

If calling please ask for:
Lesley McPharlin

Telephone:
08 8226 9202

Our Reference:
CSO:0032124
0845373.doc

Your Reference:

15 December 2004



**CROWN SOLICITOR'S
OFFICE**

**PUBLIC TRUSTEE LEGAL
UNIT**

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25 Franklin Street
ADELAIDE SA 5000

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IMAGED

Mr P Stilianos
2/3 Yendon Road
GLEN HUNTLY VIC 3163

Dear Mr Stilianos

Re: Erini Stiliano

I confirm that I act for Public Trustee who was appointed limited administrator of the estate of Erini Stiliano by orders of the Guardianship Board made on 26 November 2004 and 26 August 2004.

I refer to your email to Mr Tony DeLonno personal estates manager at Public Trustee forwarded on 13 December 2004 at 3.30 pm. Mr DeLonno has requested that I respond to your concerns with respect to the funds held by Public Trustee.

As you are aware your mother's home has been sold and the proceeds of sale are held by Public Trustee in a separate account on your mother's behalf. The reason for isolating the proceeds of sale of the home is that there is a specific bequest in the will with respect to the home.

In view of the provisions of Section 43 of the *Guardianship and Administration Act 1993* it is Public Trustee's practice to place funds in these circumstances in a separate account so that they can be readily identified in the event that an application is made by the beneficiary/beneficiaries of the specific bequest, pursuant to that section following the death of the protected person.

Please note the funds were not placed in a separate account in anticipation of any *Inheritance (Family Provision) Act* claim by Anna or Stan Istines. Should there be such a claim following your mother's death the court will ultimately determine who shall bear those costs.

As you are aware Public Trustee is not nominated as the executor of your mother's will and therefore has no interest in any proceedings you may wish to initiate with respect to an order substituting alternative executors.

IMAGED

Likewise, it appears that the other matters raised in your email relate to potential legal issues arising after the death of Ms Stiliano and therefore Public Trustee has no interest in pursuing these matters. Public Trustee has no objection to you reporting your concerns to South Australia police.

I recommend you obtain independent legal advice at your own expense should you wish to pursue the testamentary issues further.

I trust this clarifies the situation.

yours faithfully

CROWN SOLICITOR

per:

