

NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	10/08/2026 9:52:42 AM AEST
Date Accepted for Filing:	10/08/2026 9:52:46 AM AEST
File Number:	QUD492/2026
File Title:	MICHAEL JOE BOTICA & ORS v ADAM WATSON & ORS
Registry:	QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads "Sia Lagos".

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



1

Form 59
Rule 29.02(1)

Affidavit

No. QUD 492 of 2026

Federal Court of Australia
District Registry: Queensland
Division: General Division

IN THE MATTER OF PIONEER LAKES PTY LTD ACN 108 681 563

MICHAEL JOE BOTICA and others

Plaintiffs

ADAM WATSON and others

Defendants

Affidavit of: **Stephen Brian Coleman**
Address: 11 Riflebird Avenue, Aroona QLD 4551
Occupation: Company director
Date: 10 August 2026

Contents

Document number	Details	Paragraph	Page
1	Affidavit of Stephen Brian Coleman in support of originating process affirmed on 10 August 2026		1-4
2	Annexure " SBC-1 ", being copy of share certificates for 70 ordinary shares held by Jomist Developments Pty Ltd ACN 104 650 526 in Pioneer Lakes Pty Ltd ACN 108 681 563 (Pioneer Lakes)	6	5-8

Signed by:

Stephen Brian Coleman

Signed by:

Heath Cruden

Filed on behalf of (name & role of party) 0F6A40AAF669470... Michael Joe Botica, Stephen Brian Coleman, John Leslie O'Toole, Grassland Properties Pty Ltd ACN 106 656 802, Jomist Developments Pty Ltd ACN 104 650 526, Plaintiffs 5F635287C8D4F7

Prepared by (name of person/lawyer) Scott David Guthrie

Law firm (if applicable) Thomsons

Tel +61 7 3338 7516 Fax 07 3338 7599

Email sguthrie@thomsons.com.au

c/- Thomsons
Level 28, One Eagle – Waterfront Brisbane
1 Eagle Street
Address for service
(include state and postcode) **BRISBANE QLD 4000**

[Version 3 form approved 02/05/2019]

I, Stephen Brian Coleman, company director, affirm:

1. I am the Second Plaintiff.
2. I am also a director (together with the Third Plaintiff, Mr O'Toole) of:
 - (a) Jomist Developments Pty Ltd ACN 104 650 526 (**Jomist**), the Fifth Plaintiff; and
 - (b) Pioneer Lakes Pty Ltd ACN 108 681 563 (**Pioneer Lakes**), the Fourth Defendant.
3. I am authorised to make this affidavit on behalf of Jomist.
4. In this affidavit, I refer to the affidavit of Michael Joe Botica affirmed 5 August 2026 (**First Botica Affidavit**). I adopt the definitions used in the First Botica Affidavit.

Jomist's share certificates

5. As Michael Joe Botica (**Mr Botica**) has deposed to at paragraphs 7 and 20 of the First Botica Affidavit:
 - (a) Jomist was recorded on the database maintained by ASIC as the holder of 70 ordinary shares, or 70% of the issued share capital in Pioneer Lakes, until 3 July 2026; and
 - (b) the register of members of Pioneer Lakes records Jomist as holding 70 ordinary shares, or 70% of the ordinary issued share capital in Pioneer Lakes. The register of members of Pioneer Lakes which is exhibited at **MJB-6** to the First Botica Affidavit shows that:
 - (i) on 8 April 2004, Jomist received 10 ordinary shares in Pioneer Lakes;
 - (ii) on 15 June 2009, Jomist received a further 40 ordinary shares in Pioneer Lakes; and
 - (iii) on 3 December 2012, Jomist received a further 20 ordinary shares in Pioneer Lakes.
6. Exhibit at **SBC-1** is a true copy of the following share certificates for shares held by Jomist in Pioneer Lakes:
 - (a) share certificate for 10 ordinary shares (or 10% of the ordinary issued share capital in Pioneer Lakes) dated 8 April 2004;
 - (b) share certificate for 40 ordinary shares (or 40% of the ordinary issued share capital in Pioneer Lakes) dated 27 June 2009; and
 - (c) share certificate for 20 ordinary shares (or 20% of the ordinary issued share capital in Pioneer Lakes) dated 3 December 2012.
7. Jomist holds the share certificate exhibited above, and has not delivered any share certificates in Pioneer Lakes to that company or the defendants, whether in preparation for or as part of the completion of the Share Sale Agreement.

