

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:	8/09/2026 11:57:58 AM AEST
Date Accepted for Filing:	8/09/2026 11:58:04 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.



Form 59
Rule 29.02(1)

Affidavit

No. QUD492 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: **Scott David Guthrie**

Address: c/- Thomsons, Level 28, One Eagle – Waterfront Brisbane, 1 Eagle Street,
Brisbane QLD 4000

Occupation: Solicitor and partner of the firm Thomsons

Date: 7 September 2026

Contents

Document number	Details	Paragraph	Page
1	Affidavit of Scott David Guthrie in support of costs submissions affirmed 7 September 2026		1 – 3

.....
Scott David Guthrie

.....
Witness

Filed on behalf of (name & role of party)

Prepared by (name of person/lawyer)

Law firm (if applicable)

Tel +61 7 3338 7516

Email sguthrie@thomsons.com.au

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

Scott David Guthrie

Thomsons

Fax 07 3338 7599

Address for service
(include state and postcode)

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

[Version 3 form approved 02/05/2019]

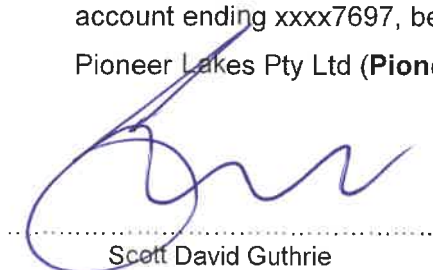
Document number	Details	Paragraph	Page
2	Annexure "SDG-14", being a copy of an email from the Commonwealth Bank on 3 September 2026	11	4 – 13

I, Scott David Guthrie, solicitor and partner of the firm Thomsons, affirm:

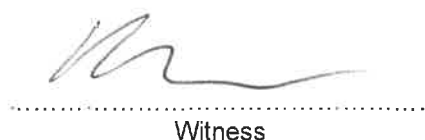
1. I am a partner of Thomsons, the solicitors for the Plaintiffs. I have care and conduct of this matter on behalf of the Plaintiffs.
2. This is my fourth affidavit in this proceeding.
3. I make this affidavit in support of the Plaintiffs' costs submissions.
4. In this affidavit, I refer to:
 - (a) my affidavit affirmed 5 August 2026 (**my First Affidavit**); and
 - (b) the affidavit of Michael Joe Botica affirmed 5 August 2026 (**Botica Affidavit**).
5. Where, in this affidavit or within the exhibits to this affidavit, reference is made to documents otherwise subject of legal professional privilege, the Plaintiffs and Thomsons do not waive legal professional privilege in the contents of the documents.
6. Unless otherwise stated:
 - (a) a reference to "us", "we" or "our" is a reference to Thomsons;
 - (b) the facts and matters set out in this affidavit are within my own knowledge and professional experience and I believe them to be true;
 - (c) where I refer to information supplied by others, the source of the information is identified and based upon my review of the files and documents maintained by Thomsons in the ordinary course of business related to the matter;
 - (d) the facts and matters derived from other sources are true to the best of my knowledge and belief.

Correspondence with the Commonwealth Bank

7. At paragraphs 67 and 68 of the Botica Affidavit, Michael Botica has deposed to:
 - (a) withdrawals from the Commonwealth Bank Pioneer Lakes No 2 Account – account ending xxxx7697, being a bank account of the Fourth Defendant, Pioneer Lakes Pty Ltd (**Pioneer Lakes**). Those transactions were:



 Scott David Guthrie



 Witness

- (i) On 31 July 2026, a withdrawal in the amount of \$4,000 described as "*Wdl/ Branch MARTIN PL SYDNEY*"; and
 - (ii) On 31 July 2026, a withdrawal in the amount of \$320 described as "*Transfer to xx6523 CommBank App Wa*"; and
 - (b) a conversation he had had with the Commonwealth Bank during which he was informed that Adam Watson, the first defendant, was a signatory to that account.
8. I refer to paragraph 5(b) of my First Affidavit, at which I have deposed to a conversation I had with Chrisjan Thomson, the Plaintiffs' relationship executive at the Commonwealth Bank, in which he informed me that the Commonwealth Bank would be launching an internal investigation.
9. On 3 September 2026, I received an email from the Commonwealth Bank's Group Customer Relations team in relation to enquiries I had made about the signatories to the Pioneer Lakes accounts and the withdrawals to which I have deposed at paragraph 7(a) above. The email noted as follows:
- (a) On 31 July 2026, the authorities on Pioneer Lakes' bank accounts ending xxxx7697, xxxx3081 and xxxx0631 were amended to remove the signatories and replace them with Mr Watson;
 - (b) those accounts were linked to Mr Watson's NetBank ID;
 - (c) the change of authority was processed arising from a company search presented in branch;
 - (d) Mr Watson authorised the withdrawals to which I have deposed in paragraph 7(a) above.
10. Exhibited and marked "**SDG-14**" is a true copy of the email from the Commonwealth Bank on 3 September 2026.

Affirmed by the deponent
at Brisbane
in Queensland
on 7 September 2026
Before me:



Signature of witness

Heath William David Cruden
Australian Legal Practitioner

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

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)
)



Signature of deponent

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

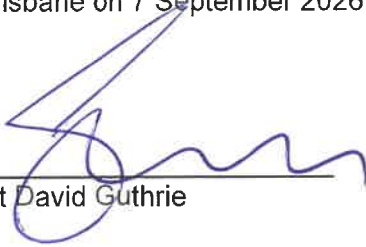
Plaintiffs

ADAM WATSON and others

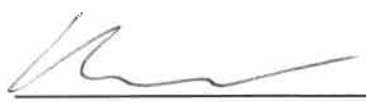
Defendants

ANNEXURE CERTIFICATE

This is the document referred to as “SDG-14” in the Affidavit of Scott David Guthrie affirmed at Brisbane on 7 September 2026.



Scott David Guthrie



Witness

Filed on behalf of (name & role of party)

Prepared by (name of person/lawyer)

Law firm (if applicable)

Tel +61 7 3338 7516

Email sguthrie@thomsons.com.au

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

Scott David Guthrie

Thomsons

Fax 07 3338 7599

Address for service
(include state and postcode)

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

From: andrew.gcr@cba.com.au
Sent: Wednesday, 2 September 2026 7:09 PM
To: Guthrie, Scott
Subject: Your CommBank complaint outcome CF-15571509C
Attachments: ASIC Search - 31 July 2026.pdf

Dear Scott,

Thank you for your recent correspondence with the Commonwealth Bank of Australia (CBA) concerning your enquiries regarding circumstances surrounding the notification of the changes to the officers of Pioneer Lakes Pty Ltd (**Company**) and access to the Company's accounts.

The matters raised by you have been assigned internal complaint reference **CF-15571509C**.

You have requested CBA address five questions, being:

1. ***Who are the current signatories to the Company's accounts with CBA?***
2. ***If Adam Watson ever became a signatory to Company's accounts and, if so, when?***
3. ***Who authorised the withdrawal of the \$4,000 debit from the BTA on 31 July 2026?***
4. ***Who authorised the withdrawal of the \$320 debit from the BTA on 31 July 2026?***
5. ***Copies of CCTV footage of who was present in Martin Place when these transactions took place.***

CBA provides its responses as follows.

1. Who are the current signatories to the Company's accounts with CBA?

CBA confirms that, as at 2 September 2026, the signatories to the Company's accounts are as follows:

Account	Account Number ending	Signatory	Method of operation
Business Transaction Account	7697	Michael Botica John O'Toole Stephen Coleman	One to sign
Business Transaction Account	3081	Michael Botica John O'Toole Stephen Coleman	One to sign
Capital Growth Account	0631	Michael Botica John O'Toole Stephen Coleman	One to sign

2. If Adam Watson ever became a signatory to Company's accounts and, if so, when?

Yes, Mr Watson was added as a signatory to the Company's accounts.

