role of party) Plaintiffs
Prepared by (name of person/lawyer) David Armstrong
Law firm (if applicable) Mills Oakley
Tel (02) 8035 7913 Fax (02) 9247 1315
Email darmstrong@millsoakley.com.au
Address for service Level 7, 151 Clarence Street, Sydney NSW 2000
(include state and postcode)



2. Exhibited to me at the time of swearing this affidavit and marked “**CC1**” (**Exhibit CC1**) is a bundle of documents to which I refer in this affidavit by page number.
3. On 6 October 2023, I obtained a copy of the share registry of Hills Limited (Subject to Deed of Company Arrangement) (**Hills**) (**Share Registry**) from Link Market Services.
4. On 9 October 2023, the Supreme Court of NSW made orders including orders relating to the notice to be provided to the members of Hills (**Orders**). A copy of the orders is at **Pages 1 to 3 of CC1**. The Orders required notice of the following documents to be provided to members and creditors:
 - a) the originating process in these proceedings
 - b) an Explanatory Statement;
 - c) the affidavit of Sule Arnautovic sworn 4 October 2023;
 - d) any supplementary affidavits filed by the Plaintiffs; and
 - e) the Orders,**(the Documents)**.
5. On 13 October 2023, I sent a Report to Creditors dated 13 October 2023 by email to certain members of Hills and to creditors of Hills (as set out in paragraphs 6 and 7 below) and the 11 subsidiaries of Hills to which the Deed Administrators have been appointed. The Report to Creditors includes a link to the website of Hall Chadwick where the Documents are available for download.
6. The Share Registry records the names, addresses and, where applicable, the email addresses of the shareholders of Hills. Of the 10,684 shareholders identified in the Share Registry, email addresses are recorded for 4,398 shareholders. I am not aware of any other email addresses for shareholders which are available in the books and records of Hills available to the Deed Administrators.
7. A copy of the email I sent on 13 October 2023 to shareholders and creditors attaching the Report to Creditors is **Page 4 of CC1**. As Outlook only permits a user to send an email to a maximum of 500 recipients at a time, I sent a series of 12 separate emails to the 4,398 shareholders for which the Deed Administrators have emails and the 503 creditors. At **Pages 5 to 87 of CC1** is a list of all members of Hills who were sent a copy of the email. At **Pages 88 to 101 of CC1** is a list of all creditors of Hills who were sent a copy of the email.
8. A copy of the Report to Creditors which was attached to my email is at **Page 102 of CC1**.



SWORN at Sydney
Signature of deponent



DEPONENT

Name of witness

Aleksandar Matic

Address of witness

A Justice of the Peace in and for
the State of New South Wales

Capacity of witness

Reg. No 196369
Solicitor / Justice of the Peace

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.
- 2 I have known the deponent for at least 12 months.

Signature of witness

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B.

