

To The Judge
For Erini Stiliano Hearing on 15 Nov 2004
DISTRICT COURT
SOUTH AUSTRALIA

APPEAL AGAINST DECISIONS OF GUARDIANSHIP BOARD
ERINI STILIANO

Submitted by Philip Stilianos

12 November 2004

Abbreviations:

GB = Guardianship Board

PT = Public Trustee

Note: Hyperlinks in this document are only accessible when this document is viewed at its website. Website access is restricted.

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Note to Judge: I'm not sure if Gary is at risk if his emails revealed below are exposed to Anna, Stan and Stella. Some of the emails may be very upsetting to them.

1. Proposed Changes to Administration Order

This is an appeal against Guardianship Board decisions made at a GB Hearing on 26 Aug 2004, which I believe resulted in an unsatisfactory or inadequate Administration Order for Erini Stiliano.

The statements in this document are intended to support the changes I have sought to the Administration Orders.

These proposed changes are detailed in the submitted document [Proposed changes to Administration Orders - Erini Stiliano.pdf](#)

This document supersedes the previous document I submitted for the first preliminary hearing because of events that have occurred since that hearing - viz the discovery of the leasing document after a 3 year search. I also had the benefit of a copy of the GB transcript in preparing this current document.

I ask the GB/PT and the District Court to disregard any statements made by Stan, Anna or Gary that are not directly in Erini's interests as there is evidence submitted here that they have engaged in dishonesty, deception, ill-will and endangered the value of the estate towards Erini and/or her beneficiaries.

Some of the material presented here will be submitted to the Supreme Court at a future date when the beneficiaries seek to remove Gary and Anna as Executors.

2. In a Nutshell

My family and the PT and GB, are the only ones who have been concerned with obtaining financial benefit for Erini from her overseas assets. On the other hand Anna, Stan, Gary (Erini's Will adversaries) are doing whatever they can to prevent any money from properties they believe are theirs from entering Erini's bank account.

Anna, Gary and Stan attempted to conceal and pervert Erini's Will by seeking consent from me to dispose of Erini's land as quickly as possible. When I pressured Stella into disclosing some of its contents, I got enough of gist of it to realise what was going on.

Because my family line now stands to inherit all of Erini's estate, Gary and Anna may have believed they stood a good chance as Erini's executors to somehow award themselves their 'entitlements'.

This may have been achievable during the 3 years after my father died in March 2001. My mother has severe dementia and she could have died during this time.

However this is now a lot more difficult now for them as all the important schemes have slowly been uncovered and are now public knowledge. The most important is that we now know there is a leasing document securing the land, we know the lessee, and we my cousin Philip Limberis in Greece is monitoring the situation as he knows and commands respect from the lessee and the lessees relatives who are farming the land.

Relatives in Australia and Greece who until 2 months ago did not know all these years what the situation was here are now aware of it.

If their motive now is to wait and see what they can achieve for themselves as Executors, they should expect disappointment. The deceased estates of Steve Stiliano (dec. Mar 2001) and George Stiliano (dec. Dec 2001) have taught Erini's beneficiaries a lot about what an errant executor may achieve if unchecked.

If the Court can establish at the outset that that the first two paragraphs are true, then I ask the Court to quash any further input from them, and direct the GB/PT to bar Erini's adversaries from any further input.

Following this, the proposed administrative orders or other changes can be considered in a rational, civil and dignified manner which Erini richly deserves.

3. Documentary Evidence of Dishonesty and Deception:

☛	<p>Unlawful letter addressed to Rhodes lawyer D Salamastrakis, with solitary unwitnessed signature of Erini Stiliano dated 21 March 1993 attempts to assign 4 titles to Anna. Composed by Stan in his handwriting. It can be deduced from email from Salamastrakis that this letter is not genuine as he never received it or mentioned it.</p> <p>The letter Salamastrakis mentioned in his email was witnessed by Erini's Power-of-Attorney. See emails below under "Salamastrakis/Stafylakis Emails - Evidence" in this document Mums letter to salamastrakis.pdf (with translation to English)</p>
☛	<p>Unlawful letter addressed to Rhodes lawyer D Salamastrakis dated 30 September 2000 with signature of Stan Itsines and Steve Stiliano attempts to assign 1 title to Anna and 2 titles to Stan. Composed by Stan in his handwriting. It can be deduced from email from Salamastrakis that this letter is not genuine as he never received it or mentioned it.</p> <p>This letter is unlawful because Erini had advanced dementia at the time, and had never authorised or indicated at any time that Stan receive land, and above all would never have allowed Stan to be substituted for her son George.</p> <p>Dad and stan letter to salmastrakis.pdf (With translation to English)</p>
☛	<p>Unlawfully acquired 'title documents' belonging to Philip Stilianos and George Stiliano. Currently in unlawful possession of Anna/Stan and unlawfully withheld from Philip Stilianos.</p> <p>Title documents referred to have following typical appearance. On the back of the title is scrawled the name of the person intended to receive that title.</p> <p>The defunct title documents only real use now is that they may contain evidence against Anna/Stan's acquisition intentions.</p> <p>Certificate of Title Example.pdf</p>
☛	<p>Unlawfully acquired and unlawfully possessed leasing document removed without authorisation from estate records and concealed/withheld from GB/PT by Stan/Anna. Copy of lease obtained after 3 years by Philip Limberis who approached the guessed Lessee on my behalf.</p> <p>2004_10_11_leasing_document_with_translation.pdf</p>
☛	<p>Emails in document Executor_intentions_Rhodes.htm. Emails contradict statements by miscreants at GB hearing.</p> <p>Executor_intentions_Rhodes.pdf</p>
☛	<p>Transcript of GB Hearing 26 August 2004.</p> <p>2004_10_05_Fax_Transcript_of_GB_Hearing.pdf</p>
☛	<p>Executors endangering the estate by gross undervaluation.</p> <p>In the GB transcript Stan (executor Anna's spouse) asserts value to be \$80,000 maximum. In 2001 he repeatedly told us it was \$50,000 maximum, and Gary (executor) indicated to Irene it was</p>

around \$20,000.

