

14 July 2025

Private & Confidential

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Dear Sir/Madam,

Significant Event Notice (SEN)

This important notice is issued by Equity Trustees Superannuation Limited ABN 50 055 641 757, AFSL 229757 as trustee for Freedom of Choice, part of AMG Super ABN 30 099 320 583 (**Trustee, we, our, us**). Please note New Quantum (NQ) was transferred to Freedom of Choice in February 2025.

This notice relates to your chosen investment in the First Guardian Master Fund ARSN 635 429 113 (**First Guardian Master Fund** or **FGMF**).

Background – First Guardian Master Fund

The FGMF is a registered managed fund issued by Falcon Capital Limited (In Liquidation) (ACN 119 204 554) (**Falcon Capital**).

Investments in the following units in the FGMF were, up until 27 May 2024, accessible to members of Freedom of Choice Super:

1. First Guardian Growth Strategies Class;
2. First Guardian Diversified Strategies Class; and
3. First Guardian Defensive Strategies Class.

Court proceeding – Falcon Capital and First Guardian Master Fund

On 24 February 2025, the Australian Securities and Investments Commission (**ASIC**) commenced a proceeding in the Federal Court of Australia (**Court**) against Falcon Capital (**Proceeding**).

On 9 April 2025, the Court appointed Ross Blakeley and Paul Harlond of FTI Consulting as Joint and Several Liquidators (**Liquidators**) of Falcon Capital.



Among other things, the role of the Liquidators is to:

- wind up Falcon Capital, the FGMF and investment trusts owned by Falcon Capital as the Responsible Entity of the FGMF (**Investment Funds**), through which investments were made; and
- conduct investigations into Falcon Capital and the Investment Funds' affairs, their financial position, Falcon Capital's responsibilities as the Responsible Entity of the FGMF, and its responsibilities and activities in its capacity as trustee for the Investment Funds.

Statutory report by Liquidators

On 8 July 2025, the Liquidators published a statutory report to creditors (**Liquidators' Report**). A copy of the Liquidators' Report can be found here [\[8-july-2025-falcon-capital-statutory-report-by-liquidator.pdf\]](#). Further information on the ASIC investigation and actions taken can be found here: <https://www.asic.gov.au/about-asic/asic-investigations-and-enforcement/enforcement-activities/first-guardian-master-fund/>.

The Liquidators' Report provides an update on:

- the estimated value of assets and liabilities of Falcon Capital;
- inquiries undertaken to date related to the winding up of Falcon Capital;
- further inquiries which may be needed in relation to the winding up of Falcon Capital;
- what happened to the business of Falcon Capital;
- the likelihood of creditors receiving a dividend before the affairs of Falcon Capital are fully wound up; and
- what recovery actions can be taken.

The Liquidators' investigations and inquiries into this matter are ongoing, including investigations into whether any breaches by the directors of Falcon Capital of the Corporations Act or other laws have occurred.

Subject to qualifications set out in the Liquidators' Report, the report includes (but is not limited to) the following matters summarised below.

Value of units in First Guardian

The Liquidators' preliminary assessment includes:

- *"the overall recoverable value of the investments is likely to be considerably less than their combined book value";*
- *they "consider the value of the assets may have been overstated in the accounts";*
- *"significant shortfalls to book values are expected";*



- *“it will also take considerable time to effect potential recoveries”, and*
- *the Liquidators are “not in a position to provide a revised estimated value of the units in the FGMF.”*

Recovery

The Liquidators say in their Report that there is likely to be *“a substantial shortfall of recoverable assets to outstanding investor funds”* and in addition, that *“insufficient funds will exist to meet all claims of Creditors...and the unredeemed, original invested amount of Unitholders in full.”* However, they also added it was *“possible that a dividend may be paid to Creditors of [Falcon Capital] and a distribution may be made to Unitholders in the FGMF in the future.”*

The Liquidators cannot provide an estimate of what such a distribution may be at this time.

The Liquidators further state that *“Any potential interim distribution is likely to take at least eighteen months, with any final outcome and distribution potentially taking a number of years.”*

What happens next?

Given the findings in the Liquidators' Report, it is no longer appropriate to value your investment in the FGMF using the last unit price determined by Falcon Capital, as we have been doing since the Liquidators were appointed.

