### Inquiry into the collapse of Trio Capital and any other related matters.

Submission by Mrs. Fay T. Gammel a Trustee of The TJG Superannuation Fund a Unitholder in the ARP Growth Fund.

To:

Committee Secretary
Parliamentary Joint Committee on Corporations
and Financial Services
PO Box 6100
Parliament House
Canberra ACT 2600

### Introduction:

I am informed that among other matters "The Committee is particularly interested in the implications of this collapse for those people who invest in self-managed superannuation funds".

My first question for the Inquiry therefore is:

How can 74 Self Managed Superannuation Funds, all Unitholders in the ARP Growth Fund (ARP) lose their entire Superannuation virtually overnight after having dealt with the same operative, through his Corporate entities, Corporate Pension Planning Pty Ltd and PST Management Pty Ltd (now in liquidation) for periods extending to 20 years and longer?

My second question follows:

Why were Financial Licences issued by the Regularity Authorities as an apparent matter of procedure when the past history of a number of these operatives were known to be "dodgy"? Mr. Shawn Richard seems to be a typical example.

### Gentlemen.

As long term Superannuation Investors for some 25 years with the helm, we thought that we knew him well. We trusted him to do the "right thing" with our money and not to take risks.

Over recent decades Governments of both persuasions have encouraged all Australian employees ( and employers ) to contribute to Superannuation throughout their working life , so as not to be a burden on society in their retirement

My husband did just that, working long hours, frequently 12 hours a day in order to secure a retirement where we could be independent and not rely on the Australian Government for assistance.

I was unable to work due to the fact that one of our four children is Intellectually Handicapped and suffers with Epilepsy. I therefore have no Superannuation Fund and have therefore had to rely on my husband to accumulate sufficient Superannuation for our retirement

Apart from the devastation of the entire loss of our Superannuation (which was reasonably substantial) was the added disappointment of the effect that such loss has now had on our Wills. Our Wills in part stated:

" I Give and Bequeath the funds standing to the credit of the TJG Superannuation Fund to The Garvan Institute of Medical Research for the purposes of Research for the cure, prevention etc etc, ".

Clearly this will now not happen and The Garvan Institute of Medical Research becomes another innocent victim.

Gentlemen.

Continuing on, there are a number of particular issues that I believe the Inquiry should focus upon:

- Apparently some \$50 million of ARP funds went offshore and have not been recovered. Would the Inquiry investigate how these funds left Australia, who authorised such transfer of those funds out of Australia and did that Entity, person or persons have the authority to do so?
- There appears to be strong evidence that and Trio Capital Ltd (Trio) produced incorrect and misleading monetary reports to Unitholders of ARP, particularly in the 18 month period before the "collapse" of Trio and ARP. Certain reports from to my husband, particularly in regard to the ARP's largest Investment, the PPARP Ltd (PPARP), appear to fall

into this category. My husband has provided ASIC with these details and perhaps the Inquiry might choose to pursue these matters further.

It also appears that a meeting of Unitholders of ARP convened by and held at the North Sydney League's Club in August 2008 needs further investigation. The meeting was primarily intended to inform Unitholders of the then current status of ARP's largest Investment, PPARP and to further inform Unitholders what they could expect from this Investment into the future. of Empyreal Investments Pty Ltd. traveled from Hong Kong to address this meeting as he and Empyreal effectively controlled the Investments in the PPARP. There is now evidence that only a selected number of Unitholders were invited to this meeting by Minutes of this meeting have been provided to ASIC and again it would seem prudent for the Inquiry to pursue the actions of both in respect of this meeting and in particular the validity of what reported. A copy of these Minutes are attached and identified as Appendix "D".

In addition there are two sets of PPARP Accounts, the first for the period ending 31/12/2007 and the second for the period ending 31/5/2008. These Accounts vary significantly to the PPARP Balances as provided by In fact the variances run into millions of dollars. Both sets of Accounts together with an Excel Summary of the PPARP Balances from 31/12/2007 to 30/9/2009 prepared on information provided by are attached to my submission and identified as Appendices "A", "B" and "C".

- 4 An article dated 5<sup>th</sup> July 2011 in the Sydney Morning Herald by journalist Stuart Washington, titled "How Regulator missed chance in Trio debacle" certainly raises more vital questions. The article suggests that the Regulator(s) had knowledge of the Trio problems well and truly beforehand but did nothing about it. Again it would seem prudent for the Inquiry to pursue this matter. (Refer Link shown below). http://www.smh.com.au/business/how-regulator-missed-chance-in-trio-debacle-20110704-1gz6a.html
- In my Introduction I stated "The Committee is particularly interested in the implications of this collapse for those people who invest in self-managed superannuation funds". In this regard I find it quite perturbing that there is a distinct differentiation being made by Government between the Unitholders in the ARP (74 Self Managed Superannuation Funds) and other Superannuation Funds that the Government chose to protect under Part 23 of the SIS Act.

In my view ( and that of others ) it was not the intent of the Legislators to penalise a collective group of 74 Self Managed Superannuation Funds who were effectively following the same rules and regulations of those currently protected ( under the SIS Act ) . ARP Unitholders abided by the rules with Custodians, Responsible Entities, Administrators and

- Investment Managers . Again it would seem prudent for the Inquiry to take the appropriate action to correct this very disturbing anomaly.
- 6 Following on from Item 5 above, I have recently been made aware of the CDDA Scheme and I would strongly urge the Inquiry to seriously consider this Scheme as a potential avenue of Compensation for ARP Unitholders who have been the subject of unnecessary loss and hardship in their retirement years. (Refer Link shown below) <a href="http://www.finance.gov.au/financial-framework/discretionary-compensation/cdda-scheme.html">http://www.finance.gov.au/financial-framework/discretionary-compensation/cdda-scheme.html</a>
- I further understand that ASIC considers the situation of the ARP NOT to be a matter of "public interest ".I ask the Inquiry. "What do ARP Unitholders who have been robbed, degraded, suffered health issues, forced to sell their family homes and "beg "for help from Centrelink have to do to prove that they are worthy of "public interest "?. Again, another serious issue for the Inquiry to consider.
- 8. As regards the Regulators, namely ASIC and APRA, I consider that they should be asked to "explain "themselves. In support of this I particularly refer to several of my earlier references, namely:
- A. Why were Financial Licences issued by the Regularity Authorities when the past history of a number of these operatives was known to be "dodgy"? Mr. Shawn Richard seems to be a typical example.
- B. An article dated 5<sup>th</sup> July 2011 in the Sydney Morning Herald by journalist Stuart Washington, titled "How Regulator missed chance in Trio debacle" certainly raises vital questions. The article suggests that the Regulator(s) had knowledge of the Trio problems well and truly beforehand but did nothing about it. Again it would seem prudent for the Inquiry to pursue this matter. (Refer Link shown below).

  http://www.smh.com.au/business/how-regulator-missed-chance-in-trio-debacle-20110704-1gz6a.html
- 9. To date the role(s) of Auditors and Custodians have been somewhat silent. However, if we are ever to find out the real facts relating to this terrible fiasco and the involvement of its participants THEN the Auditors and Custodians need to form an integral part of this Inquiry. Again it would seem prudent for the Inquiry to pursue this issue.

  Justice Peter Garling of the NSW Supreme Court was recently quoted in an article dated 22<sup>nd</sup> July 2011 in the Sydney Morning Herald Court by journalist Stuart Washington. The article states "He ( Justice Garling ) also criticised other parties associated with Trio Capital including it's

board and auditors – for being "asleep on duty " " (Refer Link shown below).

http://www.smh.com.au/business/1m-secret-payments-for-shawny-cash-court-hears-20110722-1hs3l.html

In conclusion I thank the Parliamentary Joint Committee for pursuing our misfortunes to the extent of convening a Parliamentary Inquiry and inviting Submissions from interested parties.

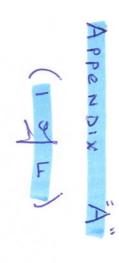
I believe that in doing so the Parliamentary Joint Committee is giving those who have been so severely devastated in their retirement an opportunity to express their views and concerns but most importantly to inform the Inquiry of the facts, either personally or in the case of the ARP Growth Fund through the Association of ARP Unitholders Incorporated.

Please advise if either myself or my husband, Terry Gammel can be of any further assistance to the Inquiry. We are both willing to assist the Inquiry in reaching a mutually satisfactory conclusion in this very sad Chapter of Superannuation in Australia.

Yours Sincerely,

Mrs. Fay T Gammel

14<sup>th</sup> August 2011.



PROFESSIONAL PENSIONS ARP LIMITED

Period Start Date 10/01/2007:00:00:00

Period End Date 12/31/2007:23:59:59

Prior Knowledge Date 09/26/2008:05:41:31 Knowledge Date 10/13/2008:14:03:57 AUSTRALIAN DOLLAR

|                       |                   | Liabilities                            |                |                         |                                  |                                    |                                    | Assets   |                   |
|-----------------------|-------------------|--|----------------|-------------------------|----------------------------------|------------------------------------|------------------------------------|--|-------------------|
| Directors Fee Payable | Audit Fee Payable | Payables<br>Administration Fee Payable | Total - Assets | Unrealized FX Gain/Loss | Organisational Costs Unamortized | Receivables<br>Interest Receivable | Cash<br>Cash                       | Investments FUND OF FUNDS                        | Financial Account |
| Cost                  | Cost              | Cost                                   |                | Unrealized FX GL        | Cost                             | Cost                               | Cost<br>Unrealized FX GL           | Cost<br>Unrealized Price G/L                     | Description       |
| 979.25                | 15,000.00         | 12,178.24                              | 37,718,160.66  | 1,310.50                | 3,735.56                         | 194.28                             | 42,333.62<br>(0.04)<br>42,333.58   | 46,472,288.68<br>(8,801,701.94)<br>37,670,586.74 | Opening Balance   |
| 0.00                  | 0.00              | (5,249.64)                             | 0.03           | 0.00                    | 0.00                             | 0.00                               | 0.00<br>0.03<br>0.03               | 0.00<br>0.00                                     | Debits            |
| 1,426.86              | 3,000.00          | 0.00                                   | (143,226.14)   | (887.45)                | (3,735.56)                       | (56.78)                            | (22,758.34)<br>0.00<br>(22,758.34) | (110,987.16)<br>(4,800.86)<br>(115,788.01)       | Credits           |
| 2,406.11              | 18,000.00         | 6,928.60                               | 37,574.934.55  | 423.05                  | 0.00                             | 137.50                             | 19,575.29<br>(0.01)<br>19,575.28   | 46,361,301.52<br>(8,806,502.80)<br>37,554,798.73 | Closing Balance   |
|                       |                   |  |                |                         |                                  |                                    |                                    |  |                   |