On 31 July 2026, the authorities for the Accounts ending 7697, 3081 and 0631 were amended to remove the signatories and replace them with Mr Adam Watson as the sole signatory.

The accounts were also linked to Mr Watson's NetBank ID.

The change of authority was processed arising from the company search presented in branch (copy attached) on 31 July 2026.

Mr Watson was the sole signatory for the period 31 July 2026 to 18 August 2026 inclusive.

On 19 August 2026, a new authority was received, removing Mr Watson as signatory and replacing him with Michael Botica, John O'Toole and Stephen Coleman.

The accounts were also de-linked from Mr Watson's NetBank ID.

3. Who authorised the withdrawal of the \$4,000 debit from the BTA on 31 July 2026.

CBA's records confirm Mr Watson authorised the \$4,000 on 31 July 2026 at the 48 Martin Place Branch.

4. Who authorised the withdrawal of the \$320 debit from the BTA on 31 July 2026.

CBA's records confirm the transaction was authorised by Mr Watson on 31 July 2026 via the CommBank App.

5. Copies of CCTV footage of who was present in Martin Place when these transactions took place.

CCTV Footage has been secured by CBA's securities operations team.

CBA is unable to disclose this information to you owing to CBA's obligations under Privacy Law.

However, this footage can be obtained by a notice through law enforcement or other legal compulsion.

Restoration of funds

CBA will be restoring the funds which were debited from the Company's accounts totalling **\$4,320.00**.

Please let me know if you have any additional questions arising from this response.

Your options

If you are not satisfied with the outcome of our investigation you can:

Contact the Australian Financial Complaints Authority (AFCA), an independent external dispute resolution body approved by ASIC (time limits may apply, visit AFCA, afca.org.au, website for more information)

Write to: Australian Financial Complaints Authority,
GPO Box 3, Melbourne VIC 3001

Email: info@afca.org.au

Call: 1800 931 678 (free call Monday to Friday 9am–5pm, AEST)

If you would like more information, you can contact me on +61 (2) 8388 5934 or at andrew.gcr@cba.com.au.

Regards,
Andrew
Commonwealth Bank of Australia



***** IMPORTANT MESSAGE *****

This e-mail message is intended only for the addressee(s) and contains information which may be confidential. If you are not the intended recipient please advise the sender by return email, do not use or disclose the contents,

and delete the message and any attachments from your system. Unless specifically indicated, this email does not constitute formal advice or commitment by the sender or the Commonwealth Bank of Australia (ABN 48 123 123 124 AFSL and Australian credit licence 234945) or its subsidiaries.

We can be contacted through our web site: commbank.com.au. If you no longer wish to receive commercial electronic messages from us, please reply to this e-mail by typing Opt Out in the subject line.



Order number: 91329466
Your Reference: 1
Data extracted from ASIC: 31/07/26 15:12

PIONEER LAKES PTY LTD 108 681 563
ASIC - Current & Historical Extract - PIONEER LAKES PTY LTD ACN: 108 681 563

This extract contains information derived from the Australian Securities and Investment Commission's (ASIC) database under section 1274A of the Corporations Act 2001.
Please advise ASIC of any error or omission which you may identify.

IDENTIFICATION

ACN: 108 681 563
ABN: 96 108 681 563
Current Company Name: PIONEER LAKES PTY LTD
Registered in: Queensland
Place of Registration:
Registration Date: 08/04/2004
Previous State Number:
Governance Type:
Review Date: 08/04/2027

CURRENT COMPANY DETAILS

Name: PIONEER LAKES PTY LTD
Period from: 30/05/2008
Name Start: 30/05/2008
Status: REGISTERED
Type: AUSTRALIAN PROPRIETARY COMPANY
Class: LIMITED BY SHARES
Subclass: PROPRIETARY COMPANY
Disclosing Entity: N