Signed by:

Stephen Brian Coleman

0F6A40AAF669470...

Signed by:

Heath Cruden

58F63E283CBD4F7...

First Botica Affidavit

8. I have reviewed the First Botica Affidavit.
9. In relation to the First Botica Affidavit, I note as follows:
- (a) At paragraph 17 of the First Botica Affidavit, Mr Botica has deposed that Mr O'Toole, Mr Watson and I executed a bundle of documents. I confirm that I executed the documents exhibited at **MJB-39** to the First Botica Affidavit in my personal capacity and on behalf of Jomist as detailed in the First Botica Affidavit. I did not authorise the exchange or delivery of those documents, nor any change of control or ownership in respect of Pioneer Lakes, prior to completion of the Share Sale Agreement. I signed the documents in anticipation of completion of the Share Sale Agreement, which never occurred.
 - (b) At paragraph 18 of the First Botica Affidavit, Mr Botica deposes that no meeting of members was called regarding the change of directors. I confirm that I am not aware of any meeting of members, and did not call any meeting of members, regarding a change in directorship of Pioneer Lakes to Mr Watson.
 - (c) I refer to paragraph 34 of the First Botica Affidavit and confirm that I have reviewed the online transaction history for bank accounts held by Jomist and myself. Neither party has received any funds in relation to the Share Sale Agreement.
 - (d) I refer to paragraph 42 of the First Botica Affidavit, at which Mr Botica deposes to a Form 484 lodged by Mr Watson which removed me as an officeholder of Pioneer Lakes, and removed Jomist as a shareholder of Pioneer Lakes. I never authorised the signing and lodgement of the Form 484 by Mr Watson. I do not know on what basis it was lodged.
 - (e) At paragraphs 57 to 66 of the First Botica Affidavit, Mr Botica has deposed to various assets held by Pioneer Lakes. I agree with paragraph 63 of the First Botica Affidavit that the true ownership and directorship of Pioneer Lakes is an urgent matter. I am particularly concerned about any delay in circumstances where:
 - (i) Pioneer Lakes' Commonwealth Bank accounts remain frozen;
 - (ii) instructions are required to be given to various contractors to achieve title on the five unconditional contracts to which Mr Botica has deposed at paragraph 62 of the First Botica Affidavit – those buyers, as well as Gemini Homes, which is constructing the houses in Stage 6A/3 of the Pioneer Lakes development, are desirous of achieving title;

Signed by:



0F6A40AAF669470...

Signed by:



58F63E283CBD4F7...

- (f) At paragraph 54 of the First Botica Affidavit, Mr Botica deposes to an email from Mr Stanger to Mr Watson on 31 July 2026 at 5.05pm which terminated the Share Sale Agreement owing to the failure of Mr Watson and his related entities, GC Resources and Watson Family, to pay the deposit by 4 June 2026. I agreed to the termination of the Share Sale Agreement. This reinforces that the first to third defendants have no right to shares in or control of Pioneer Lakes.

Affirmed by the deponent
at Kunda Park
in Queensland
on 10 August 2026

Before me:



Signature of witness

)
)
)
)

Signed by:



0F6A40AAF669470...

Signature of deponent

Heath William David Cruden
Australian Legal Practitioner

Thomsons
Level 28, One Eagle – Waterfront Brisbane
1 Eagle Street
BRISBANE QLD 4000

I am a special witness under the *Oaths Act 1867* (Qld).

This affidavit was made in the form of an electronic document.

I electronically signed this affidavit.

This affidavit was made, signed and witnessed under Part 6A of the *Oaths Act 1867* (Qld). I understand the requirements for witnessing a document by audio visual link and have complied with those requirements.