PROFESSIONAL PENSIONS ARP LIMITED

Period Start Date 10/01/2007:00:00:00

Period End Date 12/31/2007:23:59:59 Prior Knowledge Date 09/26/2008:05:41:31 Knowledge Date 10/13/2008:14:03:57 AUSTRALIAN DOLLAR

| Total - Capital | Retained Earnings<br>Retained Earnings | Custodian Xfer | Capital contributed Capital | Potal - Liabilities | Transaction Charges Payable | Performance Fee Earned Payable | Payable     | Organization Costs Payable | Management Fee Payable | Forward Fx Payable | Fortis Service Fees Payable | Financial Account |
|-----------------|--|----------------|-----------------------------|---------------------|-----------------------------|--------------------------------|-------------|----------------------------|------------------------|--------------------|-----------------------------|-------------------|
|                 |  |                |                             |                     |                             |                                |             |                            |                        |                    |                             |                   |
|                 |  |                |                             |                     | Cost                        | Cost                           | Cost        | Cost                       | Cost                   | Cost               | Cost                        |                   |
|                 |  |                |                             |                     |                             |                                |             |                            |                        |                    |                             | Description       |
|                 |  |                |                             |                     |                             |                                |             |                            |                        |                    |                             | Ope               |
| 54,239,206.27   | 12,479,138.95                          | 0.00           | 41,760,067.32               | 1,231,749.60        | 3,273.32                    | (220,977.15)                   | 90,000.00   | 5,146.28                   | 26,512.54              | 1,299,311.66       | 325.45                      | Opening Balance   |
| (6,623,579.93)  | 0.0                                    | (6,623,579.93) | 0.00                        | (98,743.64)         | (1,860.64)                  | 0.00                           | (90,000.00) | (1,421.34)                 | 0.00                   | 0.00               | (212.01)                    | Debits            |
| 6,623,579.93    | 0.0                                    | 6,623,579.93   | 0.00                        | 84,079.29           | 0.00                        | 18,545.96                      | 0.00        | 0.00                       | 61,106.47              | 0.00               | 0.00                        | Credits           |
| \$4,239,206.27  | 12,479,138.95                          | 0.00           | 41,760,067.32               | 1.217,085.26        | 1,412.68                    | (202,431.19)                   | 0.00        | 3,724.95                   | 87,619.01              | 1,299,311.66       | 113.44                      | Closing Balance   |

Capital

Revenue

# FORTIS PRIME FUND SOLUTIONS (ASIA) LIMITED

## Trial Balance with RE

PROFESSIONAL PENSIONS ARP LIMITED

Period Start Date 10/01/2007:00:00:00

Period End Date 12/31/2007:23:59:59

Prior Knowledge Date 09/26/2008:05:41:31

Knowledge Date 10/13/2008:14:03:57

AUSTRALIAN DOLLAR

| Organization Cost Expense | Management Fee Expense | Fortis Service Fees Expense | Directors Fee Expense | Bank Charges Expense | Audit Fee Expense | Administration Fee Expense | Total - Revenue | Short Term Price Gain/Loss | Section 988 FX Loss | Section 988 FX Gain | Long Term Price Gain/Loss | Change in Unrealized Price Gain/Loss | Change in Unrealized Currency Gain/Loss | Bank Interest Received | Financial Account |
|---------------------------|------------------------|-----------------------------|-----------------------|----------------------|-------------------|----------------------------|-----------------|----------------------------|---------------------|---------------------|---------------------------|--------------------------------------|---|------------------------|-------------------|
|                           |                        |                             |                       |                      |                   |                            |                 |                            |                     |                     |                           |                                      |   |                        | Description       |
| 3,512.33                  | 99,699.00              | 113.44                      | 1,459.99              | 163.24               | 3,000.00          | 3,512.33                   | (17,632,871.84) | 107.56                     | (45.38)             | 343.27              | 123,565.52                | (17,759,675.46)                      | 305.37                                  | 2,527.28               | Opening Balance   |
| 12,493.45                 | 91,641.00              | 0.00                        | 1,426.86              | 64.60                | 3,000.00          | 3,416.27                   | (31,755,03)     | 0.00                       | (1,808.42)          | (134.89)            | (20,419.95)               | (4,800.86)                           | (4,590.91)                              | 0.00                   | Debits            |
| (9,077.18)                | 0.00                   | 0.00                        | 0.00                  | 0.00                 | 0.00              | 0.00                       | 7,063.98        | 0.00                       | 163.97              | 2,656.00            | 0.00                      | 0.00                                 | 3,703.49                                | 540.52                 | Credits           |
| 6,928.60                  | 191,340.00             | 113.44                      | 2,886.85              | 227.84               | 6,000.00          | 6,928.60                   | (17,657,562.89) | 107.56                     | (1,689.83)          | 2,864.37            | 103,145.57                | (17,764,476.32)                      | (582.05)                                | 3,067.80               | Closing Balance   |