Due to the uncertainty about the valuation of the FGMF as set out in the Liquidators' report and until further information becomes available, we intend to record the value of your investment in the FGMF in your account as zero. However, if distributions are made in the future, these will still be credited to your account.

While we have taken this step, we are mindful that the Liquidators have indicated that it is possible that a distribution may be made to investors at some point in time. As noted above, the Liquidators believe that an interim distribution is unlikely for at least eighteen months, and the final distribution may take many years. We will contact you if any distribution is made by the Liquidators.

Redemptions from the FGMF remain frozen and we will continue to hold interests in the FGMF on trust for members.

If you need counselling and support

We understand that this development may cause distress. If you're facing financial hardship, it's important that you get the help and support you need. Members can access a free confidential counselling and wellbeing support service put in place for you. The back page of this SEN provides an outline of how to access this support and other useful services.



Further updates

We will write to you again if we become aware of any other material change or event (including the publication of any updated information from the Court, Liquidators of Falcon Capital and/or ASIC in relation to the FGMF).

We may also publish updates at <https://acclaimwealth.com.au/prescribed-information/>. You can also contact us at 03 7074 3677.

It is important to note that:

- this notice provides general information only, that does not consider your personal circumstances;
- we are unable to provide you with personal financial advice;
- you can (and we urge you to) obtain personal financial advice having regard to your personal circumstances;
- ASIC has set up a dedicated webpage where you can find more information regarding ASIC's investigation into the management and operation of the FGMF, which can be accessed at <https://www.asic.gov.au/about-asic/asic-investigations-and-enforcement/enforcement-activities/first-guardian-master-fund/>; and
- you can lodge a complaint with us at super@ddhgraham.com.au or to

The Complaints Officer
Freedom of Choice
PO Box 3528
Tingalpa DC, QLD 4173
Ph: (07) 3899 7272

If your complaint relates to the financial services provided to you by your financial adviser, you should lodge your complaint with your adviser.

Yours sincerely

For and on behalf of the Trustee, Equity Trustees Superannuation Limited



Equity Trustees

FINANCIAL HARDSHIP AND WELLBEING SUPPORT

If you're facing financial hardship, it's important that you get the help and support you need.

If you are a member of super funds impacted by the Shield Master Fund and First Guardian Master Fund investigations, the Equity Trustees' employee assistance program (EAP) has been expanded to offer free, confidential counselling and wellbeing support to you.

You can book online here: <https://accounts.connectpsychservices.com.au/register> – once registered, follow the step-by-step instructions (below). Alternatively, you can call 1300 146 386 for further assistance. You will need to insert or reference the company code **EMA663**.

Step-by-step instructions to access this support

1. Go to Connect Psych portal: <https://accounts.connectpsychservices.com.au/> and log in with your credentials.
2. Click "Create Booking" (top left corner of the page).
3. Choose your appointment type, live chat, voice chat or video chat.
4. Answer the series of short questions to tell us a little more about you. After you have completed the questions, click "Match Practitioner".
5. Choose a practitioner along with a day and time that suits you. Then confirm.
6. You will receive emails leading up to your appointment, along with a secure link to access your therapist (sent approximately an hour before the appointment).

The EAP services have been arranged by Equity Trustees and are provided at no cost to you or the fund.

The following organisations may also be able to provide you with assistance.

National Debt Helpline <https://ndh.org.au/> is a not-for-profit service that offers free, independent and confidential financial counselling services to help people tackle their debt problems.

Lifeline <https://www.lifeline.org.au> provides 24-hour crisis support and suicide prevention. Call 13 11 14.

Beyond Blue <https://www.beyondblue.org.au/> provides support programs to address issues related to depression, suicide, anxiety disorders and other related mental illnesses.

Moneysmart <https://moneysmart.gov.au> created by ASIC, helps you take steps to improve your personal finances with impartial guidance and online tools. If you don't have an adviser, the moneysmart tool can help. [Access the tool here](#).

Equity Trustees Superannuation Limited (ABN 50 055 641 757, AFSL 229757) is part of the EQT Holdings Limited (ABN 22 607 797 615) group of companies (brand name Equity Trustees), listed on the Australian Securities Exchange (ASX:EQT).



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