The actual valuations obtained by the Public Trustee are much higher:
[Rhodes_properties.pdf](#)

4. Philip Limberis

Philip Limberis is a trusted relative (second cousin) who lives in Rhodes and visits Lahania, the remote village where Erini's properties are, weekly.

Nick Frossinakis, an Adelaide close first cousin who has the respect of all family members, has stated recently to me that "Philip Limberis is the most trusted relative in all of Rhodes".

Nick Frossinakis loves Erini and visits her at every opportunity.

Tom Frossinakis, an Adelaide close first cousin who has the respect of all family members, and currently lives in New York, is a very close friend of Philip Limberis. They have just returned on a 3-week trip together to the Himalayas where they climbed a high mountain (aren't they all high there?). Tom Frossinakis is also close to and fond of Erini.

My mother Erini looked after Tom and Nick Frossinakis when they were very young when their mother (Erini's sister) died tragically at a young age.

Philip Limberis was my close friend and relative in Adelaide where we attended high school and university together in the same classes.

Philip Limberis adored my father. Philip Limberis said he always enjoyed my father's visits to Rhodes and they had great times together. He said he visited my father in Adelaide sometime before he died.

Philip Limberis adored my brother George (deceased) - they were both in the building industry.

Tom Frossinakis, Philip Limberis and I set high academic goals and ideals for ourselves and constantly inspired each other. There was always total respect and trust between us.

Philip Limberis tells me I have many first cousins in Rhodes I've never known I even had. He loves them all and is very proud of all his relatives, his ancestry and Greece. He constantly urges me to visit Greece to see him and my cousins and for me to see the properties first hand myself.

Philip Limberis has even helped me secure Greek citizenship.

I hope the picture is clearer now about the type of person I would put my trust in.

As the PT has experienced, there are no solicitors you can engage overseas that have achieved any results in the investigation, and the last one was on track to achieve nothing, and requested advance payments to continue the merry wild goose chase.

Without the cooperation of Salamastrakis and Erini's adversaries, the PT was not going to be able to afford to get anywhere with its investigations.

As the PT has experienced, it is mainly the efforts of myself and recently Philip Limberis that has now finally secured the land for Erini Stiliano with the Public Trustee.

To sell any of Erini's overseas land from here at optimal market value you have to put your trust in an estate agent because you have no idea of knowing what the market values are unless you are actually there. An overseas trustworthy estate agent is difficult to find, if not impossible. However that is what the PT would have to do and inevitably engage in a fire sale.

Stan would get '\$80,000 maximum' for Erini, less all his personal travelling expenses. He is the one the Executors would send over to manipulate the sales to recover their 'claims'. However they will be removed as executors before this happens. It is best to liquidate all of Erini's land in Greece before the Executors get a chance to manipulate it.

You could use Philip Limberis (if he is still volunteering), in conjunction with estate agents, to get around \$240,000+.

You could use an unmonitored estate agent and be at their mercy. Also the agents don't know the actual locations of he numerous scattered properties in the remote village - they are unmarked. You still need Philip Limberis to assist the agents.

I could go overseas myself briefly to check on market values, and ensure that estate agents obtain these values.

As a compromise Philip Limberis could advise me and I could then pass on that information to the PT. That's what effectively is going to happen anyway.

5. Overusing term 'family conflict'

My family and Stella, the PT and GB, are the only ones who have been concerned with obtaining benefit for Erini. The only 'family conflict' is that we are obtaining benefit for Erini and they (Anna, Stan, Gary) don't want that to happen. Surely that's not a 'family conflict' but some sort of violation of the G & A Act.

There are no 'family conflicts' issues that should impede on the GB's ability to make decisions favouring the applicant's intentions to protect Erini. There are transgressions by some, however these should not to be categorised as 'conflicts'.

Erini's (GB's) conflicts with her adversaries

As a general personal comment I resent the sweeping of any possible legal transgressions under the rug in the name of the convenient over stereotyped 'family conflict' time saver - which appears to give legitimacy and a licence for any family member to commit a legal transgression against another family member.

The GB ought to reconsider its ill-advised use of 'family conflict' as a means of bailing out of its own (Erini's) conflicts with Erini's adversaries. It should resolve its conflicts in Erini's favour.

As I indicate in my comment on Page 23 Para 12 of the Transcript Table below, the GB appears to have taken on board unsolicited verbal advice from a disgruntled non-beneficiary that there were 'family conflicts', when the GB was in the midst of handling its own conflict problems with Erini's adversaries.

A Tale of Two Cities

The beneficiaries resent and reject the GB's 'family conflict' remarks. They are not applicable to us. We don't do conflicts. We are a loving family not embroiled in the apparently many years of feuding of the Adelaide families (feudings which we were largely ignorant of). We have never had conflicts with any relatives. The 'conflicts' are unilateral from them to us. They are not conflicts they are unilateral transgressions.

My family in Melbourne are the ones who applied for the protection of Erini by applying for her administration, when the siblings in Adelaide refused to do it because they risked losing 'their' land. Erini loved us dearly because we had no family conflicts within my family (all in Melbourne) and none with any Adelaide relatives or any other relatives anywhere.

Strong Support for GB and PT

My family are law abiding citizens who have pursued matters strictly in compliance with the G & A Act 1993.

We have provided abundant assistance and documentation to the PT to help secure Erini's properties in Greece.

On the other hand her adversaries have provided no assistance to the PT and the GB, even though they had all the knowledge of leasing agreement and property locations.

When the PT approached Stan/Anna earlier this year regarding the existence of a leasing document, the PT was spurned by them. This action directly triggered all the hearings since - One GB hearing and these District Court hearings.