Doc# 024 806 405

FORMER COMPANY DETAILS

Name: RIVERSIDE COUNTRY ESTATE PTY LTD
Period from: 08/04/2004 to 29/05/2008
Name Start: 08/04/2004
Status: REGISTERED
Type: AUSTRALIAN PROPRIETARY COMPANY
Class: LIMITED BY SHARES
Subclass: PROPRIETARY COMPANY
Disclosing Entity: N

Doc# 0E9754689

CURRENT COMPANY ADDRESS

Address Type: Registered Office
Address: 256A MALABAR ROAD
MAROUBRA NSW 2035
Period from: 21/07/2026

Doc# 6EMDF9559

Address Type: Principal Place of Business
Address: 26 HITECH DRIVE
KUNDA PARK QLD 4556
Period from: 08/04/2004

Doc# 0E9754689

FORMER COMPANY ADDRESS

Address Type: Registered Office
Address: 26 HITECH DRIVE
KUNDA PARK QLD 4556
Period from: 08/04/2004 to 20/07/2026

Doc# 0E9754689

CURRENT COMPANY OFFICERS

Role: Director
Name: WATSON, ADAM
Address: 256A MALABAR ROAD
MAROUBRA NSW 2035
Date of Birth: 04/02/1976
Place of Birth: BRISBANE QLD
Appointment Date: 03/07/2026
Cease Date:

Doc# 6EMDF9559

Role: Secretary
Name: WATSON, ADAM
Address: 256A MALABAR ROAD
MAROUBRA NSW 2035
Date of Birth: 04/02/1976
Place of Birth: BRISBANE QLD
Appointment Date: 03/07/2026
Cease Date:

Doc# 6EMDF9559

FORMER COMPANY OFFICERS

Role: Director
Name: O'TOOLE, JOHN LESLIE
Address: 8 RINGWOOD COURT
SAMFORD QLD 4520
Date of Birth: 27/07/1960
Place of Birth: BUNDABERG QLD
Appointment Date: 03/12/2012
Cease Date: 03/07/2026

Doc# 1F0410098

Role: Director
Name: COLEMAN, STEPHEN BRIAN
Address: 11 RIFLEBIRD AVENUE
AROONA QLD 4551
Date of Birth: 25/12/1958
Place of Birth: TAREE NSW
Appointment Date: 03/12/2012
Cease Date: 03/07/2026

Doc# 1F0410098

Role: Director
Name: BOTICA, MICHAEL JOE
Address: 5 WIAN STREET
BUDERIM QLD 4556
Date of Birth: 24/02/1958
Place of Birth: TE KOPERU NEW ZEALAND
Appointment Date: 02/09/2009
Cease Date: 03/07/2026

Doc# 7EDQ08909

Role: Director
Name: COLEMAN, MICHAEL RONALD
Address: 52 SASSIFRAS STREET
MUDJIMBA QLD 4564
Date of Birth: 23/02/1960
Place of Birth: TAREE NSW
Appointment Date: 08/04/2004
Cease Date: 25/08/2025

Doc# 0E9754689

Role: Director
Name: BARTLETT, LESLIE JAMES
Address: 21A WATTLE STREET
ANDERGROVE QLD 4740
Date of Birth: 06/09/1948

Doc# 022 597 573

Place of Birth: WOLLONGONG NSW
 Appointment Date: 08/04/2004
 Cease Date: 03/12/2012

Role: Secretary

Doc# 7EDP56964

Name: O'TOOLE, JOHN LESLIE

Address: 8 RINGWOOD COURT
 SAMFORD QLD 4520

Date of Birth: 27/07/1960

Place of Birth: BUNDABERG QLD

Appointment Date: 28/07/2025

Cease Date: 03/07/2026

Role: Secretary

Doc# 0E9754689

Name: COLEMAN, MICHAEL RONALD

Address: 52 SASSIFRAS STREET
 MUDJIMBA QLD 4564

Date of Birth: 23/02/1960

Place of Birth: TAREE NSW

Appointment Date: 08/04/2004

Cease Date: 27/07/2025

CURRENT SHARE CAPITAL

Class: ORD ORDINARY

Doc# 6EMDF9559

Number of Issued "Shares": 100

Amount Paid: \$20.00

Amount Due: \$0.00

Note: For each class of shares issued by a proprietary company, ASIC records the details of the twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

