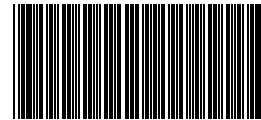




Filed: 3 November 2017 9:13 AM



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Reply (UCPR 8)

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Equity General
Registry	Supreme Court Sydney
Case number	2017/00234966

TITLE OF PROCEEDINGS

First Plaintiff	Alan Smith
First Defendant	KPMG FINANCIAL ADVISORY SERVICES (AUSTRALIA) PTY LTD ACN 007363215

FILING DETAILS

Filed for	Alan Smith, Plaintiff 1
Legal representative	Simon Jacob Morris
Legal representative reference	
Telephone	02 9253 9999
Your reference	SJM.AEF.401622

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Lodge Document, along with any other documents listed below, were filed by the Court.

Reply (UCPR 8) (Reply - DML.pdf)

[attach.]

Form 8 (version 5)
UCPR 14.4

REPLY

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity Division
List	Equity General
Registry	Sydney
Case number	2017/00234966

TITLE OF PROCEEDINGS

Plaintiff	Alan Smith
Defendant	KPMG Financial Advisory Services (Australia) Pty Ltd (ACN 007 363 215)

FILING DETAILS

Filed for	Alan Smith, Plaintiff.
Legal representative	Simon Morris Piper Alderman
Legal representative reference	SJM.401622
Contact name and telephone	Simon Morris Tel: +61 2 9253 9999
Contact email	smorris@piperalderman.com.au

PLEADINGS AND PARTICULARS

Save as to the allegation addressed below, the plaintiff relies upon the implied joinder of issue pursuant to r 14.27 of the *Uniform Civil Procedure Act 2005* (NSW).

- 1 In response to subparagraph 42(a), the plaintiff:
 - a. does not admit the subparagraph;
 - b. in any event, if KPMG Advisory applied an alpha factor of 1.0% per annum, the plaintiff repeats the allegations made in paragraphs 98 and 99 of the Amended Statement of Claim in respect to the application of that alpha factor, and subsequent references to those paragraphs in the Amended Statement of Claim should be taken to include these allegations.

SIGNATURE OF LEGAL REPRESENTATIVE

I certify under clause 4 of Schedule 2 to the Legal Profession Uniform Law Application Act 2014 that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in this reply has reasonable prospects of success.

Signature

A handwritten signature in black ink, appearing to read 'S. L. J.', is written over the printed text 'Solicitor on the Record'.

Solicitor on the Record

Capacity

Date of signature

3 November 2017