

BETWEEN

**AUSTRALIAN SECURITIES & INVESTMENTS
COMMISSION**

Appellant

AND

KIM SAMUEL JAQUES

First Respondent

**AUSTRALIAN PROPERTY CUSTODIAN
HOLDINGS LIMITED ACN 095 474 436
(RECEIVERS AND MANAGERS APPOINTED)
(IN LIQUIDATION) (CONTROLLERS
APPOINTED)**

Second Respondent

FIRST RESPONDENT'S SUBMISSIONS

Part I: Certification

1. These submissions are in a form suitable for publication on the internet.

Part II: Issues

2. Mr Jaques adopts the articulation of the issues as framed by Mr Lewksi in proceeding No M79 of 2018.

Part III: Notice under s.78B of the *Judiciary Act 1903*

3. Notice pursuant to s.78B of the *Judiciary Act 1903 (Cth)* is not necessary.

Part IV: Facts

4. Mr Jaques adopts Part IV of Mr Lewski's submissions.

Part V: Legislation

5. Mr Jaques adopts Part V of Mr Lewski's submissions.

Part VI: Argument

6. Mr Jaques adopts Part VI of Dr Wooldridge's submissions in proceeding No M80 of 2018.

Part VII: Time estimate

7. It is estimated that the presentation of oral argument on behalf of Dr Wooldridge, Mr Butler and Mr Jaques will require 2.5 hours.

Date: 3 August 2018

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