Expense

### 20081013140410835859802995-16904-5.2.6

FORTIS PRIME FUND SOLUTIONS (ASIA) LIMITED

Trial Balance with RE

PROFESSIONAL PENSIONS ARP LIMITED

Period Start Date 10/01/2007:00:00

Period End Date 12/31/2007:23:59:59

Prior Knowledge Date 09/26/2008:05:41:31

Knowledge Date 10/13/2008:14:03:57

AUSTRALIAN DOLLAR

| Total Outstanding shares Net Asset Value per share (Base) | PROFESSIONAL PENSIONS ARP LIMITED Net Asset Value (Base) | Net Asset Value<br>Total Outstanding shares<br>Net asset value per share | Net Balance    | Total - Expense | Transaction Charges Expense | Subscription Fee Expense | Redemption Fee Expense | Professional Fees Expense | Out of Pocket Expense | Financial Account |
|---|--|--|----------------|-----------------|-----------------------------|--------------------------|------------------------|---------------------------|-----------------------|-------------------|
|   |  |  |                |                 |                             |                          |                        |                           |                       | Description       |
| 4,155.3206<br>8,749.71                                    | 36,357,849.28  | 36,357,849.28<br>4,155.3206<br>8,749.71                                  | 0.00           | 119,923.38      | 1,432.82                    | 910.41                   | 1,175.78               | 4,926.25                  | 17.79                 | Opening Balance   |
| 06 71 Net Asset Value (AUD) per share                     | FX Rate  Net Asset Value (AUD)                           | 28<br>06<br>71   | 6,867,026.52   | 112,947.89      | 270.86                      | 0.00                     | 567.21                 | 0.00                      | 67.64                 | Debits            |
| per share   |  |  | (6,867,026.52) | (9,077,18)      | 0.00                        | 0.00                     | 0.00                   | 0.00                      | 0.00                  | Credits           |
| 8,749.71  | 1.0000<br>36,357,849.28                                  |  | 0.00           | 223,794.09      | 1,703.68                    | 910.41                   | 1,742.99               | 4,926.25                  | 85.43                 | Closing Balance   |

## PROFESSIONAL PENSIONS ARP LIMITED

Period Start Date 05/01/2008:00:00:00

Period End Date 05/31/2008:23:59:59

Prior Knowledge Date 11/18/2008:09:59:26 Knowledge Date 12/22/2008:04:05:53 AUSTRALIAN DOLLAR

|                             |                       |                   | Liabilities                            |                     |                |                         |                                 |                    |                  |   | Assets        |                   |
|-----------------------------|-----------------------|-------------------|--|---------------------|----------------|-------------------------|---------------------------------|--------------------|------------------|---|---------------|-------------------|
| Fortis Service Fees Payable | Directors Fee Payable | Audit Fee Payable | Payables<br>Administration Fee Payable | Total - Assets      |                | Unrealized FX Gain/Loss | Receivables Interest Receivable |                    | Cash<br>Cash     | FUND OF FUNDS                                     | Investments   | Financial Account |
| Cost                        | Cost                  | Cost              | Cost                                   |                     |                | Unrealized FX GL        | Cost                            | Officialized FX OF | Cost             | Cost<br>Unrealized Price G/L                      |               | Description       |
| 140.00                      | (1,360.91)            | 22,000.00         | 11,276.99                              | 30,584,445.54       |                | 1,261.69                | 12.39                           | 2,317.38           | 2,317.39<br>0.00 | 46,205,174.16<br>(15,624,320.09)<br>30,580,854.07 |               | Opening Balance   |
| 0.00                        | 0.00                  | 0.00              | 0.00                                   | 20.04               |                | 10.63                   | 0.00                            | 9.40               | 0.00<br>9.40     | 0.00  |               | Debits            |
| 0.00                        | 454,00                | 1,000.00          | 1,045.06                               | (291,000,00)        | 201 000 000    | 0.00                    | (1.22)                          | (47.49)            | (47.49)<br>0.00  | (291,002.09)<br>(291,002.09)                      |               | Credits           |
| 140.00                      | (906.91)              | 23,000.00         | 12,322.04                              | 340,667 3542 to 1 2 | 20 202 414 777 | 1,272.33                | 11.17                           | 2,279.30           | 2,269.90<br>9.40 | (15,915,322.19)                                   | A6 20S 17A 16 | Closing Balance   |

