

God m
Court of
Appeal
- 22/12/06

AFFIDAVIT OF KYLIE ARIGHO - 4th DECEMBER 2006

COURT DETAILS

Court: Supreme Court of New South Wales
Division: Common Law Division
List: Possession List
Registry: Sydney
Case number: 13403/06

TITLE OF PROCEEDINGS

First plaintiff: Perpetual Limited, formerly known as Perpetual Trustees Australia Limited
[ACN 000 431 827]
Number of plaintiffs: 1
First Defendant: Fiona Caroline Cristian
Number of Defendants: 1

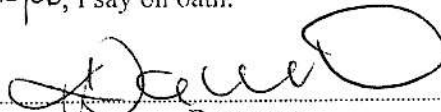
FILING DETAILS

Filed for: Plaintiff
Address: Dibbs Abbott Stillman
Lawyers
ABN 84 338 278 574
Level 8 Angel Place
123 Pitt Street
SYDNEY NSW 2000
DX 101 SYDNEY
Fax: (02) 8233 9555
Tel: (02) 8233 9500
Email: syd.litigation@daslaw.com.au
Court user number 80
Solicitor's file reference GTB/GAK/JAB/3301650

AFFIDAVIT DETAILS

Name: Kylie Arigho
Address: Level 13, "Angel Place", 123 Pitt Street, Sydney, NSW
Occupation: Manager

On 4/12/06, I say on oath:


Deponent


Witness

1. I am a Manager employed by the Plaintiff and in that capacity have the authority to swear this affidavit on its behalf.
2. This affidavit is true to the best of my knowledge, information and belief. The source of my knowledge as set out in this affidavit is the plaintiff's file material and other documents and records in its possession, including the plaintiff's computer records and loan account database.
3. Pursuant to a loan contract executed by the defendant on 25 August 2005 ("the Loan Contract"), the plaintiff advanced \$664,000.00 to the defendant on 20 September 2005.
4. The defendant has not made any repayments of the amount advanced by the plaintiff under the Loan Contract.
5. The plaintiff filed a Statement of Claim against the defendant in this Honourable Court on 14 July 2006 claiming judgment against the defendant in the sum of \$713,886.82.
6. As at 15 November 2006, the defendant was indebted to the plaintiff in the amount of \$737,965.54, plus considerable legal costs.
7. On 16 May 2006, the plaintiff conducted a valuation of the security property which the defendant mortgaged to the plaintiff as security for the amount advanced under the Loan Contract. The security property was valued at \$675,000.00. A copy of this valuation was annexed to my earlier affidavit, sworn 18 October 2006 and filed in these proceedings.
8. The plaintiff is currently in a position of considerable negative equity. Any further delay in the finalisation of these proceedings will compound this position.

SWORN 4th December 2006

At SYDNEY

Signature of deponent



Signature of witness



Name of witness

Capacity of witness

CRAIG CHAPMAN
JUSTICE OF THE PEACE
Level 12 Angel Place
123 Pitt Street Sydney
Registration Number 124696