CURRENT(SHAREHOLDERS/MEMBER)

Class: ORD

Doc# 6EMDF9559

Number of Shares Held: 40

Beneficially Owned: Y

Fully Paid: Y

Name: WATSON, ADAM

Address: 256A MALABAR ROAD
 MAROUBRA NSW 2035

Joint Holding: N

Class: ORD

Doc# 6EMDF9559

Number of Shares Held: 30

Beneficially Owned: Y

Fully Paid: Y

Name: GC RESOURCES CORPORATE PTY LTD

ACN: 680 386 547

Address: '13'
 1 LAKE SERENITY BOULEVARD
 HELENSVALE QLD 4212

Joint Holding: N

Class: ORD

Doc# 6EMDF9559

Number of Shares Held: 30

Beneficially Owned: Y

Fully Paid: Y

Name: WATSON FAMILY CORPORATE PTY LTD

ACN: 680 384 347

Address: 'U13'
 1 LAKE SERENITY BOULEVARD

HELENSVALE QLD 4212

Joint Holding: N

FORMER(SHAREHOLDERS/MEMBER)

Class: ORD

Doc# 1F0410098

Number of Shares Held: 70

Beneficially Owned: Y

Fully Paid: Y

Name: JOMIST DEVELOPMENTS PTY LTD

ACN: 104 650 526

Address: 26 HITECH DRIVE
KUNDA PARK QLD 4556

Joint Holding: N

Class: ORD

Doc# 7EAL72242

Number of Shares Held: 30

Beneficially Owned: N

Fully Paid: Y

Name: GRASSLAND PROPERTIES PTY LTD

ACN: 106 656 802

Address: UNIT 1
80-82 SIXTH AVENUE
MAROOCHYDORE QLD 4558

Joint Holding: N

Class: ORD

Doc# 1F0410098

Number of Shares Held: 1

Beneficially Owned: N

Fully Paid: Y

Name: BARTLETT, LESLIE JAMES

Address: 21A WATTLE STREET
ANDERGROVE QLD 4740

Joint Holding: Y

Name: BARTLETT, TINA

Address: 21A WATTLE STREET
ANDERGROVE QLD 4740

Joint Holding: Y

Class: ORD

Doc# 1F0410098

Number of Shares Held: 4

Beneficially Owned: N

Fully Paid: Y

Name: COHEN, MATTHEW MORRIS

Address: UNIT 6
71 DUPOETH AVENUE
MAROOCHYDORE QLD 4558

Joint Holding: N

Class: ORD

Doc# 0E9754689

Number of Shares Held: 10

Beneficially Owned: Y

Fully Paid: Y

Name: STORMPINE PTY. LIMITED

ACN: 010 936 651

Address: 36 WOOD STREET
MACKAY QLD 4740

Joint Holding: N

DOCUMENTS RELATING TO EXTERNAL ADMINISTRATION AND/OR APPOINTMENT OF CONTROLLER

Note: This extract may not list all documents relating to this status. State and Territory records should be searched.

No record

SATISFIED CHARGES

Note: On January 30, 2012 the Personal Property Securities Register (PPS Register) has commenced. The details of current charges will only be available from the PPS Register and the details of satisfied charges (as at 30th January 2012) can be obtained from ASIC. Further information can be obtained from www.ppsr.gov.au.

No record

ASIC DOCUMENTS (except charges)

Notes:

- A date or address shown as UNKNOWN has not been updated since the ASIC to over the records in 1991.
- Data from Documents with no Date Processed are not included in the Extract.
- Documents with "****" pages have not yet been imaged and are not available via DOCIMAGE. Imaging takes approximately 2 weeks from date of lodgement.
- Documents already listed under charges are not repeated here.