Adversaries Opposition to GB and PT

Gary, Anna and Stan and were enraged by the application by me for an Administration Order for my mother. Now that's the first 'family conflict' but it would be silly logic to conclude that therefore for example 'He cannot be administrator, the reason is that he applied to be administrator'.

The application for an Administration Order hopefully meant that any transgressions on Erini's estate and any arguments with Erini's Will would be handled by the GB.

6. Gary Stiliano

Emails from the [Executor intentions Rhodes.htm](#) collection of emails appear below under 'Gary Stiliano Emails'. When these emails have been perused, the GB should look again at transcript Page 23 Para 12 (detailed in Transcript Table below), and reconsider it's view.

He has done his best to ensure that Erini's assets are minimised because he has been unable to come to terms with Erini's Will.

As a consequence he forcefully physically assaulted his sister Stella when she tried to transfer a relatively small amount money from Erini's husband's bank account to Erini's bank account when Erini's husband died.

It is therefore not appropriate that he have anything to do with or have any say in Erini's finances.

Gary Stiliano Emails

Addressees	Body
<p>From:Gary Stiliano Sent:26/03/2001 10:29:04 AM To:Philip S CC: Subject:Re: Re Dad</p> <p>[SeqId = 1000400] [RefId = 1000410]</p>	<p>Have just heard from Koula who is still with us, that Con who is managing financial affairs on behalf of Dad in Greece, was quite disturbed by the way Stan conducted himself while he was in Greece last year. Aparently Stan was waving his power of attorney at Con, telling him he could do whatever he wanted, transferring property to himself and raiding the bank accounts that Dad had set up there. I will get more details direct from Con himself and advise.</p>
<p>From:Gary Stiliano Sent:18/04/2001 7:04:44 PM To:Philip S CC: Subject:Re: Virus</p> <p>[SeqId = 1000680] [RefId = 1000670]</p>	<p><clipped></p> <p>As a result of Dads death, power of attorney has lapsed and it is now up to one of us to apply for guardianship. I will enquire about this. Although I don't wish to do it personally, I don't want Stella or Anna to apply as Stella has again proven what a fruitcake she is and Anna's FATA-OULA (greek for a person who devours everything) qualities make her undesirable.</p>
<p>From:Gary Stiliano Sent:9/05/2001 11:47:25 PM To:Philip S CC: Subject:Land in Greece</p> <p>[SeqId = 1000860] [RefId =]</p>	<p>Stan rang tonite. He said we have to get ball rolling immediately or else we face the risk of forfeiting the property to the villagers who may claim it if we don't present them with a power of attorney soon.</p> <p>He said we have to produce a certificate of mental incompetence to the Greek Consulate here in Adelaide and <u>all</u> five children have to be present to sign a document which confers power of attorney to a person of our choice in Greece. (I would suggest Kostas Stefanaras).</p> <p>Are you prepared to co-operate in this regard?</p>
	<p>COMMENT ON ABOVE EMAIL 2004-10-04</p> <p>It is now known there was a leasing document which was in Stan's possession that made squatting and claims impossible. Stan even claims in the GB hearing of 26 Aug 2004 that there was never a danger of squatting. This is contained in the transcript of that hearing.</p>
<p>From:Gary Stiliano Sent:13/06/2001 11:48:51 AM To:Philip S CC: Subject:Re: Land Titles</p> <p>[SeqId = 1002260] [RefId = 1002250]</p>	<p><clipped></p> <p>I would do things in this order.</p> <ol style="list-style-type: none"> 1 Appoint Stan as power of attorney (Seek approval from Greek Consulate(?) and attach our signatures) 2.Send him to Greece to sell all individually owned property and transmit the money to each intended title holder. 3.Continue with his quest to obtain govts portion of jointly owned pty 4. Each persons share of fees to be based on each persons sale proceeds. 5 Whatever we pay Stan - he will well and truly earn it. It's a very messy affair. A solicitor would charge a fortune for the same effort. <p>If you wish to appoint a solicitor that's fine too but allow Stan to choose a solicitor. The solicitor must specialise in property disputes, speak english, be experienced, be trustworthy and be available on the internet.</p>

<p>From:Gary Stiliano Sent:15/06/2001 12:08:27 AM To:Philip S CC: Subject:Re: Thanks for response - Philip Stilianos</p> <p>[SeqId = 1002390] [RefId = 1002340]</p>	<p><clipped></p> <p>I think you better let Stan know and see what his reaction is. The last person who should be custodian is Stella. I'm convinced now that she's delusional (I'm not being insulting here, I honestly think she's mentally ill) and in no fit state to handle such matters.</p> <p>I'm not sure what point you're making about mum being left nothing. Stella issued the same statement just prior to "lifting" money from dad's bank a/cs. No matter what or how much mum is given she is not going to enjoy that benefit, so such statements reek of hypocrisy and should be made quite clear in their intent. Giving mum money is like giving a blind man a book to read.</p> <p>The law may sometimes be just, but it is also an ass.</p> <p>B4 deciding on custodial grounds, contact Salamastrakis and find out what, if any documents (whether notarized or not) exist to verify intent to transfer. Contact Stan first as he may want to handle it delicately if he suspects Salamastrakis, upon realizing we have no legal ownership title, attempt to transfer the properties to himself.</p>
<p>From:Gary Stiliano Sent:16/06/2001 11:40:05 AM To:Philip S CC: Subject:Re: answers</p> <p>[SeqId = 1002500] [RefId = 1002490]</p>	<p>Philip:Dad left nothing for mum.Are we happy that that was his wish? Gary:They went to the same lawyer on the same day and both did their wills together and Mum left nothing for Dad in her will - so what?</p> <p><clipped></p> <p>Philip:He has misjudged Stella's contribution to his life. Gary:No he didn't. But he had no had no respite from both mum and stella's mental deficiencies.</p> <p>Philip:And above all you yourself said that you were not interested in your share of the house - that Stella should keep it. Gary:Both Angela and I agreed as appreciation for what she had done for dad - until Stella unleashed her vitriolic tongue and accused ME of being greedy. That's make plenty of sense when she is demanding reimbursement of every 15 cent phone call and I've offered to forfeit \$10,000 in the house.</p> <p><clipped></p> <p>Philip:I'm sure that if he could review his wish list - he would have given it to Stella. Don't take things too literally when it suits you. Gary:If Dad had witnessed Stella's behaviour over the past 2 months, I can assure you he wouldn't have. I have no objection to her behaviour because I know she's lost her mind (I wished I had understood that at the time that I pushed her). But Dad could not tolerate mental illnesses from both Mum and apparently Stella.</p> <p><clipped></p>
<p>From:Gary Stiliano Sent:17/06/2001 1:38:56 PM To:Philip S CC: Subject:Greek titles</p> <p>[SeqId = 1002510] [RefId =]</p>	<p>I spoke to Stan today at church - it was Dad's 3 month memorial service.</p> <p>He said you can find out which ones are your titles by contacting Salamastrakis. And you can sell them without having titles as Salamastrakis has legal instructions as to who has been allocated what.</p> <p>Stan said if we leave things as they are there will be no problem. Each can sell his property as long as no one else in the family objects. Irene and Mary did exactly this when their mother died. He said if we don't follow this path everything will be swallowed up in legal expenses.</p> <p>Evidently one of yours and one of George's properties is valuable (I don't know how much). I suggest you find out which ones are your allocated properties, sell it to satisfy your obsession, and end discussion on this tiresome matter.</p>
	<p>COMMENT ON ABOVE EMAIL 2004-11-08</p>