PROFESSIONAL PENSIONS ARP LIMITED
Period Start Date 05/01/2008:00:00:00
Period End Date 05/31/2008:23:59:59
Prior Knowledge Date 11/18/2008:09:59:26
Knowledge Date 12/22/2008:04:05:53
AUSTRALIAN DOLLAR

|                 | Reta                                   |                | Cap                            |                     |                             |                    |                                |                            |                       |                        |                    |                   |
|-----------------|--|----------------|--------------------------------|---------------------|-----------------------------|--------------------|--------------------------------|----------------------------|-----------------------|------------------------|--------------------|-------------------|
| Total - Capital | Retained Earnings<br>Retained Earnings | Custodian Xfer | Capital contributed<br>Capital | Total - Liabilities | Transaction Charges Payable | Redemption Payable | Performance Fee Earned Payable | Organization Costs Payable | Miscellaneous Payable | Management Fee Payable | Forward Fx Payable | Financial Account |
|                 |  |                |                                |                     | Cost                        | Cost               | Cost                           | Cost                       | Cost                  | Cost                   | Cost               | D                 |
|                 |  |                |                                |                     |                             |                    |                                |                            |                       |                        |                    | Description       |
| 51,739,206.27   | 12,479,138.95                          | 0.00           | 39,260,067.32                  | 3,717,809.64        | 2,215.72                    | 2,400,000.00       | (202,431.19)                   | 3,849.36                   | 0.00                  | 182,808.01             | 1,299,311.66       | Opening Balance   |
| 0.00            | 0.0                                    | 0.00           | 0.00                           | (61,604.38)         | 0.00                        | (55,000.00)        | 0.00                           | (6,604.38)                 | 0.00                  | 0.00                   | 0.00               | Debits            |
| 0.00            | 0.0                                    | 0.00           | 0.00                           | 86,226.66           | 0.00                        | 0.00               | 0.00                           | 0.00                       | 61,239.60             | 22,488.00              | 0.00               | Credits           |
| 51,739,206.27   | 12,479,138.95                          | 0.00           | 39,260,067.32                  | 3.742,431.92        | 2,215.72                    | 2,345,000.00       | (202,431.19)                   | (2,755.02)                 | 61,239.60             | 205,296.01             | 1,299,311.66       | Closing Balance   |

Capital

Revenue

FORTIS PRIME FUND SOLUTIONS (ASIA) LIMITED

Trial Balance with RE

PROFESSIONAL PENSIONS ARP LIMITED

Period Start Date 05/01/2008:00:00:00

Period End Date 05/31/2008:23:59:59

Prior Knowledge Date 11/18/2008:04:05:53

Knowledge Date 12/22/2008:04:05:53

AUSTRALIAN DOLLAR

| Organization Cost Expense | Management Fee Expense | Fortis Service Fees Expense | Directors Fee Expense | Bank Charges Expense | Audit Fee Expense | Administration Fee Expense | Total - Revenue | Short Term Price Gain/Loss | Section 988 FX Loss | Section 988 FX Gain | Long Term Price Gain/Loss | Change in Unrealized Price Gain/Loss | Change in Unrealized Currency Gain/Loss | Bank Interest Received | Financial Account |
|---------------------------|------------------------|-----------------------------|-----------------------|----------------------|-------------------|----------------------------|-----------------|----------------------------|---------------------|---------------------|---------------------------|--------------------------------------|---|------------------------|-------------------|
|                           |                        |                             |                       |                      |                   |                            |                 |                            |                     |                     |                           |                                      |   |                        | Description       |
| 6,928.60                  | 286,529.00             | 140.00                      | 4,697.96              | 380.95               | 10,000.00         | 11,276.98                  | (24,524,802.94) | 107.56                     | (1,909.25)          | 3,029.32            | 52,660.00                 | (24,582,293.54)                      | 256.59                                  | 3,346.38               | Opening Balance   |
| 0.00                      | 22,488.00              | 0.00                        | 434.74                | 59.77                | 1,000.00          | 1,045.06                   | (291,050.20)    | 0.00                       | (20.24)             | 0.00                | 0.00                      | (291,002.09)                         | (27.86)                                 | 0.00                   | Debits            |
| 0.00                      | 0.00                   | 0.00                        | 0.00                  | 0.00                 | 0.00              | 0.00                       | 424.72          | 0.00                       | 0.00                | 365.66              | 0.00                      | 0.00                                 | 47.90                                   | 11.17                  | Credits           |
| 6,928.60                  | 309,017.00             | 140.00                      | 5,132.70              | 440.72               | 11,000.00         | 12,322.04                  | (24,815,428.41) | 107.56                     | (1,929.49)          | 3,394.98            | 52,660.00                 | (24,873,295.63)                      | 276.63                                  | 3,357.55               | Closing Balance   |

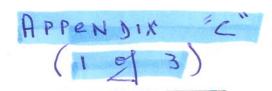
Expense

## 20081222040618835859823877-5983-6.0.5.1

# FORTIS PRIME FUND SOLUTIONS (ASIA) LIMITED Trial Balance with RE PROFESSIONAL PENSIONS ARP LIMITED

Period Start Date 05/01/2008:00:00:00
Period End Date 05/31/2008:23:59:59
Prior Knowledge Date 11/18/2008:09:59:26
Knowledge Date 12/22/2008:04:05:53
AUSTRALIAN DOLLAR