No. QUD 492 of 2026

Federal Court of Australia
District Registry: Queensland
Division: General Division

IN THE MATTER OF PIONEER LAKES PTY LTD ACN 108 681 563

MICHAEL JOE BOTICA and others
Plaintiffs

ADAM WATSON and others
Defendants

ANNEXURE CERTIFICATE

This is the document referred to as “SBC-1” in the Affidavit of Stephen Brian Coleman affirmed at Kunda Park on 10 August 2026.

Signed by:

0F6A40AAF669470...
Stephen Brian Coleman

Signed by:

58F63E283CBD4F7...
Witness

Filed on behalf of (name & role of party)	Michael Joe Botica, Stephen Brian Coleman, John Leslie O'Toole, Grassland Properties Pty Ltd ACN 106 656 802, Jomist Developments Pty Ltd ACN 104 650 526, Plaintiffs		
Prepared by (name of person/lawyer)	Scott David Guthrie		
Law firm (if applicable)	Thomsons		
Tel	+61 7 3338 7516	Fax	07 3338 7599
Email	sguthrie@thomsons.com.au		
Address for service (include state and postcode)	c/- Thomsons Level 28, One Eagle – Waterfront Brisbane 1 Eagle Street BRISBANE QLD 4000		

Share Certificate

Riverside Country Estate Pty Ltd

A.C.N. 108 681 563

Registered under the provisions of the Corporations Act

REGISTERED OFFICE:

26 Hi-Tech Drive
Kunda Park, Qld, 4556

CERTIFICATE NO: 2 for 10 share(s)

This is to Certify that Jomist Developments Pty Ltd of 26 Hi-Tech Drive, Kunda Park, Qld, 4556 is the Registered Holder, subject to the Constitution, of the undermentioned shares in the company on which the sum of \$ 1 per Share has been paid and on which the sum of \$0.00 is unpaid.

No of Shares	Class	Distinctive Numbers		No of Shares	Class	Distinctive Numbers	
		From	To			From	To
10	Ord	11	20				

Executed in accordance with the Corporations Act

dated 08/04/2004


..... Director


..... Secretary

Note: This certificate must be surrendered to the Company on Transfer of any of the above shares

Share Certificate

Pioneer Lakes Pty Ltd

A.C.N. 108 681 563

Registered under the provisions of the Corporations Act

REGISTERED OFFICE: 26 Hi-Tech Drive Kunda Park Q 4556

CERTIFICATE NO: 5 for 40 share(s)

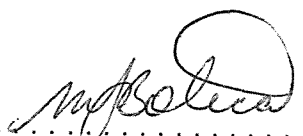
This is to Certify that Tomist Developments Pty Ltd
of 26 Hi-Tech Drive Kunda Park Q 4556
is the Registered Holder, subject to the Constitution, of the undermentioned shares in
the company on which the sum of \$ 1 per Share has been paid and on which the sum
of \$ 0 is unpaid.

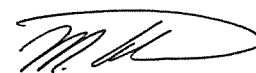
No of Shares	Class	Distinctive Numbers		No of Shares	Class	Distinctive Numbers	
		From	To			From	To
40	ORD	21	60				

Executed in accordance with the Corporations Act

dated

27/6/09

 Director

 Secretary

Note: This certificate must be surrendered to the Company on Transfer of any of the above shares

Share Certificate

Pioneer Lakes Pty Ltd
A.C.N. 108 681 563

Registered under the provisions of the Corporations Act

REGISTERED OFFICE: 26 Hi-Tech Drive Kunda Park Q 4556

CERTIFICATE NO: 8 for 20 share(s)

This is to Certify that Tomist Developments Pty Ltd
of 26 Hi-Tech Drive Kunda Park Q
is the Registered Holder, subject to the Constitution, of the undermentioned shares in
the company on which the sum of \$ 1 per Share has been paid and on which the sum
of \$ 0 is unpaid.

No of Shares	Class	Distinctive Numbers		No of Shares	Class	Distinctive Numbers	
		From	To			From	To
20	ORD	76	95				

Executed in accordance with the Corporations Act

dated 3rd December 2012

MR  Director

MC  Secretary

Note: This certificate must be surrendered to the Company on Transfer of any of the above shares