	<p>It's June 16, 2001, and Gary still hasn't let on that Mum's Will has left all the Rhodes land to me. He's known this for months. And he is supposed to be the Executor of her will. This among other examples is why this Executor will be removed from the Will by the beneficiaries for his endangering the estate, his dishonesty and deception, and ill-intent towards the beneficiaries. For similare reasons Anna will be removed as co-Executor.</p>
<p>From:Gary Stiliano Sent:18/06/2001 11:40:20 AM To:Philip S CC: Subject:Re: Greek titles</p> <p>[SeqId = 1002600] [RefId = 1002510]</p>	<p>Stan said its adjacent land owners you most have to fear. They continue encroaching as they do their farming etc and eventually claim its theirs (?). The difficulty is that they're there and we're here. And he doesn't trust Salamastrakis the solicitor. All the necessary papers are in the solicitors hands. If he can't be trusted, then that's a real problem.</p> <p>Goodness me, if we can't trust the solicitor what hope have we got? Anyway, thats a pessimistic view and one should assume that a solicitor would only seek to represent his client, not to screw him out of his entitlements. But you would have to speak to Stan about his suspicions.</p>
<p>From:Gary Stiliano Sent:22/06/2001 12:15:18 AM To:Philip S CC: Subject:Re: Re Dad</p> <p>[SeqId = 1002760] [RefId = 1002750]</p>	<p>Stan just called. He spoke to Salamastrakis who will try to locate details of individual ownership.</p> <p>Salamastrakis said he had received contact from you but hadn't replied because he couldn't speak english and didn't want to pay for an interpereter to translate.</p> <p>I am at a loss to explain why the three of you don't have any record of ownership. Are you sure Dad didn't give the information? There appear to be 15 properties (mostly worthless) which are unallocated.</p> <p>I heard that Stella read you Mum's will today. Were you aware of the contents of the will beforehand?</p>
<p>From:Gary Stiliano Sent:4/05/2003 1:49:10 AM To:Philip stilianos CC: Subject:Re: Outstanding issues - farm</p> <p>[SeqId = 1015260] [RefId = 1015230]</p>	<p>We know they brought in over \$100,000 from Greece 7 or 8 years ago, because they were complaining to the old man that they had lost about \$8,000 due to the exchange rate changing rapidly during the two months it took for the old man to get the money here.</p> <p>We also learned by accident, when I was enquiring with dad's cousin and Greek bank manager (Stefanaras), that Anna had transferred \$57,000 to Peter's account from Greece, during the period that George was to receive \$11,000 from Anna for his share of the farm.</p> <p>Anna's deposit was a transfer from Melbourne.</p> <p>You sure do know who the crooks are!</p> <p>Have fun!</p> <p>----- Original Message ----- From: Gary Stiliano To: philstil2003@yahoo.com.au Sent: Saturday, 3 May 2003 8:47 Subject: Re: Outstanding issues - farm</p> <p>Not in the slightest bit interested in the Greek Land. I already know they have substantial ownership and have liquidated around \$150k. And I have suspicions about Dads bank account in Greece which only had 10 cents left in it. <ed:Clipped></p>
<p>From:Gary Stiliano Sent:7/05/2003 1:10:53 AM To:Philip stilianos CC: Subject:Amended offer of purchase</p> <p>[SeqId = 1015560] [RefId =]</p>	<p>Philip,</p> <p>My offer to purchase your share of the property at Lot 37, Diment Rd, Direk, is now reduced to \$62,000 as from 7/5/03.</p> <p>This offer will be completely withdrawn at 5pm (EST) on 11/5/03.</p> <p>If I do not receive acceptance or counter-offer by before 5pm 11/5/03 and I fail to send you notification of this complete withdrawal on that date, then this email is to be considered as effecting that withdrawal.</p>