| PROFESSIONAL PENSIONS ARP LIMITED  Net Asset Value (Base)  Total Outstanding shares  Net Asset Value per share (Base) | Not Balance Net Asset Value Total Outstanding shares Net asset value per share | Total - Expense | Transaction Charges Expense | Subscription Fee Expense | Redemption Fee Expense | Professional Fees Expense | Out of Pocket Expense | Financial Account |
|---|--|-----------------|-----------------------------|--------------------------|------------------------|---------------------------|-----------------------|-------------------|
|   |  |                 |                             |                          |                        |                           |                       | Description       |
| 26,550,982.83<br>3,840.9951<br>6,912.53   | 0,00<br>26,550,982.83<br>3,840.9951<br>6,912.53                                | 347,767.46      | 2,506.72                    | 910.41                   | 3,384.86               | 20,763.36                 | 248.62                | Opening Balance   |
| FX Rate 3 Net Asset Value (AUD) 1 3 Net Asset Value (AUD) per share   | 377;702.19<br>3  | 25,027.57       | 0.00                        | 0.00                     | 0.00                   | 0.00                      | 0.00                  | Debits            |
| or share  | (377,702,19)   | 0.00            | 0.00                        | 0.00                     | 0.00                   | 0.00                      | 0.00                  | Credits           |
| 1.0000<br>26,550,982.83<br>6,912.53   | 0.00   | 372,795.03      | 2,506.72                    | 910.41                   | 3,384.86               | 20,763.36                 | 248.62                | Closing Balance   |