Form Type	Date Received	Date Processed	Effective Date	Pages	Doc No
484	14/07/2026	14/07/2026	03/07/2026	5	6EMDF9559
Change to Company Details Change of Registered Address Appointment or Cessation of a Company Officeholder Changes to Share Structure Changes to (Members) Share Holdings					
484	05/09/2025	05/09/2025	05/09/2025	2	7EDQ08909
Change to Company Details Change Officeholder Name Or Address					
484	25/08/2025	25/08/2025	25/08/2025	2	7EDP56964
Change to Company Details Appointment or Cessation of a Company Officeholder Cessation of Company Director Later Than 28 Days					
484	01/12/2022	01/12/2022	01/12/2022	2	7EBZ10981
Change to Company Details Change Officeholder Name Or Address					
484	28/05/2019	28/05/2019	28/05/2019	2	7EAL72242
Change to Company Details Change Officeholder Name or Address Change Member Name or Address					
484	22/07/2016	22/07/2016	22/07/2016	3	7E8180330
Change to Company Details Changes to (Members) Share Holdings					
484	14/12/2012	14/12/2012	14/12/2012	7	1F0410098
Change to Company Details Appointment or Cessation of a Company Officeholder Changes to (Members) Share Holdings					
312	24/01/2012	25/01/2012	24/01/2012	2	027 961 703
Notification of Release of Property					
312	19/12/2011	24/01/2012	19/12/2011	2	027 790 887
Notification of Release of Property					
312	23/05/2011	27/07/2011	23/05/2011	2	026 451 823
Notification of Release of Property					
484	22/11/2010	22/11/2010	22/11/2010	3	1F0341020
Change to Company Details Change Officeholder Name Or Address					
484	10/09/2009	10/09/2009	10/09/2009	6	1F0271160
Change to Company Details Appointment or Cessation of a Company Officeholder Changes to (Members) Share Holdings					
2205	19/06/2009	06/07/2009	15/06/2009	9	025 652 979
Notification of Resolution Relating to Shares Convert Shares Into Larger or Smaller Number					
106	09/06/2009	10/06/2009	09/06/2009	2	025 658 211
Notice of Cancellation or Revocation of a Lodged Document Cancels 1F0 245 188					
484	25/05/2009	25/05/2009	25/05/2009	6	1F0245188
Change to Company Details Notification of Share Issue Changes to Share Structure Changes to (Members) Share Holdings Cancelled by 025 658 211					
205	29/05/2008	30/05/2008	27/05/2008	2	024 806 405
Notification of Resolution Changing Company Name					

312	04/02/2008	15/02/2008	04/02/2008	2	024 522 447
	Notification of Release of Property				
312	17/09/2007	02/10/2007	17/09/2007	2	024 209 119
	Notification of Release of Property				
312	20/08/2007	31/08/2007	20/08/2007	2	024 013 353
	Notification of Release of Property				
312	20/08/2007	31/08/2007	20/08/2007	2	024 013 352
	Notification of Release of Property				
312	13/08/2007	17/08/2007	13/08/2007	2	024 008 759
	Notification of Release of Property				
484	15/05/2006	15/05/2006	15/05/2006	6	022 868 099
	Change to Company Details Changes to (Members) Share Holdings				
484	15/02/2006	23/02/2006	15/02/2006	3	022 597 573
	Change to Company Details Change Officeholder Name Or Address				
309	15/06/2005	15/06/2005	25/05/2005	20	020 953 765
	Notification of Details of a Charge				
201	08/04/2004	08/04/2004	08/04/2004	3	0E9754689
	Application For Registration as a Proprietary Company				

PRE-ASIC DOCUMENTS

No record

ANNUAL RETURNS

No record

FINANCIAL REPORTS

No record