	Gary
From: Gary Stiliano Sent: 12/05/2003 11:20:35 AM To: Philip stilianos CC: Subject: Offer to purchase now withdrawn [SeqId = 1015740] [RefId =]	Philip. My offer to purchase your share of the farm at Lot 37 Diment Rd, Direk, in my recent emails (initially for \$65,000 and then for \$62,000) is hereby withdrawn. Gary 12/5/03
From: Gary Stiliano Sent: 21/05/2003 9:48:19 AM To: philstil2003@yahoo.com.au CC: Subject: Re: Delivery of Certificate of Title to Treloar [SeqId = 1015940] [RefId = 1015930]	Well whatever you price you got from Anna, you would have got heaps more from me. \$\$\$\$ Dummy.
From: Gary Stiliano Sent: 21/05/2003 9:52:23 AM To: Philip stilianos CC: Subject: News [SeqId = 1015950] [RefId = 1015940] Attachments: Told to me by Stella.doc	There is a snake in every nest. You just misjudged who was the snake. Dummy.
From: Gary Stiliano Sent: 21/05/2003 10:24:33 AM To: Philip stilianos CC: Subject: More news [SeqId = 1015960] [RefId =]	Spoke to real estate agent at Ray White. He said he could get \$300,000 "easy!" for land WITH A HOUSE from Vietnamese market gardeners who are DESPARATE for housing there because the council will no longer approve building there. You already mentioned the vietnamese factor yourself! I'll be asking Anna for a minimum of \$100,000 PLUS a premium for getting ridding of me. Dummy.
From: Gary Stiliano Sent: 21/05/2003 10:32:00 AM To: Philip stilianos CC: Subject: Even more news [SeqId = 1015970] [RefId =]	Anna's got ALL the land in Greece. I have NONE! I NEVER drove the old man insane like she did with her demands. You sold to a snake. Dummy.
From: Phil S Sent: 21/05/2003 12:19:14 PM To: Gary Stiliano; SA Public Trustee CC: Treloar. treloar; AnneMarie Stilianos; Irene (E-mail); Nicole Vlahos (E-mail); Sonja Stilianos (E-mail) Subject: RE: News [SeqId = 1016010]	I'll forward this on to the Public Trustee. Does the Public Trustee need any more proof that it should URGENTLY act in accordance with my recommendations. -----Original Message----- From: Gary Stiliano [mailto:garystil@bigpond.net.au] Sent: Wednesday, 21 May 2003 9:52 AM To: Philip stilianos Subject: News There is a snake in every nest.

[RefId = 1015970]

You just misjudged who was the snake.

Dummy.

7. Salamastrakis/Stafylakis Emails - Evidence

Note: Stelios Stafylakis is an Athens lawyer, Salamastrakis is a Rhodes lawyer.
Only relevant emails for this hearing are shown here for document brevity.

<p>From: Δημήτριος Σαλαμαστράκης [mailto:dimisdsr@otenet.gr] Sent: Saturday, 23 June 2001 9:58 AM To: Philip S Subject</p>	<p>Mr Philip Stilianos</p> <p>AUSTRALIA</p> <p>Dear Philip</p> <p>I apologize to you for not having answered your e-mails because I had an important case to handle. It is a little difficult for me to communicate with you in English.</p> <p>The properties that it is located in Lachania Rodos, are in your mother's name and belong to her. She is the only one who can sell the property of the titles that have been nullified. Your father had the power of attorney to sell but now as he is dead it doesn't valid anymore.</p> <p>In order to sell any part of the property, your mother must sign the relative contract at the presence of the notary public or the Greek Consulate. She can also appoint through a notary public or the Greek Consulate someone to sign on behalf of her. That means that she must appoint a representative. As far as I know your mother hasn't donated legally to you any part of the property in Lachania through the notary public or the Greek Consulate. Therefore according to the Greek Law the titles of the property that you have don't belong to you but to your mother. So you can't sell. I don't have the information concerning the land your mother has passed on to you. I only know the part of the property given to your sister Anna Itsines because she sent me a letter signed by your mother and your father.</p> <p>There are not legal issues to be sold, but it depends on your mother. If she is not legally able to decide and if someone else is appointed as an administrator of the court is required for the sale.</p> <p>I will send you another letter very soon, to inform you about the pieces of land that belongs to your mother and those given to your sister Anna Itsine, by your mother.</p> <p>My best regards.</p> <p>Dimitris Salamastrakis</p>
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<p>From: stelios stafylakis [mailto:stafylakis@yahoo.com] Sent: Thursday, 6 September 2001 8:17 PM To: Philip S Subject: Re: Rhodes Land Administrator - Erini Stiliano</p>	<p>Dear Mr Stilianos,</p> <p>I have communicated with Mr Salamastrakis in Rhodes who was very kind to me and he promised me that he would send me the titles (documents)of your mother's real estate. I will contact you again as soon as I get them in my hands.</p> <p>Regards</p> <p>St. Stafylakis</p>
<p>From: stelios stafylakis [mailto:stafylakis@yahoo.com] Sent: Monday, 29 October 2001 11:14 PM To: philstil@ozemail.com.au Subject: Re: Erini Stiliano - Fees</p>	<p>Dear Mr Stilianos</p> <p>I haven't heard from you for a long time so I thought that either you have dropped the case or you have decided to handle it to another lawyer. Anyway I called again Mr Salamastrakis in Rodos and he promised me once more to send me the whole file next week. Meanwhile I would like you to know that in order to proceed more further to your case you have to send me a down payment of 300 US\$.</p> <p>Regards</p> <p>Stelios Stafylakis</p>
<p>From: stelios stafylakis [mailto:stafylakis@yahoo.com] Sent: Thursday, 1 November 2001 10:34 PM To: philstil@ozemail.com.au Subject: Re: Erini Stiliano - Hearing on 25 November</p>	<p>Dear Mr Stilianos,</p> <p>I will contact Mr Salamastrakis again on Friday afternoon. You will hear from me again by Monday.</p> <p>Regards</p> <p>Stelios Stafylakis</p>
<p>From: stelios stafylakis [mailto:stafylakis@yahoo.com] Sent: Tuesday, 6 November 2001 7:35 PM To: philstil@ozemail.com.au Subject: Re: Erini Stiliano - Hearing on 25 November</p>	<p>I am still waiting for Salamastrakis' answer</p>