|   | +- |            |          |            | -  |            |    | Fund ( PP/      |
|---|----|------------|----------|------------|----|------------|----|-----------------|
| Managed Funds Basic Details:                      |    | 31/12/2007 | 31       | /03/2008   |    | 30/06/2008 |    | 31/12/2008      |
| Convertible Arbitrage                             | -  |            |          |            |    |            |    |                 |
| Argent Classic Convertible Arbitrage Fund         | \$ | 1,743,040  | \$       | 1,692,561  | \$ | 1,716,367  | \$ | -               |
|   | \$ | 269,552    | \$       | 212,102    | \$ | 185,240    | \$ | 191,036         |
| Galena Street Fund Series A                       | \$ | 1,646,932  | \$       | 1,522,486  | \$ | 1,430,417  | \$ | 1,392,955       |
| Mortgage Opportunity Fund                         | \$ | 759,601    | \$       | 1,095,598  | \$ | 1,054,105  | \$ | 1,025,183       |
| Naterfall Eden Fund                               | \$ | 384,129    | \$       | -          | \$ | -          | \$ | -               |
| Y2K Finance Inc                                   |    |            | \$       | 2,830,186  | \$ | 2,669,762  | \$ | 2,609,174       |
| Fixed Income subtotal                             | \$ | 3,060,214  | <b>3</b> | 2,030,100  | •  | 2,005,702  | Ψ. | 2,000,114       |
| GPS Income Fund LP                                | \$ | 4,035,600  | \$       | 2,424,798  | \$ | 2,607,461  | \$ | 1,715,969       |
| GPS New EquityFund LP                             | \$ | 2,669,046  | \$       | 1,644,617  | \$ | 1,964,461  | \$ | 1,380,481       |
| Long/Short subtotal                               | \$ | 6,704,646  | \$       | 4,069,415  | \$ | 4,571,922  | \$ | 3,096,450       |
|   |    | 201.005    |          | 0 700 005  | •  | 2,819,753  | \$ | 4,808,093       |
| Empyreal Managed Accounts Trust                   | \$ | 984,095    | \$       | 2,738,265  | \$ |            | -  |                 |
| Macro - CTA subtotal                              | \$ | 984,095    | \$       | 2,738,265  | \$ | 2,819,753  | \$ | 4,808,093       |
| CAM Opportunity Fund 1 LLC                        | \$ | 5,772,837  | \$       | 3,910,702  | \$ | 3,782,928  | \$ | 4,012,903       |
| Copernico Argentina Fund                          | \$ | -          | \$       | 748,972    | \$ | 755,279    | \$ | -               |
| Merger & Event Driven subtotal                    | \$ | 5,772,837  | \$       | 4,659,674  | \$ | 4,538,207  | \$ | 4,012,903       |
| merger a Event Driven Subtotal                    | Ť  | -,,-       |          |            |    |            |    |                 |
| Blue Elite Fund Ltd. Class XR1 Series Empyreal    | \$ | 1,607,101  | \$       | 668,850    | \$ | -          | \$ |                 |
| TS Multi - Stratagy Fund LP                       | \$ | 1,734,587  | \$       | 3,134,163  | \$ | 3,988,898  | \$ | 4,003,386       |
| Multi - Strategy subtotal                         | \$ | 3,341,688  | \$       | 3,803,013  | \$ | 3,988,898  | \$ | 4,003,386       |
|   |    |            |          |            |    |            | _  |                 |
| AJW Offshore Ltd. Series 01/03                    | \$ | 4,554,355  | \$       | 5,638,067  | \$ | 5,772,727  | \$ | 5,989,687       |
| Alpstar Sec'd Bank Loan Fund, Ltd Series Empyreal | \$ | 3,009,378  | \$       | 2,429,597  | -  | 2,299,622  | \$ | 2,367,830       |
| Caritas Royalty Fund Series 0707 Empyreal         | \$ | 845,709    | \$       | 824,286    | \$ | 897,238    | \$ | 921,900         |
| Cornell Capital Partners Series Empyreal          | \$ | 1,339,639  | \$       | 1,307,527  | \$ | 1,336,758  |    | 1,363,500       |
| Denholm Hall Russia Arbitrage Fund Class A        | \$ | 4,359,376  | \$       | 3,158,579  | \$ | 3,258,457  | \$ | 3,353,019       |
| Nite Capital LP Series Empyreal                   | \$ | 125,777    | \$       | 73,225     | \$ | 61,597     | \$ |                 |
| Fairfield Ludgate Hill Asian Arbitrage Fund Ltd   | \$ | 3,376,163  | \$       | 3,070,081  | \$ | 3,174,062  | \$ | 3,266,304       |
| Other subtotal                                    | \$ | 17,610,397 | \$       | 16,501,362 | \$ | 16,800,461 | \$ | 17,262,240      |
|   |    |            |          |            |    |            |    |                 |
| Centrix Loan Participation Portfolio              | \$ | 2,046,646  | \$       | 1,753,597  | \$ | 1,749,900  | \$ | 1,958,514       |
| Eden Rock Finance Fund Series Empyreal            | \$ | 1,445,941  | \$       | 1,328,912  | \$ | 1,339,692  | \$ | 1,479,404       |
| Palm Beach Offshore Ltd. Series Rollover          | \$ | 5,897,203  | \$       | 4,637,931  | \$ | 4,758,149  | \$ | 5,345,392       |
| Stillwater Asset Backed Fund LP Series 0805       | \$ | 1,881,664  | \$       | 1,083,983  | \$ | 1,110,758  | \$ |                 |
| Talisman Partners LLC Series 0606                 | \$ | 4,217,112  | \$       | 4,136,037  | \$ | 4,251,655  | \$ | 6,001,694       |
| Trade Financial subtotal                          | \$ | 15,488,566 | \$       | 12,940,460 | \$ | 13,210,154 | \$ | 14,785,004      |
|   |    |            | -        |            | -  | F0 04F F04 |    | E0 E77 0E/      |
| Totals  | \$ | 54,705,483 | \$       | 49,234,936 | \$ | 50,315,524 | \$ | 50,577,250      |
|   | -  |            | +        |            | +  | 20,0       | -  |                 |
|   |    |            | -        |            |    |            |    |                 |
|   |    |            |          |            |    |            |    | o de la Seconda |
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| -          |            | _   |            |     | 2017       |    |            |    |             | 041001000              |    | 6416                                |
|------------|------------|-----|------------|-----|------------|----|------------|----|-------------|------------------------|----|-------------------------------------|
| _          | 28/02/2009 | _   | 31/03/2009 | _   | 30/04/2009 | _  | 31/05/2009 | _  | -           | 31/06/2009             |    | 31/07/2009                          |
| 5          |            | \$  | -          | \$  |            | \$ | -          | \$ |             |                        | \$ | -                                   |
| \$         | 183,766    | \$  | 184,032    | \$  | 181,842    | \$ | 183,162    | \$ |             | -                      | \$ | -                                   |
| 5          | 1,333,182  | \$  | 1,346,053  | \$  | 1,334,612  | \$ | 1,343,986  | \$ |             | 1,361,129              | \$ | 1,357,318                           |
| 5          | 1,018,867  | \$  | 1,045,361  | \$  | 1,052,051  | \$ | 1,058,982  | \$ |             | 1,074,213              | \$ | 1,087,211                           |
| 5          | -          | \$  | -          | \$  |            | \$ |            | \$ | -           | -                      | \$ | -                                   |
| 5          | 2,535,815  | \$  | 2,575,446  | \$  | 2,568,505  | \$ | 2,586,130  |    | \$          | 2,435,342              | \$ | 2,444,529                           |
|            | 4.000.055  |     | 4 705 000  | •   | 4 700 700  |    | 4 744 000  |    | •           | 4 766 047              | •  | 4 770 770                           |
| 5          | 1,696,955  | \$  | 1,735,363  | \$  | 1,728,769  | \$ | 1,741,008  |    | \$          | 1,766,947<br>1,420,970 | \$ | 1,772,778<br>1,425,943              |
| =          | 1,364,710  | \$  | 1,395,297  | \$  | 1,389,995  | \$ |            | -  | φ           |                        | \$ |                                     |
| 5          | 3,061,665  | \$  | 3,130,660  | \$  | 3,118,764  | \$ | 3,140,844  | \$ |             | 3,187,917              | \$ | 3,198,721                           |
| 5          | 5,058,123  | \$  | 5,189,653  | \$  | 5,185,869  | \$ | 5,396,537  | \$ |             | 5,654,703              | \$ | 6,052,238                           |
| \$         | 5,058,123  | \$  | 5,189,653  | \$  | 5,185,869  | \$ | 5,396,537  | \$ |             | 5,654,703              | \$ | 6,052,238                           |
| •          | 3 017 000  | œ   | 3,893,615  | \$  | 3 862 077  | \$ | 3,889,189  | \$ |             | 3,941,117              | \$ | 3,931,658                           |
| \$         | 3,917,898  | \$  | 3,083,015  | \$  | 3,862,077  | \$ | 3,008,109  | \$ |             |                        | \$ | 3,931,030                           |
| \$         | 3,917,898  | \$  | 3,893,615  | \$  | 3,862,077  | \$ | 3,889,189  | \$ |             | 3,941,117              | \$ | 3,931,658                           |
|            |            | Ť   |            | Ť   | 0,000_,000 |    |            |    |             |                        |    |                                     |
| \$         | -          | \$  |            | \$  | -          | \$ | -          | \$ |             | -                      | \$ | -                                   |
| _          | 3,987,097  | \$_ | 4,116,139  | \$_ | 4,139,189  | \$ | 4,144,312  | \$ |             | 4,173,353              | \$ | 4,171,266                           |
| die<br>die | 3,987,097  | \$  | 4,116,139  | \$  | 4,139,189  | \$ | 4,144,312  | \$ |             | 4,173,353              | \$ | 4,171,266                           |
|            | 6,007,081  | \$  | 6,186,013  | \$  | 6,234,882  | \$ | 6,179,783  | \$ |             | 6,254,678              | \$ | 6,237,165                           |
|            | 2,355,837  | \$  | 2,417,095  | \$  | 2,428,455  | \$ | 2,435,086  | \$ |             | 2,455,527              | \$ | 2,457,491                           |
| 9          | 923,198    |     | 0          | \$  | -          | \$ | -          | \$ |             | -                      | \$ |                                     |
| X (C.      | 1,366,371  |     | 1401902    | \$  | 1,414,379  | \$ | 1,422,966  | \$ |             | 1,442,417              | \$ | 1,484,103                           |
|            | 3,261,569  | \$  | 3,346,382  | \$  | 3,383,192  | \$ | 3,392,323  | \$ |             | 3,424,353              | \$ | 3,447,639                           |
|            | -          | \$  | -          | \$  | -          | \$ | •          | \$ |             | -                      | \$ | -                                   |
|            | 3,213,327  | \$  | 3,296,885  | \$  | 3,305,787  | \$ | 3,324,056  | \$ |             | 3,365,130              | \$ | 3,382,292                           |
|            | 17,127,383 | \$  | 16,648,277 | \$  | 16,766,695 | \$ | 16,754,214 | \$ |             | 16,942,105             | \$ | 17,008,690                          |
|            | 1,915,277  | \$  | 1,986,183  | \$  | 1,993,333  | \$ | 2,002,354  | \$ |             | 2,024,715              | \$ | 2,032,409                           |
| ;          | 1,457,776  | \$  | 1,504,658  | \$  | 1,476,671  | \$ | 1,494,691  | \$ |             | 1,510,978              | \$ | 1,423,190                           |
| ;          | 5,259,226  | \$  | 5,395,986  | \$  | 5,411,095  | \$ | 5,441,532  | \$ |             | 5,509,302              | \$ | 5,539,052                           |
| ;          | -          | \$  | *          | \$  | -          | \$ |            | \$ |             |                        | \$ |                                     |
| ;          | 6,078,632  | \$  | 6,295,947  | \$  | 6,351,351  | \$ | 6,346,577  | \$ | 52-1-10-D11 | 6,362,684              | \$ | 6,347,414                           |
| ;          | 14,710,911 | \$  | 15,182,774 | \$  | 15,232,450 | \$ | 15,285,154 | \$ |             | 15,407,679             | \$ | 15,342,065                          |
|            | 50 308 904 | •   | 50 736 565 | e   | 50 873 550 | •  | 51,196,379 | \$ |             | 51,742,215             | \$ | 52,149,168                          |
|            | 50,398,894 | \$  | 50,736,565 | \$  | 50,873,550 | 2  | 01,190,379 | Þ  |             | 01,742,215             | 2) | 32,149,108                          |
|            |            |     |            |     |            |    |            |    |             |                        |    |                                     |
|            |            |     |            |     |            |    |            |    |             |                        |    |                                     |
|            |            |     |            |     |            |    |            |    |             |                        |    | <u>-</u>                            |
|            |            |     |            |     |            |    |            |    |             |                        |    |                                     |
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| ¢  |             | ***           |
| \$ |             |               |
| \$ | 1 007 004   |               |
| \$ | 1,367,694   |               |
| \$ | 1,095,614   |               |
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| \$ | 2,463,308   |               |
| \$ | 1,787,307   |               |
| \$ | 1,437,770   |               |
| \$ | 3,225,077   |               |
| φ  | 3,223,011   |               |
| \$ | 6,108,183   | <del></del>   |
| \$ | 6,108,183   |               |
| ~  | 0,100,100   |               |
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| \$ | 3,960,915   |               |
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| \$ | 4,195,987   |               |
| \$ | 4,195,987   |               |
|    |             |               |
| \$ | 6,282,971   |               |
| \$ | 2,471,545   |               |
| \$ | - 4 400 500 |               |
| \$ | 1,493,509   |               |
| \$ | 3,467,236   |               |
| \$ | 3 405 925   |               |
| \$ | 3,405,925   |               |
| \$ | 17,121,186  |               |
| \$ | 2,046,223   |               |
| \$ | 1,389,843   |               |
| \$ | 5,577,743   |               |
| \$ | -           |               |
| \$ | 6,386,375   |               |
| \$ | 15,400,184  |               |
|    |             |               |
| \$ | 52,474,840  | \$ 52,589,836 |
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