8. Transcript Comments

Transcript Comments have been submitted by Philip Stilianos and Irene Stilianos. These appear in *separate* tables below

Abbreviations:

LG = Lin Gilfillan (Guardianship Board)

LM = Lesley McPharlin (Public Trustee)

PS = Philip Stilianos

IS = Irene Stilianos (mother of Erini's beneficiaries Shamona and Sara)

SW = Sonja Withoos

NV = Nicole Vlahos

AS = Anne Stilianos

AI = Anna Itsines

SI = Stan Itsines

9. Philip's Transcript Comments

Page	Para	Transcript text/notes		Comment
5	2	LM	"Are there squatters on the land...And we have not got a clear answer to that. The answer tends to be. Oh Well,I'll contact our agent in Greece and we'll get back to you. And im concerned that every time I writeor phone I get a bill for that. So we are up to abill of \$2000..."	PS Stan/Anna did not declare at this moment the leasing document, in their illegal possession since 2001, that secured all the properties.
5	7	LM	..".And if there are squatters I'd be reluctant to be sitting here doing nothing while she is losing money. But i cant get a firm answer as to what is involved i nthe Greek end..."	PS ditto
6	2	LM	"I sent him (philip Limberis) an email...I asked him whether he knew there were squatters on the land...with the Olympics...I havent had a response."	PS ditto
8	2 to 9	LG,PS	Transcript homes in on the squatters issue. LM reveals to the participants my application to become adminisrator to protect/dispose of land.	PS ditto
8	8	LG	"So they have been squatting for some 15 years"	
8	10, 12	SI	"That is wrong". "there are no squatters".	PS After over 3 years, Stan finally shows his hand. Subsequent to this forced revelation of Stan's, and further investigations, I eventually obtained the leasing document via Philip Limberis and issued a copy of it to all siblings and the Public Trustee. The hopes that Gary and Anna had as Executors to manipulate asset disposal are now all but vanished. Our dear mother Erini is still alive. Steps will be in place to have Gary and Anna removed as executors so there is no chance of executor manipulation - as I allege there was with the deceased estates of my brother George (dec 26 Dec 2001) and my father Steve (dec 20 Mar 2001).
8	13,15,17, 18,20	AI, LG	"If Mr Philip Stilianos was not the sole beneficiary of my mother's will, this would not be taking place at this moment."	PS This is a hostile statement directed at Erini (and therefore the Board as her protector). In what way does this antagonistic statement benefit Erini? Anna is carrying out a Will contest against Erini and the Board in the wrong court, and perverting and subverting the efforts to administer Erini's assets.
9	3,4	AI, LG	argument between AI and LG continues.	PS ditto
9	14	SI	"I Don't want to say names? Why should I say names? I don't get paid. Do I get paid for this?"	PS In what way does this antagonistic statement benefit Erini?
			"When their father died, I said to them. Mr Salamastrakis is not probably the best lawyer in Greece, but because he knows a lot of details, don't	PS - Salamastrakis promised to send me details on Erini's titles then mysteriously made no contact. - Why did Salamastrakis promise an Athens solicitor (I had sought to engage) to send Erini's file, then after two more attempts and promises by the Athens solicitor, Salamastrakis mysteriously made no contact with his peer, and the Athens solicitor gave up. See emails under "Salamastrakis - evidence" in this document. Well the alarm bells started to ring and next step was for me to apply for an Administration Order to urgently investigate and secure Erini's properties against squatters.

12	8	SI	<p>try to change him because you might have problems.</p> <p>Now, what they did, they send him emails demanding to release information.</p> <p>But, the only properties which Mr Salamastrakis knows exactly who belongs is, is our properties."</p>	PS	<p>Stan invited me to contact Salamastrakis via email from Gary:</p> <p><i>"Stan said you can find out which ones are your titles by contacting Salamastrakis. And you can sell them without having titles as Salamastrakis has legal intructions as to who has been allocated what."</i></p> <hr/> <p>I then sent an email to Salamastrakis requesting info:</p> <p><i>"Dear Dimitris</i></p> <p><i>Regarding my previous emails on this matter, I would greatly appreciate it if you could could fax or email some documentation which proves I am legally able to.....</i></p> <p><i>Sincerely</i> <i>Philip Stilianos"</i></p>
13	15	LG	"He is a hotel developer. Much of this land is not large enough, by law, to build anything on."	PS	<p>3,000 sqm minimum to build on. Two agents told me.</p> <p>Gary, Anna and Stan would have known that. It's important for the PT to understand this too as any land over 3000 sqm is worth a lot more than anything under it.</p>
14	1	LG	"I suppose, we take that on trust from you. But he is a developer and developers need land to develop into hotels, shops, whatever".	PS	<p>Don't take my word for it. Ask Stan who was right there with you, or any estate agent in Greece.</p> <p>As for hotels, shops, Stan, Gary and Anna had the answers for you if you had asked them.</p> <p>If the GB was correct Stan/Anna with 21 years of local knowledge on the properties in question would have vocally agreed with the GB's comments.</p> <p>We didn't expect lectures from the GB on the hotel development potential of Lahania. Great sense of humour though - I'm needing a good laugh right now.</p> <p>Lahania is not a tourist destination. Philip Limberis goes there weekends to get away from his hectic life managing his hotel in Rhodes city 60 km away.</p>
14	4	SI	"Yes, because already he has interest in the village. His mother is from that village, And he has some properties there"	PS	<p>Erini is also from that village, and her daughter Anna has a property there too. What point is being made here?</p> <p>Stan is no position to comment as his estimates of \$80,000 are way below the PT's valuations of \$240,000.</p> <p>The PT would be in control of what prices to accept.</p>
14	5	AI	"And, they had arguments with other relatives about acquisition of land in Lahania"	PS	<p>See if we can triple Stan and Gary's low low estimates.</p> <p>I get the feeling that the nasty suspicions Anna and Stan are casting on others are actually the suspicions we would have of Stan and Anna.</p> <p>When I mentioned these last two paragraphs to Philip Limberis he was very hurt and disappointed in Anna. He mentioned to me that Stan has a reputation here as a Wheeler and Dealer.</p> <p>The PT would be in control of what prices to accept.</p>
21	14	SI	"Because these properteis are not worth \$80,000 the whole lot....."	PS	I have always regarded executors gross undervaluations as having a potential for common fraud.
22	2	SI	"Let's go Anna, Let's go. My lawyer - I have 5 properties and need these properties".	PS	Please investigate this fraudulent claim.
22	3	AI	"I will put in a complaint against you (to LG)"	PS	Throughout the hearing Anna is in conflict with the Board and Erini.
23	12	LG	"I think it is clear the attitude of family members to the formal involvement of your friend, Philip Limberis, and also to your involvment as administrator. "	PS	<p>Most family members supported Philip Limberis, except for two of Erini's desperate antagonists.</p> <p>The Board has made a very bad decsion and it should be reversed.</p>
					Let's be quite clear on this one. The conflict is between the Board and Anna/Stan, because the Board is taking on board the conflict between Erini and Anna/Stan.

23	12	LG	"I think Gary you just made apoint then that you thought there was too much family conflict for any family member to be appointed as administrator".	PS	<p>The Board should have resolved their conflict with Stan/Anna in Erini's favour.</p> <p>The sole beneficiaries have no need of conflict, and nothing to gain from it. All the beneficiaries are one united family.</p> <p>We have never had a history of family conflict with our Adelaide relatives.</p> <p>However the executors of Erini's Will Gary and Anna are opposed to the Will and seek to thwart it.</p> <p>The Board should focus on what is in the best interests of Erini. It should not be swayed by disgruntled non-beneficiaries.</p> <p>This matter should not be swept under the rug using a concocted 'family conflict'. It wasnt even an observation of the GB - it got the unsolicited advice from another family member .</p>
27	16	GS	"if there is any decision favorable to Philip being administrator, if there is any chance of that, then I would like to present evidence to you to show it shouldnt happen".	PS	<p>Gary was very angry and depressed when his mother omitted him from her Will.</p> <p>Gary was very angry and very depressed when I sold my share of the farm to Anna.</p> <p>Gary was angry when I thwarted his attempt to subvert Erini's Will.</p> <p>See the collection of emails presented and you will understand.</p>
27	17	LG	"i think you have been quite clear to the Board in your views about that."	PS	<p>What views? He has put nothing forward. Why didn't the Board call his bluff?</p> <p>Gary has deceived the Board comprehensively.</p> <p>The Board should focus on what is in the best interests of Erini. It should not be swayed by disgruntled non-beneficiaries.</p>



10. Irene Stilianos' Transcript Comments are in following table

Page	Para	Transcript text/notes		Comment	
4	4	LM	"I wanted to bring to the attention of the Board as to whether that was and appropriate course of action, or whether it was really something that was in Mrs Stiliano's interest to proceed with"	IS	If Erini Stiliano, had any idea that Phillip Limberis, would be involved, she definately would proceed no doubt about it
5	5	LM	"I have put a summary. I think of the finances in there. It seems she has got about \$70,000 from proceeds of the Sale of a home. I would have thought that is probably, from her point of view enough to take care of her needs. So, from her point of view, I wonder whether she really does need to sell these properties and call in that money"	IS	From Erini Stiliano's point of view, she would have called in that money from Rhodes to take care of her needs, as she had willed my daughters Sara and Shamona Stilianos her whole half of 31 Halifax Ave, Parafied Gardens thats where the proceeds came from. From Erini Stiliano's point of view she would never have taken away the gift she intended her great grandchildren to receive.
5	8	LG	"As far as the second question you have asked is whether you think Phillip Limberis should be engaged to undertake the Sale of properties held in Greece, as recommended by Mr Philip Stilianos. Do you know anything about this other person?"	IS	If my father Mr Phillip Stilianos recommended Mr Phillip Limberis to undertake the Sale of properties held in Greece, then I trust him, my father would not recommend some-one who could or would jeopardise the Esate of Erini Stiliano.
8	12	SI	"There are no squatters"	IS	How come it took 3 years to say that.

8	13	AI	"If Mr Philip Stilianos was not the Sole Beneficiary of my mother's will, this would not be taking place at this moment. It is only because he knows he is the Sole Beneficiary that this is taking place. What he wants to do is sell all the properties, put them in her bank account, so that they are ready when my mother dies."	IS	Mr Philip Stilianos did not ask to be sole beneficiary of his Mother's will, and yes he does know that he his the Sole Beneficiary of his mother's will, that it is right that he protect her Estate. Erini would be very proud of Philip in protecting what she wanted her beloved son to inherit.
8	15	AI	"My father left these properties to each of his children"	IS	They were and still are Erini Stiliano's Properties, they were never his to leave.
8	17	AI	"But, what he wants to do is acquire them all for himself"	IS	No, Philip Stilianos is trying to protect his mother's Estate, so you don't try acquire anything for yourself.
8	18	LG	"This is not to do with your father's estate"	IS	EXACTLY, it should have not been brought up.
8	20	AI	"There is no other motive, but that"	IS	Philip Stilianos is trying to protect his mother's Estate.
9	1	SI	"There was never, never squatters in these properties"	IS	Then how come in an e-mail that my dad had recieved, Stan told Gary on the 8/5/2001, we have to act quickly otherwise we face forfeiting the properties to the villagers, who may claim it, if we don't present them with a Power-of -Attorney soon. Obviously Stan knew the properties were safe all this time. I DON'T GET IT!
9	3	AI	"If he wants to sell his properties he can sell them, not mine"	IS	Anna has no properties
9	5	SI	"The person- the man he talks there, the disease of my father-in-law, they all make him Power-of-Attorney few years back through the Greek-	IS	Yes, they all made him Power-of-Attorney to sale land and open up Greek bank accounts for all 5 children. George and Philip didn't have have a bank account. WHY NOT? WHAT HAPPENED?
10	3	SI	"I just provide one name. I'm sorry, dear. I'm not here to provide anything I know."	IS	I thought this Board meeting was for best interest of Erini Stiliano, why hold out on information that could help
11	3	AI	"Lies. The Lies in this family is incredible"	IS	You should know Anna.
13	9	LG	"It is okay- And, he is a developer. Do you think that he potentially would have a conflict of interest in dealing with this property seeing that he is a developer in Rhodes and that this land was for Sale? Do you think he might have a conflict of interest in perhaps wanting to either purchase it himself, or sell it himself, of sell to his own business contacts	IS	Why doubt Mr Phillip Limberis, if everyone wants what is best for Erini Stiliano's then Mr Phillip Limberis should very much be involved
14	3	LG	"Does anyone else, other family members have any concerns at firstly this particular person, Phillip Limberis, being involved in the Sale of this property"	IS	No Concerns Here.
14	4	SI	"Yes, because already he has interest in the village. His mother is from that village, And he has some properties there"	IS	What is the point trying to be made here
14	5	AI	"And, they had arguments with other relatives about acquisition of land in Lahania"	IS	What is the point trying to be made here

14	7	GS	"In relation to the involvement of Phil Limberis, I have no concerns"	IS	Good, because there is absolutely no problems with the involvement of Phillip Limberis.
20	1	AI	"I don't agree with Phillip Limberis because he has got a conflict of interest"	IS	No he does not.
20	5	AI	"But, I don't want to sell my properties. If he wants to sell his properties, he can. But, I don't want to sell my properties that my father had for me. I want to stay as they are. Haven't I got that right?"	IS	Again, these properties belong to Erini Stiliano.
20	6	LG	"Well, my understanding is they haven't been transferred to you"	IS	EXACTLY
20	7	AI	"They haven't been transferred, but I'm going to tell you something. I have told you before"	IS	There is no documented proof , that these properties belong to Anna and she knows it.
20	8	LG	"They technically your mother's"	IS	EXACTLY
20	9	AI	"The only reason this is taking place is because he knows he is the Sole Beneficiary of his mother's will"	IS	That's right
20	10	AI	"If anything happens to my mother, I will contesting the will. I will be contesting the will. Okay?"	IS	I don't understand how Anna can go against the wishes of her mother, if this is what Erini Stiliano wanted then why can't it be left alone.
20	13	AI	"But, how does he know that, that is what my mother would have wanted. My mother has assigned my father to be Power-of-Attorney, to place properties to his children's name. How does he know that, that is what my mother would have wanted. This is what he wants. It's not - how does he know that it's what my mother would have wanted"	IS	Yes, Erini Stiliano did assign her husband to be Power-of-Attorney, and he was to sell land in Rhodes and it was to be gifted to all 5 children. THAT DID NOT HAPPEN, what Erini Stiliano wanted was never fulfilled. Why do you seem to care now at what she would have wanted, when you did not give a damn about it in 1993 & 1996.
20	17	AI	"Please, please do not be unfair. Think of our side as well. not only his side"	IS	I can't beleive Anna had the nerve to even utter that statement. Anna had received a large amount already ie: shop/s from her father, a house in Greece, \$150,000 + from land sales in Rhodes, and she thinks she has been treated unfairly. Gary and Stella have both received substantial gifts as well. My father had accepted what they had received, even when he didn't receive anything he did not complain, he still maintained great relationships with his brothers and sisters. In 1993 Erini Stiliano did her will, keeping in mind that her other children had been taken care of. So to keep it fair she had willed her Estate to Philip's family line, as she probably would have felt that everyone would have appreciated what they already had received. My Grandmother is the kindest most loving person I know, she did her will to be fair. How Anna can even say," Please do not be unfair. Think of our side as well. not only his side, is beyond me". I'm still trying to recover from that statement.
20	18	AI	"In the best interest, how do you know what is the best interests of my mother"	IS	Read the Will.
21	2	AI	" I will not leave. How do you know 100% that , that is in the best interests of my mother?"	IS	Read the Will.

21	4	AI	"In an e-mail sent to me Mr Gary Stiliano, he said. I want to secure funds for my daughters in an e-mail. I should have brought that e-mail and I will bring that e-mail"	IS	What is wrong with my dad wanting to secure funds for myself and my sisters, Anna was able to provide security for her own children. She makes this sound like it is a bad thing.
21	21	SI	"This is what happened last time. This is why you're never going to finish this problem"	IS	The reason for the problem is Anna and Stan won't let go of land, that is not theirs and never will be. I wish they would kiss it Goodbye, appreciate what they already have and move on.
22	2	SI	"Let's go Anna. Let's go. My lawyer- I have five properties and I need those properties"	IS	Prove it, he does not have 5 properties and sure as hell wouldn't need them.
22	12	LG	"I think it is clear the attitude of family members to the formal involvement of your friend, Phillip Limberis and also to your involvement as administrator. I think Gary, you just made a point then that you thought there was too much family conflict for any family member to be appointed as administrator?"	IS	Mr Phillip Limberis is not only a friend, he is a relative. It is only Anna and Stan who oppose him being involved. There is no conflict from Phillip Stilianos' family line, never has been. You know what they say, there are two sides to every story.
25	9	GS	"Well, I'm not a beneficiary of the will"	IS	Then why is it such a problem then for Mr Philip Stilianos to administer the land in Rhodes.
27	16	GS	"If there is any chance of a decision favourable to Philip being administrator, If there is any chance of that, then I would like to present evidence to you to show that it shouldn't happen"	IS	What Evidence? The only thing Mr Philip Stilianos is guilty of, is caring and loving his mother very much and wanting to protect her Estate.